



Final Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico

VOLUME 2
COMMENT RESPONSE DOCUMENT



Conceptual Drawing CMRR Facility

AVAILABILITY OF THE
FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR THE
NUCLEAR FACILITY PORTION OF THE CHEMISTRY AND METALLURGY
RESEARCH BUILDING REPLACEMENT PROJECT AT LOS ALAMOS NATIONAL
LABORATORY, LOS ALAMOS, NEW MEXICO (CMRR-NF SEIS)

To submit questions regarding this CMRR-NF SEIS, or to request
a copy, please contact:

John Tegtmeier, EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
3747 West Jemez Road
Los Alamos, NM 87544
Telephone: 505-665-0113



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Final
Supplemental Environmental
Impact Statement for the
Nuclear Facility Portion
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Metallurgy Research
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Laboratory, Los Alamos,
New Mexico



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Reader's Guide

This Comment Response Document (CRD) portion of the *Final Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico (CMRR-NF SEIS)* consists of four sections:

- **Chapter 1 – Overview of the Public Comment Process**

This section describes the public comment process for the *Draft CMRR-NF SEIS*; the format used in the public hearings on the draft SEIS; the organization of this CRD and how to use the document; and the changes made by the National Nuclear Security Administration (NNSA) to the *Final CMRR-NF SEIS* in response to the public comments and recent developments that occurred since publication of the *Draft CMRR-NF SEIS*.

- **Chapter 2 – Major Issues**

This section presents summaries of the major issues identified from the public comments received on the *Draft CMRR-NF SEIS* and NNSA's response to each issue.

- **Chapter 3 – Public Comments and NNSA Responses**

This section presents a side-by-side display of all of the comments received by NNSA on the *Draft CMRR-NF SEIS* and NNSA's response to each comment. The comments were obtained at four public hearings on the *Draft CMRR-NF SEIS* and via telephone, fax, e-mail, and U.S. mail.

- **Chapter 4 – References**

This section contains the references cited in this CRD.

To Find a Specific Comment and NNSA Response

Refer to the "List of Commentors" immediately following the Table of Contents. This list is organized alphabetically by commentor name and shows the corresponding page number(s) where commentors can find their comment(s).

NNSA has made a good faith effort to interpret the spelling of names that were either hand-written on comment forms and letters, or transcribed from oral statements made during public hearings.

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Lena Burpo	Mike McAnich	Doreen Romero	Leah Winchester
Shannon Clark	Lanie Norton	Kevin Sheffield	Steve Wright
Bob Fraser	Bill Owen	Barb Spitz	

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Maris Arnold	Richard Grooms	Jean McMahon	Bettina Bowers Schwan
Martha Baldoni	Nancy Hagenbach	Penelope McMullen	Frida Simms
Jill Balduini	Sarah Hamilton	Alex Mexi	Howard Stein
Lucille Bertuccio	Sherman Hoover	Brian Moe	William Tepper
Noah and Natasha Brenner	Lindsay Iliff	Douglas Parker	Lisa Timmermeyer
Carol Brown	SJ Jacobson	Shaddon Ross	Dorothy Varellas
Mary Burton	Leona Juris	Sharon Rossol	
Martha W. Bushnell	Stewart Loeblich	Karen Rubino	
John Gasperoni, Ph.D.	Maria Marchegiani	MaryEllen Sauser	

Campaign C3-788

Alicia Bomhoff	Lynne Glasner	Pamela Melcher	Joan Singleton
Delphine Busch	Michelle Gobely	Barbara and Paul Moe	Edith Tschetter
Victoria Bush	Laura Jolly	John O'Neil	Michelle Turner
Nancy Chismar	Kirpal Khalsa	Kwaku Oppong	Danny Watson
Sandy Commons	Elisabeth King	Wendell Perks Jr.	Julie Whitesell
Jean Cossey	Joan Kirk	Bartley Reese	Amy Wiesner
John Dalla	Donna Knipp	Nancy Reutter	Geoff Young
Carmen Dinescu	Kenneth Korten	Helene Rosen	
Sarah Fritz	Michelee Martin	MaryEllen Sauser	
H.D. Frotscher	Jan McCall	Sherri Silverman	

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Jean Alford	John Emrys	Erma Lewis	James Roberts
Glen Anderson	Maury Grimm	Penelope McMullen	Ilana Rossoff
Tammy Betancourt	Veronica Grover	Margaret Moore	Helen Rynaski
Ana Gonzales Biele	Jeanne Guerin	Joel Morris	Kathy Sipowicz
Beatrice Brailsford	Lenore Hawkins	Adrienne Moumin	Kellie Smith
Laurrie Cozza	Michelle Howe	Gayle Moutard	Cletus Stein
Sigrid Dale	Paridokht Jenab	Tetsu Okuhara	Barbara Williams
Dorothy Dean	Piper Karie	Sheridan Phillips	
Marygrace Decotii	Debra King	Peggy Pryor	
Margaret Diegelman	Susan Koehne	Glenn Reeves	

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Jessie Bacon	Michael W. Evans	Elaine Howes	Steve Simmons
Leticia Bayona	Amanda Finlayson	Geraldine Kline	Alice Slater
Cathie Bird	Robert Fritsch	John Kraemer	Carmen Sosa
Mary Ann Cassidy	Greg Gable	John Martin	Emily Stern
John Cielukowski	Sonia Goldstein	Mary Jo Miserendino	Andrew Tremain
Gloria Coleman	Elizabeth Guise	Jan Paley	Katia Van Horn
Chuck Donegan	Kimberly Hanson	Kristina Paris	Leslie Washington
Christopher Dougherty	Whitney Hawks	Robert Scheff	Debra Webb
Robert Ellis	Charlotte Hendrickson	Kathy Seabrook	Jearline Wostal

Campaign F.....3-799

Dina Angress	Jenn Dodd	Richard Kelley	Lisa de St. Croix
Donna Benjamin	Jeanette Eastman	Marsha Maxwell	Candice Stuart
Pamela Vouros Callahan	Marie Flom	Rebecca Rens	Grace Tiessen
Kerrilyn Chew	Kris Glover	Annie Rogers	Janice Wheelock
Aileen Conway	Susan Gordon	Scott Rundt	Martha Wood
Sister Kathleen Corbett	Jess Graffell	Kelley Scanlon	David Zahrt
Merrily Davies	David Hoemberg	Megan Sherwood	

Campaign G.....3-804

Elizabeth Andrus	Annamarta Dostourian	Lynn Merle	Will Santana
Elisse Antczak	Patricia Farrington	Paula Myles	Kathryn Simmons
Chuck Balduini	Angela Fazzari	Maureen Nelson	Carl Stilwell
Dolores Bray	Russell Grindle	Barbara O'Reilly	Tanya Story
Phoury Chhun	Thomas C. Hall	Yolanda Oney	Karen Turner
Suzanne Clark	Sue Hawes	Samantha Osborne	Beverly Walker
Ann Crisp	Lauren Heartsill	Trudi Richards	Angela Werneke
Jasmine Darrah	Jeanie Johnson	Roberta Richardson	
Denise DeGarmo	Frances Kean	Pamela Rosenberg	
Michelle Delon	Gerson Lesser	George S. Darlen Ross	

Campaign H.....3-809

Susan Aram	Mali Gesmundo	Larry Lambeth	Rosalind Rickman
Stephanie Binch	Lisle Hall	Michele McFerran	Jeanne Ripp
Sallie Bingham	Elizabeth (Bay) Hollowell	Whitney Metz	Gloria Salazar, LISW
Juanita Bishop	Timothy Haught	Susan Mitchell	Roger Santerre
Lynnda Braun	Christian Heinold	Sophie Morel	Morgan Sky
Juanita Carl	Tuesday Hoffman	Judi Muller	Vicki Teague-Cooper
K. Chung	Ana Jude	Tuan Nguyen	Stan and Dorothy Thomas
Grace Ertel	Charlotte Koons	Tracy Ouellette	Rowena Wyckoff
Ken Fisler	Robert Krikourian	Chris Pomeroy	
Allison Gale	David Laird	Roberta Richardson	

Campaign I.....3-812

Joyce Casey	Veronica Hayes	Phil Odea	Dr. William J. Sneck,
Lin Daley	Norma Hogan	Patricia Pratt	S.J., Ph.D.
Jamie Erfurdt	Tracy Holthaus	Frank Quin	Reverend Crow Swimsaway,
Paulette Finnegan	Myrna Marcarian	Rosa Rashall	Ph.D.
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Sean Gough	Bobbi Masters	Sarah Ryan	Rosie Volpe
Sandra Gray	Sarah Menefee	Rita Schwarzenberger	Martha Williams
Penny Dixon Gumm	David Middleton	Cathy Smith	The Wojo Family
David Hartsough	Agneta Norberg		

Campaign J.....3-816

Beverley Abbey	Robert Daly	Eva Johanos	Mary Helen Sandoval
Jeremy Atkinson	Laura Dean	Norman Keegel	Lynn Schneider
Janet Babgy	Patricia Donnelly	Jubal Lambert	Eric Steffen
Philip Balcombe	Sheila Geist	Penelope McMullen	Diana Stokes
Charlotte Berger	Andi Gibson	Patricia Moore	Sally-Alice Thompson
Sasan Bidari	Wouter Hagoort	Raymond Nash	Laurie Todd
John Bromer	Bill Hay	Diane Nova, Ph.D.	Hal Trufan
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Lucia Comnes	Joanne Hoemberg	Ivy Quintero	
Jaclyn Cranach	Blaine Jensen	Jennifer Rodriguez	

Campaign K.....3-820

Ed Aguilar	Tamra McConoughey	Kathy Robinson	Galadriel Spanogians
Dan Esposito	Michael Meade	Diana Sanderson	Mary Swain
Pamela Funkhouser	Judith Mohling	Val Sanfilippo	Krissy Welch
Matthew Goodman	David Mondejar	Kathleen Sauser	Susan Williams
Jill Hogan	Shirley Morrison	Beth Seberger	Mark Wolgamuth
Tricia Kelly	Chenoa Ortega	Terri Shofner	
Lauren LaVail	Ivy Quin	Joanne Smith	
Tamara Lichtenstein	Mark Richmond	Ame Solomon	

Campaign L3-825

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Gloria Cameron	John Essman	Pauline McShain	Alice Slater
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James Chase	Richard Henighan	Shyam K. Mondal	Ann Suellentrop
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Jane Cook	Jerome Kirsling	Raun Norquist	Maria Williamson
Melissa Crutcher	Patsy Lowe	Luise Perenne	

Campaign M.....3-829

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Virgil Alley	Malissa Haslam	Alison McCormick	Barbara Roche
Jean Bergstrom	Grace Holden	Jayne McGuire	Margaret Rogers
P. Boustany	Anne-Barrie Hunter	Michael Meade	Sylvia Schleimer
Ashley Choker	Molly Johnson	William Messenger	Dr. William J. Sneck,
Felicity Doyle	JoAnn Keenan	Raynera Mrotek	S.J., Ph.D.
Pat Dressler	James Kirks	Mary Murray	Bob Stoddard
Alicia Dressman	Peter Klosterman	Yoshinaga Nara	Rachel Tennenbaum
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Pamela Gilchrist	Carol Lake	Shane Nodurft	Veneda Waldo
Rand Guthrie	Chase Livingston	Kimi Quick	Krissy Welch

Campaign N.....3-834

Tracy Akers	Erica Gray	Jitka Mencik	Laurel B. Stranaghan
Barbara Babin	Kristi Hanson	Shelby Miller	Mary-Alice Strom
Luz Beltran	Veronica Hayes	Shane Nodurft	Kim Telgarsky
Lea Bradovich	Ray Hearne	Haruka Oatis	Liesbeth Vandenbosch
James Burnham	Luisa Kolker	Johni Prinz	Paul Waybrant
Mark Donato	Marvin Kwit	Nick Rodin	Maureen Wright
PK Doyle	Jeremy Longstreet	Roger Santerre	
Angela Fazzari	Eve McFarland	Kathryn Sonenshine	
F. Daniel Floss	Ron McGill	Dusty Stepanski	

Campaign O.....3-837

Christopher Ando	Nicole Gooden	Sharon McMenamin	Elizabeth Smith
Chairel Babby	Jenny Heinz	Dr. Robert K. Musil	B. Soltis
Kim Bergier	Claire Hertz	Kristina Norman	Lindsey Swanson
Kathy Chad	Elizabeth Indick	Peggy and Melodye Pryor	Fernando Uribe
Paul Drake	Bridgit Kohler	Sister Mary Jane Rhodes	Mar Vial
Jill Franklin	Judi Kubiak	Sylvia Rodriguez	Heidi Wagner
Rebecca Gardner	Charmaine Larsen	Phyllis Ruth	Craig Workman
Lydia Garvey	Thomas Lewis	John Seeburger	Sonya Yeager-Meeks
Francie Georges	Susan Linden	David Slater	

Campaign P.....3-841

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Jessica Berryhill	Bill Gallegos	David Offield	Robert Stephens
Emma Beverage	Troy Garrison	Kathy Oppenhuizen	Mele Stokesberry
Taylor Brown	Gordon Gosse	Richard Ozanne	Matthew Swyers
Mary Coleman	Sylvia Hackett	Victoria Peyser	Pauline Thomas-Brown
Anne Colgan	Ilse Hadda	Alan Rudan	Tara Trudell
Anita Coolidge	Renee Hurff	Lilly Ryterski	Ginger Wright
Wendy Dannett	Cheryl Liniman	Joseph Skues	Kimberly Wyke
Raymond Farrington	Laura Magzis	Jon Spitz	

Campaign Q.....3-844

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Patricia Berezcki	Justin Galle	Maggie Mandzuk	Darcy Skarada
Frieda Berryhill	Mary Green	Jane McCarthy	Alice Slater
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Margery Carman	Michael Hobbs	Joseph Rhodes	Marguerite Winkel
Patricia Cook	Jack Kelly	Steven Robertson	Abigail Winston
Caitlin Dean	Claire Kugelman-Kropp	Jeff Salvaryn	

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Virgil Alley	Margaret Doherty	Lisa Hey	Evelyn Singer
Frances Barber	Mark Donham	Lana Kitchel	Ellen Sweetin
Betsy Bauer	Joseph Dunford	Joanne Luongo	Gary Thaler
Sue Benedict	Nancy Fortin	Mary McCarthy	Sandra Uribe
Barbara Clarke	Veronica Gonzalez	Barbara McKee	Elizabeth Vienna
Debra Cohn	Charles Helt	Kenneth Mosley	V. Walson
Lisa Crawford	Marla Herzog	Frida Simms	

Campaign S.....3-852

Terrie Bennett	Roberta Hobbs	Nancy F. Newcomb	Crystal Schactell
Bruce Berlin	Pyara Ingersoll	Luise Perenne	Robin Schaeff
Gerald Bettice	Marlene Juetten	Emily Pollom	Jef Schultz, M.T.S.
Judith Bohler	David Kelley	Sarah Rabkin	Matthew Swyers
Rachel Bolger	Maria Kindel	Megan Rice	Tom Talboom
Kathy Coffman	John Kitchel	Marliss Rogers	Anne Toback
Richard Comtois	Margaret Kuhlen	Joe Salazar	Kurt Valentine
Reem Fakhouri	Val Laurent	Cecelia Samp	Nicole Zahm
Lillian Hanahan	Gabriela Maurier	Hugh Sanborn	

Campaign T.....3-856

Nancy Anderson	Rachael DeLuca	Kenneth Madore	Arlene Schutz
Marilyn Barden	Martha Eichler	Sue Mally	Kathryn Summers
Polly Boyajian	Vernon Faulkner	Carolyn Mann	Nat X. Vance
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Martha W. Bushnell	Lisa Frye	Greta Meyerhof	Lois Way
Pamela Chamberlynn	Holly Graham	Hugh Moore	Patricia Willis
Richard Clifford	Ian Iverson	Rebecca Rens	Lisa Young
Ann Dargis	Audrey Keesing	Megan Rice	
Jeff Deal	John Lewallen	Therese Rolland	
Paul deLeon	Barbara MacPhee	Janalee Roy	

Campaign U3-862

Meryl Adler-Waak	Victor Escobar	Alexa MacKinnon	R. Salido
David Beam	Jennifer Esperanza	Laurel McKeever	James R. Stewart, Jr.
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Deborah Beck	Frank and Joan Goebels	April Mondragon	Sally Thompson
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Frances Burton	Danny Hull	Margo Morado	Susan Weller
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David Cortez	Judy Killion	Marie-Claude Perigon	
Elliott Egan	Summer Lee	John Pope	
Don Eichelberger	Dvid Linge	Kimi Quick	

Campaign V3-866

Edward Aguilar	Charles Day	Evelyn Haas	Paula Paul
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Anne Barstow	Elizabeth S. Ettinghausen	Deborah Huber	Charley Peterson
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Reverend Ralph Garlin	Irene Goldman	Reverend Donald H. Moeser	Ivan Winegar
Clingan, Ph.D.	Susan Gordon	Bob Moore	
Jean Cooper	Marta Guttenberg	Ellen Norman	

Campaign W3-870

Chris Abrahamse	Trevor Ellis	Annette Madrid	Jarrold Scarbrough
Subhankar Banerjee	Susan Galheher	Colin Mickle	Barbara Sinha
Rachel Bliven	Gail Giles	Barry Miller	Louis Skogen
Yve-Alain Bois	Michael Gregory	Anna Molitor	Richard Stangarone
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Teresa Candelaria	Joe Hempfling	Aparna Mulberry	M. Sycamore
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Maria Chilton	Rohecke Keppel	Joe Puleo	Julie W.
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Patty Conway	Stephan Kelly	John Quintana	Marguerite Wilson
Ray Corliss	Ian Kluhurt	Perry Redondo	Romany Wood
Elena Crowley-Cornelas	Aurie Koffman	S. Reiber	June Zuehlsdorff
Michelle Delon	Gretchen Kuehn	Gail Rekens	signature illegible (2)
Lisa Donahue	Melanie LaPalama	Reverend Judy Romero-Oak	
Jamie Duggan	Margo Ladwig	Carl Rosenberg	
Billie J. Eleu	Laure Liverman	Ramona Ruark	

Campaign X3-880

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Charles Cooper	Juliet Carpenter	Nancy Michels	Pamela Vasquez
Jeffrey Creque	Kevin Kamps	Lorene Mills	Sarah Velocity
Mia Curcuruto	Cheryl Kozanitas	Anthony Phillipson	Ian Wilson
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Gail Susan Gordon	Shannon Lunsford	Laura Stewart	

Campaign Y3-891

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Carole Landess	Community	Etta Smith	
Peter Lapolla	Elizabeth M. Reed	Helen Sutton	

Campaign Z3-901

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Steven Burger	M.A.	Lisa Putkey	Beata Tsosie-Peña
Teresa J. Chavez	David E. Martinez	Everett A. Rael	Paul M. Warner
Channing Concho	Sherin Gonzales Miller	Lily Martinez Rael	
Carole Crews	David Miller	Seth Regensburg	

Campaign AA3-906

Frank Aaron	Virgil Alley	Nancy Ashley	Martha Baldoni
Andrew Abate	Jan-Paul Alon	Nayeem Aslam	Kimberely Baldrige
Vittorio Abatecola	jacqueline Alpert	Carrie Asmar-O'Guin	Carol Baldwin
Linda Abbott	Barbaralynn Altorfer	Armando Aspiras	Deanna Ball
Patricia Abbott	Rebecca Alvarado	Artemis Asproyerakas	J. Ball
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Nasira Abdul-Aleem	Kevin Amaral	Deanne and Jona Ater	Wanda Ballard
Judith Abel	Huda Ameen	Jeremy Atkinson	Wanda Ballentine
Olga Abella	Gene Ammarell	Aire Atlas	Katherin Balles
Nando Abrego	Liz Amsden	David Atwood	Brain Baltin
N. K. Acevedo	Scott Amundsen	Shari Au	Marie Banks
Judith Ackerman	Kristine Andarmani	Lynda Aubrey	Joyce Banzhaf
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Dolores Adams	Abbe Anderson	Donna F. Austin	Clara Barber
Gordon Adams	Amy Anderson	Czerny Auyang	Bernadette Barberini
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Steve Adams	Hallie Anderson	John Avery	m Bare Chen
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Kurt Adelberg	Stephen Anderson	John Ayala	Jean Barker
Marianne Adkins	William Anderson	Fatima Aydin	Rebecca Barker
Meryl Adler-Waak	Amena Andersson	Sue Azizi	Yvonne Barker
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Jane Affonso	Dina Angress	Barbara Babin	Ray Barlow
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Amy Agigian	Raul Anorve	Christina Babst	Christine Barnes
Luisa Agonstini	Barbara Antonoplos	Daniel Bachmann Ii	Gerri Barnhart
Ed Aguilar	Stephen Appell	Karen Hedwig Backman	Robert J. Barnhart
Lilia Aguirre	Arlene Aquino	Margot Backus	Sue Barnum
Karen Ahern	Susaan Aram	Jessie Bacon	Deborah Barolsky
Albert Ahronheim	Nick Arcos	Joanne Baek	Shelia Barrand
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Mandana Alaudini	Sholey Argani	Bernice Baeumler	Mary Ann Barrett
Dawn Albanese	Carroll Arkema	Janet Bagby	Steven Barrett
Louis Albano	Frank Armato	Elaine Baglemann	Ellen Barron
Anthony Albert	Jill Armentrout	L. Bagley	Sally Barron
Eric Albert	Salme Armijo	Rosette Bagley	Dwight Barry
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Ned Albright	Wendy Armitage	Marcia Bailey	Kit Barth
Janet Aldridge	Betty Armstead	Sharon Bailey	John Bartolini
Joseph Alfano	Judy Arnal	William Bailey	Cathy Barton
Jean Alford	Melinda Arndt	Jeffrey Bains	Roberta Barton
Jess Alford	Frank Arnold	Arlene Baker	Abigail Bates
Oscar Revilla Alguacil	Margaret Arnold	Ed Baker	Roger Bates
Stephen Allard	Maris Arnold	Kofi Baker	Athena Batsois
Lisa Allarde	Loretta Aron	Lang Baker	Allie Baurer
Barbara Allen	Darwin Aronoff	Lee Baker	Tim Baures
Benjamin Allen	Dolores Around	Vickey Baker	Tamara Baus-tupesis
Keith Allen	Richard Arrindell	Gerritt and Elizabeth Baker-	Lavon Bayler
Lynda Allen	Ardith Arrington	Smith	Maya Be
Michael Allen	Alice Artzt	Sara Bakker	Hannah Beadman
Julie Alley	Loretta Arvizu	Jack Balch	Richard Beal

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Stephen Benson	Robyn Blakely	Richard Bowser	George C. Brown
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Patricia Bereczki	Annette Blanchard	Christopher Boyle	Taylor Brown
Bernie Berenson	Brian Bland	Lorraine Brabham	Deidre Brownell
Felice Berenson	Robert Blau	Wilma Bradbeer	Dr. Joseph W. Brownrigg
Nick Berezansky	Lori Blauwet	Rhonda Bradley	Sarah Brownrigg
Samuel Berg	Dale Bleecher	Sabine Bradley	Donna Brumlow
Charlotte Berger	Sandra Bleifer	Joan Bradow	Christopher Brunje
Christine Berger	Drake Bleiweiss	Beverly Bradshaw	David Brunner
Gaye Berger	Linda Blinder	Lee Brady	Robert Bruno
Gretchen Berger	Petra M. Blix, Ph.D.	Sandra Brady	Rose Bruno
Keith Berger	Patricia Blochowiak	Don Brake	Emlyn Bruns
Pat Berger	Trent Block	Chad Bramble	Pat Brunson
Jeanene Bergeron	Ann Blocker	Shaun Brammer	Walter Bruun
Darcy Bergh	Jerry Bloomer	George Y. Bramwell	Philip Bryer
Patricia Bergh RN	Donna Blue	Anita Brandariz	Ivy Buchanan
Jean Bergstrom	Gerald Blume	Julia Brandner	Nancy Buckholt
Margaret Bergwall	Robert Blumenthal	Kate Brandt	John Bucki
Mark Beringer	Joel Blumert	Vicky Brandt	Trent Buckman
Patricia Beringer	Orion Bobo	Kevin Branstetter	Shannon Buddes
Carol Berkeley	Linda Bodian	Beth Brant	Olivia Buehl
Mary Berkenkamp	Robert Bodner	Gretchen Bratvold	Joseph Buhowsky
Lisa Berkley	Eric Boehm	Beth Braun	N. Bullock
Riki Berlin	Marjorie Boehm	Joseph Braus	Susan Bulmash
Marcia Berman	Lawrence Bogdanowicz	Larry Braverman	Karen Bump
Marie Bernache	Ronald Bogin	Angie Bray	M. Catherine Buntin
William Bernard	Hope Boije	Dolores Bray	Mary Bunting
Jennifer Bernham	Kathryn Boland	Roberty Brazy	John Buonaiuto
George Berreman	Don Bolanos	Linda Brebner	Al Buono
Jessica Berryhill	Deetje Boler	Vernon Brechin	Melinda Burgess
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Ray Berthiaume	Emily Boliver	Ann Breeden	Colleen Burke
Gerald Bertholl	Alicia Bomhoff	Dana Brekke	Paul Burke
George Berton Latamore	Patty Bonney	Denise Brennan	Paul Burks
Lucille Bertuccio	A. Bonvouloir	John Brennan	Deborah Burnett
Linda Bесcript	Jennifer Books	Noah and Natasha Brennder	James Burnham
Ruth Bесcript	Richard Booth	Heidi Bresilge	Audrey Burns

Bruce Burns	Naomi Carey	M. Chessin	Deirdre Cole
Darlyne Burns	Juanita Carl	Phoury Chhun	Merrill Cole
Judy Burris	Stephen Carl	Francis Chiappa	Martha Colella
Steven Burrows	Ian Carlon	Marianne Chiappone	Edith Coleman
Kirsten Burt	Paul Carlsen	H. Chicholm	Henry Coleman
Frances Burton	Bob Carlsten	Winnie Chin	William Coleman
Vic Burton	Patricia Carlton	Nancy Chismar	Alessandra Colfi
Serena Buschi	Victor Carmichael	Albert Chiu	Anne Colgan
Victoria Bush	Gaile Carr	Tina Choate	Judith Collas
Martha W. Bushnell	Robert Carr	Ashley Choker	Frank Colletto
Pat Bushong Whitehead	Sarah Carr	Ana Chou	Tim Collingwood
Julie Butche	Patricia Carrier	Frank Christian	David Collins
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Elizabeth Butler	Mark Carroll	Yvonne Christison	Raymond Collins
Scotti Butler	Maureen Carroll	David Christman	Virginia Collins
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Maureen Byrnes	Roberto Carteno	William Christwitz	Lisa Nelson Colton
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Terry Cadwallader	Leslie Cassidy	K. Chung	Betty Combs
Daniel Cadzow	Robert Cassinelli	Linda Church	Janice Combs
David Cain	Rae Castina	Michele Church	Sandy Commons
Renato Calabrese	Christina Castle Ray	John Cielukowski	Lucia Connes
Kathleen Caldwell	Corinne Cather	Dr. Dorothy Cinquemani	Richard Comtois
Pam Calhoun	James Catton	Jenny Clagett	Jo Conaty
Thomas Cali	Kelley Caudell	William Claiborn	Lumarion Conklin
Mary Anne Callaghan	Lenny Cavallaro	Janice Clark	Catherine Connell
Timothy Callahan	Connie Cavara	Jean and Donald Clark	Charles Connors
Mary Camele	Michael Cecil	Kenneth Clark	David Conroy
Denise Cameron	Alice Diane Celebre	Morgan Clark	Patti Constantino-Martin
Gloria Cameron	James Celico	Stuart Clark	Anita Cook
Patrick Cameron	Robert Cerello	Susan Clark	Elizabeth Cook
David Camp	Louie Cervantes	Cate Clarke	Jane Cook
Rob Camp	John Cevasco	Karen Clarke	Patricia Cook
Vincent Campanaro	Kathy Chad	Marcia Clarke	Rick Cook
Francesco Campanoni	Suzanne Chaffee	Gertrude H. Clawson	Terry Cook
Alexandra Campbell	Silvia Chai	Metric Clay	Tina Cook
Benita Campbell	Matt Chalfa	Janice Cleary	Kelli Cool
Dudley and Candance Campbell	Angela Chamberlain	Deana Cleesattel	Don Cooney
Grant Campbell	Clinton Chamberlain	James Cleland	Mitzi Coons
Karen Campbell	Connie Chambers	Gloria Clements	Betty Cooper
Kent Campbell	Craig Chambers	Tom Clements	Ruth Cooper
Norma Campbell	Gloria Chambers	Jamie Clemons	Sandra Cope
Steven Campbell	Kathy Chan	Richard Clifford	Anneke Corbett
Tony Camuti	Nathaniel Chan	Sister Mary Brigid Clingman	Sister Kathleen Corbett
Will Candler	Christopher Chan	OP	Tom Cordaro
Annabel Caner	Wayne Chanault	Steve Clinton	Carmen Cordero
Alex Cannara	Norman Chance	John Cloninger	William Corey
John Cannatella	Tracey Chance	Kate Cloud	Joseph Corio
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Jay Caplan	Leonard B. Chandler	Jan Clouse	Jared Cornelia
Anthony Capobianco	T. Chandler	Josephine Coatsworth	Marie Corr
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Dan Cappello	Cara Chapman	Beth Cohen	Sonya Costanza
Barbara Capron	Paul Chappell	Claire Cohen	James Costello
Bret Carbone	Celeste Chase	Eleanor Cohen	Mike and Heather Costello
Rodolfo Cardona	Ruth Chase	Holly Cohen	Nancy Costello
Paul Cardwell	Juanita Chatham	Lois Cohen	Daniel Cottle
Bill Carey	Marc Chatot	Thea Cohen	Brad Cotton
Doris Carey	Tim Chavez	Michelle Cohn	David Cotton
Edward Carey	Jean Cheesman	Carolyn Cole	Elizabeth Cotton
	Caroline Chesebrough	Carrie Cole	

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Jack Couch	Robert Daly	Denise DeGarmo	Sarah Dixon
Chuck Countryman	Anthony Martin Dambrosi	Carolyn Deibel	Vernon and Mary Joyce
Ron Courson	Dodie and Roy Danchick	Rachel Deierling	Dixon
Vera Cousins	Dorothy Dangerfield	Joan Delauro	Janice Dlugosz
Russell Covington	Edwin Daniel	Lori Delbello	D. M.
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Michael Cowsert	Arthur Daniels	Arthur Delgadillo	Renata Dobryn
Bruce Cox	John Daniels	Paul Delisle	Bruce Dobson
Catherine Cox	Judy Daniels	Jennifer Delker	Carol Dobson
Joe Cox	Sally Daniels	Jeanne Deller	Elizabeth Dodd
Laurie Cozz	Steve Daniels	Pete Delorenzo	James Doeppers
Phillip J. Crabill	Ephrosine Daniggelis	Dave Delson	Anthony Doherty
George Craciun	Pamela Dannacher Zepeda	Ben Demar	Kathy Dolan
Edward Craig	Wendy Dannett	Jackie Demarais	Robin Dolbear
Tanisha Craighead	K. Danowski	Libby Demartelly	Merelyn Dolins
Jacqueline Craigo	Lisa Dantonio	Mary Jo DeMyer	William Dolly
Mary Ann Cramer	Richard D'Arcangelo	Teresa DeNardo	Linda Domina
Jaclyn Cranach	Cheryl Dare	Amy Denio	Adam Dominiak
Kimberely Crane	Ann Dargis	James Denison	Parkhurst Don
Patricia Crane	Diane D'Arrigo	Phillip Dennany	Mark Donaldson
Lisa Crawford	S. L. Dauby	Alison Denning	Mark Donato
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Jessica Cresseveur	Susan Davenport	Karen Deora	Patricia Donnelly
John Crisman	Maggie Davidson	Joan Depew	Debbie Donofrio
Scott Crockett	Stephen Davie	Tiffany Derreumaux	Stephan Donovan
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Gary Cronin	Thomas Davies	Kevin DeSilva	Bernadine Dosch
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David Cross	Anthony Davis	Marshall E. Deutsch	Ellen Douglas
Norma Cross	Byron Davis	Sara Deutsch	John Douglas
Jean Crossley	Darlene Davis	Gita Dev	Shawn Douglas
John Crotty	Dassano Davis	Mary Devlin	Walter Douglas
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Saundra Crowell	George Davis	Carol Dewey	Amanda Doveatt
Lawrence Crowley	Lee Davis	B. Dewing	David and Catherine Dow
Robert Bruce Cruickshank	Linda Davis	Jill Dexter	Ken Dow
Diane Crummett	Phillip Davis	Paul Diamond	Steve Downing
Melissa Crutcher	Shirley Davis	Brad Diaz	Mcperson Downs
Marian Cruz	William Davis	Francisco Diaz	Felicity Doyle
John Csaszar	Karen Davis-Aragon	Liliana Diaz	P. K. Doyle
C. T.	Carla Davis-Castro	Sara Diaz	Richard Doyle
Drew Cucuzza	Althea Day	Carol Dibbern	Sky Dredge
Judy Culberson	Michael Dayton	Regina Dickerson	John Dreiling
Martha Cuneo	Ruthanne Dayton	Laura Dickey	Lyn Dremalas
Judy Cupp	Renee de Alba	Robert Dickinson	Linda Drescher
P. Judith Curley-Lindse	Bro. Noel De Bruton, SDB	Patricia Dicoste	Alicia Dressman
John Curotto	Pedro-Martin de Clet	Margaret Diegelman	Beth Drewelow
Cindy Curran	James De Crescentis	Jennifer Diehl-Berman	Todd Dripps
Jon Current	Michael De Frane	B. Thomas Diener	Paul Drowns
Colleen Curtis	Stella M. Aleman de Gallardo	Maria DiFiore	Phyllis Drummond
Howard Curtis	Jane De Hawkhurst	Jo DiLallo	Chris Drumright
Eileen Custy	Barry De Jasu	Christi Dillon	Andrew Drury
Adele Cuthbert	Carol De Marinis	Lilian Dillon	Rob Dryden
Sandra Cutter	Elisse De Sio	Richard Dimatteo	Julie Du Bois
Sandra Cuza	Vincent De Stefano	Michael Dimen	Chief Dubie
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Kathy Lynn Dabanian	Mercedita de Valle	Patricia Dion	Tim Duda
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Shelley Dahlgren	Jeff Deal	B. Dirnbach	Pat Dugan
Bob Dahlstrom	June Dean	Jill Dismore	Kathy Duke
Felicia Dale	Sue Dean	Dave Dittman	Robin Dulling
Glenn D'Alessio	Dorothy Dean	David Dixon	Lloyd Dumas
Mitch Dalition	Angelina DeAntonis	James Dixon	Maryse Dumas

Pat Duncan	Nicole Eppstein	Nancy Feraldi	Sharon Forrest
Dave Dunkak	Jamie Erfurd	Beverly Ferguson	Robert Forsythe
John Dunn	Carole Erickson	Shirley Ferguson	Lori Fortier
Krista Dunn	Frank Erickson	Linda Ferland	Nancy Fortin
Mary Dunn	Lisa Erickson	John Fernandez	Priscilla Forward
Clover Durfee	Mary Christine Erickson	Ed Ferrara	MaryAnna Foskett
Ganesh Durgadas	Stephanie Erickson	Antonio Ferreira	Tawnya Foskett
Samuel Durkin	Judy Ericson	Rebecca Ferrell	Bob Fossgreen
Vanessa Duve	Peter Eriksson	Sharon Fetter	Chanda Foster
Bob Dyck	Barbara Erlichson	Alica Fichandler	David Foster
Doug Dyer	Kristin Erman	Pari Fields	Mary Foulger
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Tracey Dyer	Grace Ertel	Donald Figge	Eleanor Fox
Darlene Dynega	Heather Ervin	Yvonne Fileccia	Linda Fox
Denise Janssen Eager	Donald Erway	Laura Fillmore	Robin Fox
Susan Earle	Victor Escobar	Robert Fingerman	Frances FrainAguirre
Vickie Early	Dan Esposito	Tom Finholt	Marushka France
Rick Easton	Danny Esposito	Amanda Finlayson	Irena Franchi
Linda Eaton	John Essman	Joel Finley	Faith Franck
Roger Eaton	Douglas Estes	Mary Lou Finley	Matthew Franck
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Gerhard Eckardt	Dinda Evans	Paulette Finnegan	Lee Frank
Nancy Eckel	Jason Evans	Marion Fiore	Robert Frank
Sasha Eckert	Jonathan Evans	Sara Fisch	Samantha Frank
Stacy Eddings	Michael Evans	Bernice Fischer	Sharon Frank
Muriel Edgerton	Monica Evans	Elaine Fischer	Audrey Franklin
Brian Edmison	Randy Eveleigh	Jason Fish	Doug Franklin
Jane Edsall	Suanne Ewing	Claudia Fisher	Luther Franklin
Beverly Edwards	Megan Faber	Rich Fisher	Mary Frantz
Elliott Egan	John Fabris	Ted Fishman	Joe Frascone
Emily Eggan	Janet Fagan	William Fisk	Alex Fraser
Bruce Eggum	Judy Fairless	Marylee Fithian	Carol Fraser
Jeffrey Eiche	James Fairley	Calvin Fitzgerald	Evelyn Fraser
William Eichinger	Daniel Faisal	Gerry Fitzgerald	William Frayar
Nancy Eichler	Bonnie Faith-Smith	Stan Fitzgerald	Timothy Frazer
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Kimberly Eisentrager	R. Yvonne Fallert	Mitra Fiuzat	Claudia Freeman
Charlotte Eisner	Sherry Falling Leaf Jones	Tania Flancher	Michael Freeman
Elizabeth Eisner	Emily Fanning	Linda Flannery	Andre Frehley
Steve Eklund	Alison Huse Farhner	Robert Flavell	Steven Frenkel
Carol Elder	Allison Huse Farhner	Constance Fleming	Philip Frey
Randall Ellenburg	M. J. Faris	Doug Fleming	Nancy Freyer
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Nancy Ellingham	Nancy Lee Farrell	Susan Fletcher	Cary Friedman
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Charles Elliott	Darlene Fast	Rick Flory	Mitchell Friedman
Eli Elliott	Wendy Fast	F. Daniel Floss	Victoria Friedman
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Julie Heath Elliott	Rachel Fatoorachi	Kim Floyd	Sarah Fritz
Chris Ellis	Naomi Fatouros	Caitlin Flynn	Joyce Frohn
Robert Ellis	Don and Joyce Faulk	Dan Fogarty	H. D. Frotscher
Maura Ellyn	Mariah Faulkner	Erin Foley	Christina Frugoli
Angela Elmendorf	Vernon Faulkner	Michael Follman	Beryl Fry
David Elmendorf	Vanessa Favero	Adrienne Fong	Lisa Frye
Celeste Elmore	Bob Fay	Christina Fong	Steve Fuchs
Carol Elrod	Lori Fay	Damian Fontanez	Jen Fullem
Valerie Elster	Angela Fazzari	Deborah Forbes	Michelle Fuller
Ernest Ely	Peggie Feddersen Raleigh	Betty Ford	Pamela Funkhouser
Ronnie Endre	Dennis Feichtinger	John Ford	Sherrill Futrell
John Engel	Emily Feingold	Robert Ford	Wendy Futrick
Lori English	Elayne Feinsod	Mary Ann Ford, IHM	Joe Futterer
Judith Enich	Joe Feinstein	Chad Fordham	Greg Gable
Elizabeth Enright	John Felden	Azima Lila Forest	Robert Gabriel
Dianne Ensign	Ovina Feldman	Elaine Forester	Roland Gabriel
Beth Enson	Ruth Feldman	Joan Forman	Dennis Gadowski

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Mary Gail Decker	Gordon Gerbitz	Edward Goral	Lisa Grundmann
Mark Galbraith	David Gerke	Aaron Gorden	Jeanne Guerin
Allison Gale	Betsy Germanotta	Abe Gordon	Edric Guise
Irene Gale	Mali Gesmundo	Ben Gordon	Elizabeth Guise
Richard Gale	Eric Geswender	Susan Gordon	Elizabeth Gulick
Daniel Galindo	Elizabeth Gettins	Carole Gorecki	Marilyn Gullede
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Justin Galle	Violet Gholi	Gordon Gosse	Ellie Gunn
Rita Gallin	Laurie Gianatasio	Barbara Gotti	Sylvia Lewis Gunning
Christopher Galton	David Giantomasi	Linda Gottschalk	Karlene Gunter
Fairlee Gamble	Brian Gibbons	Pat Gottschalk	Peter Gunther
Margerite Gamboa	Alison Gibson	Mark Gotvald	Andrew Gustus
Jeff Gammill	Andi Gibson	Rebecca Gough	Elizabeth Guthrie
Michele Gannon	Robert Giese	Sean Gough	Linda Guthrie
Toni Ganshert	Linda Giger	Charity Gourley	Taza Guthrie
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Julian Garberson	Tavia Gilbert	Pat and Gary Gover	Michael Guyette
Kathe Garbrick	Valerie Gilbert	Jennifer Goyette	Carol Haag
Sonya M. Garbutt	William Gilbert	Anthony Gradert	Evelyn Haas
Christine Garcia	Thomas Gilbin	Jess Graffell	Margaret Haas
Kevin Garcia	Karen Giles	Amanda Graham	James Haber
Lauren Garcia	Ayesha Gill	Charlie Graham	Gloria Hacker
Olaya Garcia	Susan Gill	George Graham	Sylvia Hackett
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Brandi Gardner	Sharon Gillespie	Dabra Grant	Sarah Hafer
David Gardner	Joseph Gilliland	Dori Grasso	Francis Hagan
Rebecca Gardner	Monica Gilman	Marya Grathwohl	Janet Hagee
Gregory Garduno	John Gingerich	Tracy Grauel	Wouter Hagoort
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Toni Garmon	Charles Glaser	Heather Gray	James Haig
M. Garrett	Mark and Susan Glasser	Roxy Gray	Jon Haigh
Donna Garrison	Garry Gleckel	Sandra Gray	Harold and Eva Haight
Melissa Garrison	C. Glick	Slyvia Ruth Gray	Milad Hakimbashi
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Ann Garth	Adams Glory	Marilou Greboval	Ellen Halbert
Esther Garvett	Kris Glover	Jeanne Green	Carolyn Hale
Lydia Garvey	Michelle Gobely	JoAnn Green	Jennifer Hall
Michael Gary	Alicia Godbee	Sandra Green	Linda Hall
Ruben Garza	Joan Godoy	Stacy Green	Lisle Hall
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Nancy Gathing	Cathy Goff	Lenore Greenberg	Victoria Hall
Gina Gatto	Sandy Gold	Dan Greenburg	Mark Hallett
Jessica Gatty	James Goldberg	Dan Greenburg	Mary Halligan
Sister Jane Gaughan	Leslie Goldberg	Amy Greene	Silvia Halligan
Lyle Gaulding	Michael Goldberg	Barbara Greene	Elizabeth (Bay) Hallowell
Linda Gazzola	Joseph Goldman	Jerry Greenstein	Donald Halm
April Gear	Steven Goldman	Ken Greenwald	Chad Halsey
Dave Geare	William Goldman	Cathy Greer	Dee Halzack
Catherine GearhartSchinske	Andres Goldschmidt	Helen Greer	Daniel Hamilton
Deborah Geary	Marlene Goldsmith	Cara Gregoire	F. Hamilton
Sheila Geist	Sonia Goldstein	Rosemary Gremillion	James Hamilton
Carol J. Gelfand	Frances Golf	Elaine Gremminger	Michelle Hamilton
Sally Jane Gellert	Joseph Golinveaux	Kathleen Greshman	Sarah Hamilton
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Derek Gendvil	Gus Gomez	John Griffin	Barb Hammerlind
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Annick Gentet	William Gonzalez	Dave Griswold	Stephanie Hammond
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Marvin Gentz	Klabunde	Malcolm Groome	Richard Han
Clyde George	Nicole Gooden	Ollie Grosclaude	Lillian Hanahan
Constance George	Ben Goodin	Seymour Gross	Karen Hancock

Janet Handford	Carey Hauser	Lisa Hey	Sherman Hoover
Tara Hands	Sue Hawes	Harrison Heyl	Elke Hoppenbrouwers
Steven Handwerker	Bruce Hawkins	Lisa Heyl	Maury Hopson
Stephen Hanft	Julie Hawkins	Elizabeth Hickman	Rosina Horeth
Denise Hanley	Whitney Hawks	Miranda Hicks	Karen Horn
Sue Hanlin	Judith Haworth	Nancy Hiestand	Maurice Horn
Helen Hanna	Sr. M. Amelie Hawxhurst	Alan Hill	Valerie Horne
Roger Hannah	Bill Hay	Freya Hill	Laura Horning
Arbie Hansen	Shirley Hayden	Michael and Barbara Hill	Lucy Horwitz
Christine Hansen	Colleen Hayes	R. Hill	Michael Horwitz
Art Hanson	Jack Hayes	Susan Hill	Alexander Hosea
Donna Hanson	Jennifer Hayes	Frank Hill	Ruth Hosek
Jim Hanson	Susanne Hayes	Shannon Hillary	Jessica Hosler
Kristi Hanson	Terry-Anya Hayes	Kristen Hilliard	Barbara Hostetler
Mardi Hanson	Veronica Hayes	Kathy Hilt	Holiday Houck
Natalie Hanson	Judith Hazelton	Kylie Hines	Liz Hourican
Phil Hanson	Jim Head	Lani Hink	David Houseman
Robert Hanson	Mark Heald	Mark Hinnebusch	Mandi Houston
Michael Hante	Simone Healey	Sally Hinshaw	Larry Hovekamp
Tamara Harder	Joan Heaps	Peggy Hinsman	Larry Hovekamp
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Nicole Hardin	Roland Heath	Ralph Hitchcock Jr	Ernie Howard
Rinat Harel	K. Heatherington	Cherida Hivale	Lucy Howard
Missy Hargraves	Thomas Heck	Michael Hobbs	Maria Howard
Betts Harley	Juliette Hedgecock	Roberta Hobbs	Orrin Howard
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Jack Harmell	Kristina Heiks	Frank Hobin	Jane Howell
Angela Harmon	Christian Heinold	Adrienne Hochberg	David Howenstein
J. Harmon	Erika Heins	Charles Hochberg	Abigail Howes
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Roger H. Harrell	Charles Helt	Noah Hodgetts	Robyne Huber
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James Harris	Carol Hemingway	Joanne Hoemberg	Jeffrey Hudson
Melissa Harris	Drew Hempel	Maryilyn Hoff	Carole Huelsberg
Virginia Harris	Carolyon Henderson	Phillip Hoff	Wanda Huelsman
Wayne Harris	Louise Henderson	David Hoffman	Yolanda Huet-Vaughn
Wendy Harris	Nancy Henderson	Tuesday Hoffman	Richard Huff
William Harris	Lynda Hendrell	Norma Hogan	Debbie Huffman
Auberon Harrison	Charlotte Hendrickson	Carol Hoke	Lisa Huffstickler
Gerald Harrison	Carley Henius	Beth Hoke	Jennifer Hughes
Harry Harrison	Ann Hennelly	Catherine Holden	Mary Hughes
Paige Harrison R.N.	Roy Henock	Grace Holden	Tom Hughes
Nancy Hartman	Joel Henry	Sharon Holford	Allene Hulett
David Hartsough	Mallika Henry	Dorothy Holland	Cynthia Hull
Jackie Harvey	Norman Henry	Kai Holland	Danny Hull
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Sr. Mary Harvey	Beverly Herbert	Ann Hollyfield	Jason Humphrey
Travis Harvey	Jack Hereford	Mary Holm	Jay Humphrey
George Hasapidis	Nancy Herlinger	David Holman	Roberty Humphrey
Chyako Hashimoto	Randy Herman	Mark Holmgren	Thomas Humphrey
Robert Haslag	Israel Granja Hernandez	Nicole Holstein	Shiu Hung
Gerald Haslam	James Herne	Amy Holt	Jon Hunstock
Malissa Haslam	Ana Herold	Cathy Holt	Erika Hunt
Kamal Hassan	Ariel Heron	Rhonda Holt	Neil Hunt
Robert Hasselbrink	Bill Herrera	Robert R. Holt	Sharon Hunt
Sarah Hasted	Martha Herrero	Margaret Holton	Lynne Hurd
Dawn Hatch	Matthew Herrin	Barbara Holtz	Katie Hurley
Barry Hatfield	Claire Hertz	Michael Holzman	Kristin Hurley
Ryan Hatfield	Marla Herzog	Deanna Homer	Edward Hurst
Susan Hathaway	William Hess	Naomi Hood	Erik Husoe
Valeri Haugen	Susanne Hesse	Marcia Hoodwin	Kimberely Hutcheson
Timothy Haught	Joanne Hesselink	Janet Hoover	Kimberly Hutchins
Carolyn Haupt	Thea Hetzner	Karolyn Hoover	Delores Hutson

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Sarah Hutt	Joyce Johnson	Andrew Katsetos	David King
Joan Hutton	Karen Johnson	Joanna Katz	Debbie King
Karie Iaflamme	Karolyn Johnson	Raymond Katz	Debra King
J. Iam	Lynda Johnson	Adene Katzenmeyer	Elisabeth King
Tricia Idrobo	Mark Johnson	Eleanor Katzman	Robert King
Robin Iles	Michael Johnson	Muffett Kaufmann	Ruthmarie Kinley
Elizabeth Indick	Michele Johnson	Swami Kavyo	Janet Kinniry
Chuck Infantino	Michele Johnson	Helmut Kayan	Paul Kinzelman
Harriet Ingram	Molly Johnson	Joy Kaye	Susan Kiplinger
Maryanna Ireland	Randy Johnson	Gabrielle Kayser	Cheryl Kirby
Gretchen Irion	Rheta Johnson	Adam Kean	John Kirchner
Lura Irish	Scott Johnson	Michelle Keating	Lorraine Kirk
Rachel Irwin	Sue Johnson	James Keats	Jennifer Kirkpatrick
Ed Isaacs	Virginia Johnson	Aliza Keddem	Jim Kirkpatrick
Phil Issenberg	Linda Johnson-Rubick	Norman Keegel	James Kirks
Steve Issenberg	Breanna Lee Johnston	Kaija Keel	Jill Kirkstadt
Anthony Ivankovic	Clifford Johnston	JoAnn Keenan	Karen Kirschling
Ian Iverson	Pamela Johnston	Thomas Keenan	Kathy Kirsh
Mary Izett	Susan Johnston	Verda Keenan	Jerome Kirsling
Martha Izzo	Rev Allan B. Jones	Joy Keeping	Mary Ann Kirsling
Mau Jablinske	Andrew Jones	Audrey Keesing	John Kitchel
Leila Jackson	Barbara Jones	Steve Keil	Lana Kitchel
Maria Jackson	Gary Jones	John Keiser	Janet Klecker
Tom Jackson	Jeffrey Jones	Joanne Kellar	James Klein
Sharon Jacobs	Karen Jones	David Kelley	Walter Kleine
Lani Jacobson	Suzanne Jonson	Richard Kelley	Leona Klerer
Susan Jacoby	Sandra Joos	Alice Kelly	Frank Kleshinski
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Kathy Jakubowski	Lois Jordan	Ed Kelly	Louise Kligman
Darlene Jakusz	Olive Jordan	Jack Kelly	Scott Klimek
Diane Jalbert	Eric Jorgensen	Nancy Kelly	Crandall Kline
Dawna James	James H. Jorgensen	Wayne Kelly	Doug Klingenberg
Michael Jameson	Michael Joseph	Jane Kelsberg	Kathleen Klinkenberg
Tina Jamie	Graham Joy	Craig Kelso	Kay Klinsport
Anna Janakiraman	Ana Jude	Shari Kelts	Peter Klosterman
D. Jankord	Ruth Judkins	Susan Kempainen	Sandra Kluth
Beverly Janowitz-Price	Karol Judy	Andrea Kendall	Mackie Knight
Bob and Donna Janusko	Lesley Julian	Colleen Kennedy	John Knipe
Gayle Janzen	Barbara Jurgens	Margaret Kennedy	Donna Knipp
Natalie Jarnstedt	Cynthia Justice	Kate Kenner	Esther Knott
Benjamin Jaymz Hubbard	Barbara Juskiewicz	Robert Kenney	Tracey Knowlton
Paul Jefferson	Adam K.	Haley Kenyon	Cynthia Knuth Fischer
Paridokht Jenab	George Kacouris	Patricia Kerner	Leif Knutsen
Gil Jenkins	Karen Kahn	Angela Kerr	Deb Kobres
Mary Jenkins	Harvey Kaiser	Sarah Kerr	Mary Ann Koch
Blaine Jensen	Robert Kalayjiam	Vicki Kerr	Susan Koehne
Jennifer Jensen	David Kaliner	Kathleen Keske	Joseph Koeller
Margaret Jensen	Lacey Kammerer	Dorothy Kethler	Steve Kohn
Pia Jensen	Kanthleen Kane	Eugene R. Key	Kirk Komick
Judy Jessee	Louise Kane	Mha Atma S. Khalsa	Felicia Kongable
Anka Jhangiani	Stephanie Kane	Shantara Khalsa	Charlotte Koons
Pam Jiranek	Nadia Kanhai	Razeefa Khan	Richard Koontz
Joan Joesting	David Kannerstein	Salma-Ahmad Khan	Frank Koort
Florence Joffe	Michaelain Kanzer	Kathi Kibbel	Ria Koper
Keven Johansen	Stephanie Kaplan	Bob Kiefer	Kristian Kopinski
Oda John	Piper Karie	Mary Kientz	Vicki Kopinski
Bettemae Johnson	Sunni Karll	Mitch Kihn	Gloria Korhonen
Chrissie Johnson	Fred Karlson	Diana Kilche	Meryle Korn
Elaine Johnson	Patricia Karoue	Patricia Kiley	Christopher Kornmann
Elizabeth Johnson	Michael Karp	Toni Kimball	Alan Korsen
Erica Johnson	Nowell Karten	Dawn Kimble	Greg Koshak
Gerard Johnson	Gloria Kasdan	Scott Kimmich	Phaedra Kossow-Quinn
James Johnson	Marion Kaselle	Maria Kindel	Christian Kostelnik
Jeanie Johnson	Monir Kashef	Ann King	Grrham Koster
John Johnson	Kerul Kassel	Barbara King	Constance Kosuda

Ben Kotcher	Maryann LaNew	Doris Lehr	Ceryl Liniman
Thomas Koven	Mark Langberg	Richard Leibold	Virginia Linstrom
Andrew Kozakow	Marlena Lange	Karen Leibowitz	Robert Linzmeier
Tom Kozel	Norbert Langer	Barbara Leicht	Matthew Lipschik
Stefan Kozinski	Alisha Langerman	Avery Leinova	Patricia Ann Liske
John Kraemer	John Langevin	John Lemmon	Barbara Liszeo
Diane Kraft	Jennifer Langociu	Kathryn Lemoine	Gladis Little
Marilyn Kraker	Catherine Langston	Lukasz Lempart	Marcia Little
Joan Kramer	Cheryl Laos	Dena Lenard	Peter Little
Judy Kramer	Carol Lapetino	Donna Lenhart	W. Little
Julie Kramer	Gary Lapid	Patricia Lent	Caro Liu
M. Kramer	Sharron Laplante Md Mph	Jon Warren Lentz	Daniel Livingston
Beverly Krasner	Jennifer Larkins	Eli Leon	James Livingston
Al Krause	Areil Larsen	Mary Leon	Frances Lizette
Laura Krause	Charmaine Larsen	Lisa Leonard	Kim Loan Nguyen
Margaret Krause	Jane Larsen	Lodiza Lepore	Georgia Locker
Pesach Kremen	Joyce Larsen	Judith Lerma	Peter and Vicky
Sally Kriebel	Karen Larsen	James Leslea Kunz	Lockwood
Robert Krikourian	Ruth Larsen	F. Richard Leslie	John Loder
Kathy Lou Kronenberger	Karen Larson	Kerry Leslie	Stewart Loeblich
Janet Krouskop	Karly Larson	Gerson Lesser, MD	Wolfgang Loera
K. Krupinski	Pat Larson	Philip Letson	Kandace Loewen
Vicki Kruschwitz	Jennifer Lasby	Tammy Lettieri	Kit Lofroton
Patrick Kruse	Dona LaSchiava	Paula LeVeck	Saab Lofton
Phyllis Krystal	Lana Lasley	Mary Levandos	Scott Logan
Mike Kubisek	Margarita Latimer	Shaun Marie Levin	T. Logan
Claire Kugelman-Kropp	Sylvia Latimer	Christy Levine	Terrence Logue
Eleanor Kuhl	Norma LaTuchie	Julie Levine	Robert Lombardi
Kristen Kuhre-Homquist	Jillana Laufer	Lisa Levine	Jeanne Londe
E. Kulhanek	Cynthia Laughery	John Lewallen	Freddie Long
Marie Kullman	Char Laughon	Courtney Lewis	Jonne Long
John and Aline Kultgen	Alison Laurell	Erma Lewis	Mary Long
Janet Kuncel	Val Laurent	John Lewis	Matthew Longacre
Adele Kushner	Ed Laurson	Larry Lewis	Victoria Lord
Lester Kyle	David Laux	Marvin Lewis	Michael Lord
Denise L	Marc Laverdiere	O. Lewis	Robin Lorentzen
Martha La Cava	Stephen Laverty	Stephanie Lewis	Lois Lorenz
Isabella La Rocca	Fred Lavy	Thomas Lewis	Joe Lorigo
Gail Lack	Chris Law	Rena Lewis	Rene Lough
Dale LaCognata	Linda Law	Fred Lewisi	Thomas Love
Susan LaFaive	Carol Lawrence	Orlanda Leyba	Patsy Lowe
Michael Lahey	Christopher Lawrence	Georgia Libbares	William Lowe
Donald Lahti	Janice Lawrence	Donna Libbey	Sanna Lowrance
Joanie Laine	Jessica Lawrence	Dorothy LiCalzi	Alana-Patris Loyer
David Laing	Jim Laybourn	Mark Lichtenberger	Luis Lozano
John Laing	Joy Layman	Bob Lichtenbert	Eve Lubin
Carole Lake	Richard Leach	Sharon Lieberman	Karen Lucas
Jennifer Lake	Kate Leahy	Gloria Lieberstein	Steve Lucas
B. Lacic	Bob Leaming	Daniella Liebling	Windy Lucas
R. Terence Lamb	Candy Leblanc	Edmund Light	Lora Lucero
Mary Lambert	Edward LeBlanc	John Light	Diane Luck
Larry Lambeth	Naomi Lebwohl	Jim and Norma Lightcap	Llewellyn Ludlow
Jim Lamon	Sue Lecroy	F. Kay Lightner	Suzanne Ludlum
Bryan Lancaster	Dennis Ledden	Rick Ligin	Martha Lujan
Marty Landa	Lorraine LeDuc	Linda Lillow	Keth Luke
Beryl Landau	Brendan Lee	David Lilly	Linda Luke
Doug Landau	Crystal Lee	Audrey Lima	Richard Luke
Dorothy Lander	Esther Lee	Julene Lima	Patricia Luken
Margaret Lander	Gary Lee	Karen Linarez	Caroline Luley
Susan Lander	Kenneth Lee	Robert Lincoln	Kirk Lumpkin
Michele Landis	Rain Lee	Britt Lind	David Lunde
Deborah Lane	Summer Lee	David Lindberg	Joanne Luongo
Frank Lane	Thomas Lee	Thomas Lindeman	Rocio Luparello
Jana Lane	John Leedy	Joanne Linden	Tammy Lusciatti
Charles Lane	Kyra Legaroff	Susan Linden	Brian Lutenegeger

List of Commentors

Daniel Lutzker	Christina Marcus	Maggie Maxwell	Paul and Margaret
Jayson Luu	Stuart Marcus	Marsha Maxwell	Mcgrath
Mary Lyda	Gladys Marhefka	Brett Mayer	William McGuire
Frances Lynch	Judith Marie	Glenna Mayer	William Mchenry
Helen Lynch	Sr James Marie Gross	Robin Mayerat	Patricia McHugh
James Lynch	Barbara Marino	Carole Mayers	Anton McInerney
Linda Lynch	Shannon Markley	Marilyn Mayers	Barbara McKee
Robert Lynch	Lynne Marko	Pedro Maynes	John McKeese
Andy Lynn	Daniel Marks	Dominique Mazeaud	Laurel McKeever
Steve Lyons	Ira Marks	Miroslav Mazel	Mark Mckennon
Christy Lytle	Kip Marlow	Lisa Mazzola	Danielle Mckenzie
Susan and Robert M.	Richard Marrero	Lynn Mcardle	Ruth Mclauchlan
Claudia Maas	Jan Marsden	Carole McAuliffe	Mary McLean
Lea Mac Leod	David Marsh	Bill McBain	Carol Mclree
Kevin MacDonald	Christopher Marshall	Susan Mcbee	Robert Mclvor
Joan and Wallace MacDonald	John Marshall	Tom Mccain	Annie McMahon
Elizabeth Macfarlane	R. Marshall	Janet Mccalister	Charles Mcmahon
Adrea Mach	Chas Martin	Donovan Mccall	Jean Mcmahon
David Maciewski	Janice Martin	Jan McCall	Eric McManus
Deni Mack	Judith Martin	Mary Beth Mccalla	Carrie McMaster
Judith Mackenzie	Linda Martin	Maureen McCarter	Sharon McMenamin
Angie Mackey	Nancy Martin	Ai McCarthy	Gene McMillion
Rev. Sandra Mackie	Timothy Martin	Debbie McCarthy	Ann McMullen
Richard Mackin	Vera Martin	Jane McCarthy	Evelyn McMullen
Alexa MacKinnon	Drew Martin	Mary McCarthy	Gail McMullen
Patricia Mackinnon	Erik Martinez	Mike McCartin	Penelope McMullen
Jenny Mackly	Jennifer Martinez	Brenda McCauley	Kathleen McNally
Melanie MacLennan	John Martinez	Michelle McCaulley	Sarah McNally
Eileen Macmillan	Judith Martinez	Mary Mccaw	Eileen McNamara
Lynn Marie Macy	Manny and Danielle Martinez	Mauria Mcclay	Amanda McNeill
Dianne Maddaus	Tim Martinson	Harriet Mccleary	Douglas McNeill
Kenny Madden	Gerry Martocci	Joby McClendon	John McNerney
Molly Madden	Joan Martorano	Linda McClure	Nickie Mcnichols
Michael Madias	Jordan Marzano	Kelly McConnell	Cynthia McWilliams
Richard Madole	Michael Maslanek	Tamra McConoughey	Patti McWilliams
Calli Madrone	Barbara Mason	Douglas McCormick	Thomas Meacham
Shanti Maffey	Elliott Mason	Tracy McCowan	Michael Meade
Max Magbee	Kate Mason	Howard McCoy	Justin Mears
Michael Maggied	Phyllis Mason	Joan McCoy	Ana Medina
Laura Magzis	Robert and Mari Mason	jan McCreary	F. Meek
Eileen Mahood-Jose	Cindy Massey	Charlie McCullagh	Judith Meek
Margaret Mainelli	Eileen Massey	Jane McCullam	Esthert Megill
Patrick Maiorana	James Massey	Sally McDaniel	Summer Megrath
Cristine Maize	Brad Massingill	Mary Ellen McDonald	Dan Meier
Janet Maker	Darla Masterson	Damian McDonnell	Andres Mejides
Joan Makurat	Rik Masterson	Irene McDonnell	Carol Mellom
Karen Kravcov Malcolm	Janice Mastin-Kamps	Rebecca Mcdonough	Patricia Melody
Roy Malcom	Laura Mastrangelo	Karla Mcduffie	Gwenn Meltzer
Lori Mallams	Francis Mastri	Betty McElhill	Rose Marie Menard
Janeth Mallory	Cleo Masur	Toby McElravey	Jitka Mencik
Sonja Malmuth	David Masur	Megan McElroy	R. Miles Mendenhall
Barry Maloney	Adam Matar	Cindy McFadden	Loretta Mento
Julie Maloney	Maryjo Matheny	David McFarland	Paula Menyuk
Carol Malott	Thomas Mathews	Eve McFarland	Sally and Don Merchant
Hilary Malyon	Thomas Matsuda	Helen McFarland	Elissa Mericle-Gray
Maggie Mandzuk	Martha Mattes	Michele Mcfarland	Jane Merkel
Laura Manges	Nancy Matthews	Debbie Mcgee	Judith Merl
Carolyn Mann	Laurie Mattingly	Frank Mcgee	Lynn Merle
Ramona Mann	Matt Matysik	Carol Mcgeehan	Julija Merljak
Natalie Mannering	Tamara Matz	Ann Mcgill	Neil Merrick
Jone Manoogian	Harry Mauney	Ron McGill	Barbara Mertig
Norman Manoogian	Joseph Maurici	Christine McGinn	John Meserve
Lynn Manzione	Gabriela Maurier	Alice McGough	Corey Mesler
Myrna Marcarian	Margaret R. Mauti	Wendy McGowan	William Messenger
Maria Marchegiani	Bruce Maxfield	Helen McGrail	Susan Messerschmitt

Cindee Messineo	Kristy Mitchell	John Morrison	Paul Naser
Whitney Metz	Shirley Mitchell	Margaret Morrison	Anne Nash
Vincent Metzger	Theresa Mitchell	Shirley Morrison	Jonathan Nash
Colonel Meyer	Tony Mitre	Lynn Morrow	Raymond Nash
Derek Meyer	Darren Mitton	Joan Mortenson	Mary Nausadis
Michele Meyer	Linda Miyoshi	Vivian Mosca-Clark	Paloma Navarrete
Twyla Meyer	Raymond Mlynczak	Sandra Moskovitz	Hazel Neal
Harold Meyer, Jr.	Lisa Moats	Kenneth Mosley	Yvonne Neal
Carol Meyers	Carole Mock	Sharon Moss	Michael Neil
Paul Meyers	Howard Mock	John Moszyk	Richard Neill
Peter Meyers	Deidre Moderaki	Joe Moyer	Laura Neiman
Robert Meyers	Jan Modjeski	Raynera Mrotek	Nancy Nelligan-McGarry
Lotte Meyerson	Ronelle Moehrke	Lindsay Mugglestone	Bette Nelson
Greta Meyerthof	Robert Moeller	Tom Mugglestone	Emily Nelson
Joel Meza	Rev Donald Moeser	James Mulcare	Joseph Nelson
Cindy Mezarina	James Moffat	Jonathan Mull	Kathie Nelson
Edward Mezynnski	Lopamudra Mohanty	Dianna Mullen	Leah Nelson
Brenda Michaels	Michael Molder	Jane Mullen	Maureen Nelson
Cb Michaels	Bianca Molgora	Michelle Mullen	Steve Nepi
Patricia Michaels	Jack Molina	Judi Muller	Jill Nerkowski
John Michal, M.D.	Ron Molina	Margie M. Mulligan	Dale Nesbitt
Lee Michalsky	Diana Molinari	Bill Mullins	Ryan Nestler
Lance Michel	David Mondejar	Gail Mullins	Mike Nestor
Mary Ann Michel	April Mondragon	Kate Mullins	Paul Netusil
Sister Anne Michel	Marcia Monma	Kathy Mullins	Steven Neubeck
Anne-Laure Michelis	Dean Monroe	Wayne Mullins	Stephen and Robin
Lee Michelsen	Ronald Monson	Lori Mulvey	Newberg
Golda Michelson	Luydia Montag	William Munce	Bernadette Newburg
David P. Michener, M.D.	Erica Montague	Ken Mundy	Bill Newell
Melissa Middlebrook	Anthony Montapert	Doris Munger	Matthew Newman
David Middletown	Sara Monteabaro	Bonita L. Munk-Kegeler	Ricki Newman
Deborah Mihalo	Bruce Montney	Gretel Munroe	Slater Newman
Donna Mikulka	Phyllis Montour	Deanna Munson	Heather Newton
Barbara Milano	Kenneth Mooney	Elisabeth Murawski	Peter Newton
Kathleen Milano	Karl Moor	Joyce Murchie	James and Helen Niblock
Gerry Miliken	Barry Moore	Lauren Murdock	Peter Nicholas
Frank Millen	Barry Moore	Deborah Murphy	Charles Nichols
Calahan Miller	Dallas Moore	Mary Murphy	David S. Nichols
D. Miller	Deirdre Moore	James Murray	Kim Nichols
Don Miller	Dennis Moore	Mary Murray	Shamus Nicholson
Hermineh Miller	Kelly Moore	Rebecca Murray	John Nickrosz
Howard Miller	Margaret Moore	Vasu Murti	Anthony Nicolau
Jim Miller	Roberta Moore	Dyan Muse	Rael Nidess
Karen Miller	Shannon Moore	Mully Music	John Niendorf
Karen Miller	Sheila Moore	Dr. Robert K. Musil	Michele Nihipali
Marilyn Miller	Thomas Moore	Marcie Musser	Joyce Niksic
Phyllis Miller	Jerry Moorehead	Adnan Mustafa	Vanessa Nixon-Klein
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Ruth Miller	Margo Morado	Diana Myers	Robert Nobrega
Sara Miller	Sophie Morel	Kevin Myers	Shane Nodurft
Theresa Miller	Phyllis Morello	Frederic Frank Myers-artist	Shane Nodurft
Uma Miller	Tirso Moreno	Paula Myles	Rosemary Noellert
James Millier	Kay Moretti	Jerry Mylius	Antoinette Nolan
Jane Milliken	Bruce Morgan	Nicole Naab	Katherine Nolan
Anita Mills	Jerry Morgan	Robert Nadeau	Phyllis Nolan
Krystal Mills	Nicole Morgan	Fred Nadelman	Marguerite Noll
Martha Milne	Sharon Morgan	Lawrence Naderhoff	Greg Noneman
Kent Minault	Ed Morin	A. A. Nagy	Molly Noone
Sophie Miranda	Mariel Morison	Thomas Nakashima	Agneta Norberg
Mary Jo Miserendino	Gloria Morotti	James Nakata	Ellen Norman
Barbara Mitchell	John Morrill	Terry Nall	Kristina Norman
Brian Mitchell	Dee Morris	Amy Nammack-Weiss	Raun Norquist
Carol Mitchell	Kathleen Morris	Jean Naples	Enid Norris
Darius Mitchell	Ray and Betty Morris	Yoshinaga Nara	Joanne Norris
Jonathan Mitchell	G. Morrison	Jason Nargis	Marshall Norris

List of Commentors

Bob North	Eric Oxford	Vivian Penniman	Kathryn Plitt
Judy Northrop	Richard Ozanne	Dolores Penrod	James Ploger
Beth Norwood	Dogan Ozkan	Ralph Penunuri	Frank Ploof
Ursula Noto	Virginia P	Melita Pepper	Carole Plourde
Janice Novotny	Rosemarie Pace	Steve Peppercorn	Shrikumar Poddar
Marta Novotny	Susan Pacey-Field	Luise Perenne	Ellen Poist
Jo Nowakowski	Thomas Pacheco	Martha Perez	Alice Polesky
Julio Nunes	Patti Packer	Anne Perkins	Andrew Politzer
Carlos Nunez	Alexis Pagoulatos	E. Perkins	Gary Pollack
Michael Nutini	Barbara Palazuelos	Koel Perkins	John Pollard
John O'Neil	Elanne Palcich	Marie Perkins	Emily Pollom
John Oakes	Bridget Palecek	Wendell Perks, Jr.	Steve Polydoros
Lee Oakes	Jan Paley	Frances Perlman	Chris Pomeroy
Catherine Obrien	William Palmisano	Susan Pernot	Christopher Pond
Karen O'Brien	Sharon Paltin	Claire Perricelli	Joseph Ponisciak
Chris O'Connell	Colleen Pancake	Amy Perrin	Elsie Pope
Ken O'Connell	Ruth Panella	Maryam Perrizo	John Pope
Timothy O'Connell	Maneesh Pangasa	S. Perry	Donnal Poppe
Phil Odea	Robert Pann	Jonathan Peter	Susan Porter
Norma Odell	Madlyn Pape	Judith Peter	Claire Posada
Lisa Odo	Alfred Papillon	Christine Peters	Patricia Posenthal
Michael O'Driscoll	Jane Papin	Amy Peters	Kimberly Posin
Cheryl Oeser	Gabe Paras	Gene and Doris Peters	Dianne Post
Tetsu Okuhara	Brandon Parcell	Robert Petersen	Donna and Darwin Poulos
Roy Rogers Oldenkamp	Daniel Parent	Amanda Peterson	Robert Pound
Barbara Oleksa-Reiss	Kristina Paris	Frank Peterson	Barb and Phil Powell
Della Oliver	Denice H. Park, PsyD	Gary Peterson	Ryan Powell
Mo Oliver	Doug and Jan Parker	Linda Peterson	Susan Powell
Corey E. Olsen	Douglas Parker	Michael Peterson	Tracy W. Powell
Mary Olspn	Patricia Parker	Nancy Peterson	Mark Powers
Janelle Olvey	Gordon Parker III	Ron Peterson	Martin Powers
Polly O'Malley	Mariano Parks	Shannon Peterson	Nadine Poznanski
Jeff Omans	Roberta Parrish	Carl J. Peterson Jr	Brenda Prado
Maureen O'Neal	Robin Pascal	Maryam Petersson	Annemarie Prairie
Jenny O'Neil	Richard Pasichnyk	Mary Pettengill	Lonnette Prather
Jason O'Neill	John Pasqua	Pati Philbrook	Patricia Pratt
Carol O'Niell	Grace Passage	Tricia Philipson	Shelia Pratt
Adam O'Onofrio	Eli Patsis	Patricia Phillips	Yvonne Pratt
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Kathy Oppenhuizen	Catherine W. Patterson	Tomi Phillips	Eileen Prefontaine
Paul Ordway	Sue Pattie	Janice Phillips	Sandee Preslan
Barbara O'Reilly	Nancy Patumanoan	Vero Piacentini	Ansula Press
Christine Orlando	Rachel Patureau	Ewa Piasecka	Susan Preston
Patricia Orlinski	P.A. Paye	Dolores Pieper	Jack Preston Marshall
Patricia Helene Ormsby	Blake Payne	Joesephine Pierotti	Ian Pribanic
Carlos Oropeza	Skywalker Payne	Dana Pierson	Charlotte Price
Kevin O'Rourke	P. D.	Nancy Pieters	Nicole Price
Nancy Orsetti	Suzanne Pearce	Janis Pietro	Mark Pringle
Marlen Ortega Cruz	Ellen Pearson	Michael Pike	Johni Prinz
Dorothy Osak	Rae Pearson	Marc Pilisuk	Joyce Pritchard
Samantha Osborne	Jerry Peavy	Lisa Piner	Stephanie Proctor
Andrew Osborne-Smith	Jasnica Pecaric	Lois Pinetree	Johnnie Prosperie
Timothy Oseckas	John Peck	Manuel Pino	Linda Prostko
Wendy Oser	Bob Pedretti	Dolores Pino, JD	Rick Provencio
Alex Oshiro	John Peeters	Meryl Pinque	Nicholas Prychodko
David Osterhoudt	David Peha	Alain Pire	Peggy Pryor
Annalisa Osterhout	Jacqueline Peipert	Edie Pistolessi	Laken Pugsley
Julie Ostoich	Leia Peison	Christiane Pistor	Diane Pulsifer
Helen Marie Ostrander	Rosalie Pelch	Phoebe Pitassi	Janice Pumphre-Willison
Gavin Ostrom	Howard Pellett	Mary Lee Pitre	Til Purnell
Michael Ott	Deanna Pena	John Pittenger	Susan Puschek
Elizabeth Otte	Rochelle Pendleton	Phyllis and Bernard Pivo	Clare Puskarczyk
Irwin Ottenberg	Thad Pendleton	Chris Pizzinat	Chuck Putnam
Tracy Ouellette	Dave Peneton	Franklin Platizky	Linda Putney
Tamara Overholt	Yanula Pengenika	Robert Platt	Monica Putt

Marcia Quелlette	Cindy Reynolds	Dianne Robertson	Erik Roth
Frank Quin	Jonelle Reynolds	Merilie Robertson	Rev. Nancy Roth
Christopher Quinn	Kevin Reynolds	AnNita Robinson	Lana Rothchild
Peter Quinones	Darla Reynolds-Sparks	Barbara Robinson	Marguerite Rouleau
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Ivy Quintero	David Rhinelander	Janet Robinson	David Rousseau
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Diane Rabinowitz	Mary Riblett	Pam Robinson	Lorene Rowland
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Margery Race	Jose Ricardo Bondoc	Katherine Roche	Joyce Roy
Susan Racine	Ellen Rice	Peter Roche	Deborah Rubin
Mark Rader	Florence Rice	Lisa Rochelle	Steffany Rubin
Nancy Radford	Jay Rice	Brent Rocks	Wonono Rubio
Laura Raforth	Loree Rice	Steve Roddy	Stephen Ruby
Cynthia Raha	Megan Rice	Peter Rodgers	Alan Rudan
Asad Ullah Rahbar	J. Rich	Nick Rodin	Richard Ruemenapp
James Ralston	Lynn Rich	Shirley Rodman	Rita Ruetz
Kate Ramirez	Martha Rich	Abraham Rodriguez	Virginia Ruffolo
Joann Ramos	David Richard	Jennifer Rodriguez	Bill Ruhaak
Jorgen Ramstead	Ben Richards	Juan Rodriguez	Shamsi Ruhe
Kirk Ranble	Damaris Richards	Jude Rodriguez	Karen Running Enemy
Julie Ranieri	Jay Richards	Sylvia Rodriguez	Richard Rushforth
Brian Ranum	M. Richardson	Therese Rodriguez	Bob Rusk
Eric Ranvig	Roberta Richardson	Sue Rogan	Robert Rusk
Ivan Rarick	Ronald Richardson	Annie Rogers	Sheely Rusk
Rosa Rashall	Trudi Richardson	Dirk Rogers	Steve Rusk
Ron Rattner	Jackie Richer	Janice Rogers	Katherine Blum Russell
Sharon Raum	Robert Richey	Laura Rogers	Kelsey Russell
Mary Rausch	Chester Richey Martin	Marliss Rogers	Sean Russell
Maria Rausis	Rosalind Rickman	Rosemary Rogers	Robert Rutkowski
Toniann Reading	Carolyn Riddle	Mary Rojeski	Ben Ruwe
Gail Reams	James Rideout	Jelica Roland	O. Ruzi
Mark Reback	William Ridgeway	Arnold Roman	Anne Marie Ryan
Marylleen Redish	Patricia Ridgley	Charlene Root	Penelope Ryan
D. D. Redman	Rosalie Riegle	Robert Rosas	Rich Ryan
Gerard Redpath	Dale Riehart	Mirra Rose	Sarah Ryan
Charmian Redwood	Ann Riehle	Pat Rose	Therese Ryan
Walter Reece	Theresa Rieve	Sharon Rose	Helen Rynaski
Peter Rees	Kelly Riley	Kathryn Rose	Barbara Rystrom
Bartley Reese	Carrie Rimes	Amanda Rose	Lilly Ryterski
Gary Reese	Ami Ringler	Barbara Rose	Frank Sabatini
Douglass Reeves	Timothy Rinner	Mary Rose McCrate	Rana Sabeh
Glenn Reeves	Susan Rios	Deane Rosen	Vivian Sabelhaus
Joyce Reeves	Susan Rios	Deanna Rosen	Mara Sabinson
Lenore Reeves	Jeanne Ripp	Helene Rosen	Rohan Sabnis
Saun Rego-Ross	William Risano	Judith Rosen	Bert Sacks
Debra Rehn	Carolyn Ritchie	Robert Rosenberg	Mina Saeid
Robyn Reichert	Marco Rivarolo	Eben Rosenberger	Joel Saeks
Charles Reid	Joe Rivera	Paul Rosenberger	Jack Safarick, Jr.
Frederick Reif	Mercedes Rivera	Felix Rosenthal	Mary Jane Sager
Bettie Reina	Antoinette Riveria	Peggy Rosenthal	Ed Sahagian-Allsopp
Emil Reisman	Mario Riveria	Robert Rosenthal	Nancie Sailor
Dick Reiss	Rosetta Rizzo	Kathy Rosko	Lynn Sajdek
Gayla Reiter	James Rizzolo	Adrienne Ross	Myrna Sak
diane Rencher	Christine Roane	Bruce Ross	Mark Salamon
Lori Rendina	Warren Roark	David Ross	Joe Salazar
Douglas Renick	Aida Robana	Diana Ross	James Saley
Ann Rennacker	Elizabeth Robbins	Douglas Ross	Penelope Sallberg
Rebecca Rens	Karen Robbins	George and Darlen Ross	Robert Salmon
Rebecca Rens	Nancy Robert-Moneir	Kathleen Ross	Jennifer Salome
Helen Renzelmann CSA	Gail Roberts	Shaddon Ross	James Salter
Nancy Reutter	James Roberts	Ilana Rossoff	Jeff Salvaryn
Bruce Revesz	Jeanne Roberts	Sharon Rossol	Daniel Samek
Ynez Reyes	Les Roberts	Joseph Rosta	Cecelia Samp

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Mich Sampery	Bob Schneck	John Seeburger	Celeste Shitama
Hugh Sanborn	Andrew Schneider	Nox Seehafer	Sandi Shocket
Ralph Sanchez	Dan Schneider	Sue Seehafer	Clare Shomer
Daniel Sanchez Sr.	Gerri Schneider	Joshua Seff	Denny Shoopman
Glen Sandberg	John Schneider	Bob Segal	Sterling Showers
Kellie Sandberg	Lynn Schneider	Kimberly Seger	Rick Shreve
Morris Sandel	Ray and Marlene Schneider	Lisa Seitz	Kenneth Shrum
Ruth Sander	Martha Schneier	Susan Seitz	Joseph Shulman
Karen Sanders	Randolph Schoedler	Andy Sekara	Sue Shulman
Robert Sanders	Janet Schoenhaus	Susan Selbin	Jamie Shultz
Sandy Sanderson	Arthur Scholbe	Robert Selles	Robin Shweder
Allison Sandlin	Barabara Sue Scholl	Wendy Selnick	Toula Siacotos
Gustavo Sandoval	Marie Schopac	Elizabeth Seltzer	Jim Sickafoose
Diana Sandreson	Amy Schoppert	Rob Seltzer	Ann Siegel
Reisha Sandwell	Ray Schraft	Nicholas Selvaggio	Larry Siegel
Val Sanfilippo	Myron Schrag	Sr Mary Senderak	Sabrina Siegel
Jane Sanguinetti	Peggy Schramm	Carol Sepe	Suzu Siegmann
Will Santana	Robert Schreib	Stan Serafin	Roberta Siemering
Roger Santerre	Eugene Schreiber	Bill Serrani	Vikram Sikand
Marc Santora	Troy Schreiber	Brenda Serrano	Aaron Sikes
Rocio Santos-Carrillo	Darcy Schreiner	Laurence Sessler	Patricia Sikora
David Saperia	Shannon Schreur-Klein	Stefan Seuleanu	Rodger Sillars
Robert Sargent	Heidi Schubert	Tamara Severns	Eva Silva
Shawn Sargent	Julie Schubert	Michael Sexton	Margaret Silver
Sascha Sarnoff	Susan Schuchard	Miriam Sexton	Stacey Silver
Lake Sarovec	Gail Schuessler	Marian Shaaban	Ronald H. Silver, C.E.P.
Dorian Sarris	Nancy Schuhrke	Roxann Shadrick	John Simcox
Randi Saslow	Helen Schulte	Paula Shafransky	Kathryn Simmons
John Satchell	Wm Schultz	Aisha Shah	Steve Simmons
Linda Satter	Nancy Schulz	Elsy Shallman	Carol Simon
Jess Saucedo	Maureen Schulze	Erik Shank	Carrie Simon
Debra Saude	Pat Schumacher	Georgia Shankel	Violet Simon
Ted Saufley	Kenneth Schumann	Irving Shapiro	Arline Simone
Ammique Savage	Peter Schutz	Jason "Great White" Shark	Jeanne Simonoff
Anne Sawyer	Ammiel Schwartz	Virginia Sharkey	Bette Simons
Catherine Sawyer	Daniel Schwartz	Robyn Sharpe	Michelle Simonson
Jerry Sawyer	Eleanor Schwartz	Rhonda Sharpee	Mark Simpson
Margaret Sawyer	Jeremy Schwartz	Diane Shaughnessy	Rusty Simpson
Jack Saylor	Judy Schwartz	Donald J. Shaw	Louise Simrell
Kelley Scanlon	Kraig Schweiss	Peter Shaw	Joan Sims
Charles Scarlott	Mark Scibilia-Carver	Sally Shaw	Millicent Sims
Crystal Schachtell	Alan Scott	Namia Shea	Paul Sinacore
John Schaechter	Joseph Scott	Steven Shea	Evelyn Singer
Robin Schaefer	Kenna Scott	Gabriella Sheets	Joan Singleton
Ken Schaefer	Louise Scott	Deborah Shekter	Jan Sinnott
Jennifer Schally	Martha G. Scott	Joan Shelby	Nancy Ann Siracusa
Joy Schary	Mike Scott	Suzette Shelmire	John Siroki
Vivian Schatz	Rachel Scott	David Shelton	Neal Sirwinski
Jennifer Schauffler-Vircsik	Rachel Scott	Anna Shenk	Catherine Siskron
Naomi Schechter	Bisogno Scotti	Lindsey Shere	Joan Sitomer
Robert Scheff	Pam Scoville	Jim Sheridan	James B. Sitrick Jr
Coral Scherma	Lawrence Scrima	Leslie Sheridan	Darcy Skarada
Craig Scheunemann	Ryan Sdano	Paul Sheridan	Lauremce Skirvin
Nancy Schimmel	David Seaborg	Wilma Sheridan	Morgan Sky
Arlette Schlitt-Gerson	Kathy Seabrook	Mary Sherman	Debbie Slack
E. S. Schloss	Gerda Seaman	Vince Sherry	Matthew Slade
Diana Schmidt	Barbara Searles	I. Sherwood	Alice Slater
Eric Schmidt	Julie Sears	Jane Shevtsov	David Slater
Fran Schmidt	Nancy Sears	Kate Shield	Debra Slater
Linda Schmidt	LaRoy and Mary Seaver	Juli Shields	John Slawinski
Marylou Schmidt	Richard Sebastian-Coleman	Roy Shigley	Stephen Sleeper
Richards Schmidt	Iria Cristina Sebastiao	Aida Shirley	Patricia Slevc
Molly Schminke	Beth Seberger	David Shirley	Barb Slitkin
Roselyn Schmitt	Klara Seddon	Janet Shirley	Adam Sloan
Hugh Schmittle	Richard Sedivy	Rosemarie Shishkin	Rick Sloan

Lauryn Slotnick	Margaret Spak	Trish Stevens	Jane Sunshine
Mary Ann Smale	Will Spangler	Jon Stewart	John Surdyk
Gretchen Small	Galadriel Spanogians	Nancy Stewart	Esther Surovell
Marya Small	Derek Spark	James Stewart Jr.	Charlotte and Earl
Victor Smalley	Rick Sparks	Karen Stickney	Sutherland
Andrew Smith	Harvey Spears	Joan Stiehl	Ellyn Sutton
Anita Smith	Sherry Spears	Virginia Stiepock	John Sutton
Carlos Smith	Daphne Speck Bartynski	Sophe Stine	Julie Svendsen
Cathy Smith	Linda Spellman	Reggie Stiteler	Bo Svensson
David Smith	Kathy Spera	Bob Stockwell	Lenore Swaim
Dennis Smith	Linda Sperling	Ann Stoddard	Gerard Swainson
Donald and Eulalia Smith	Karen Spiegel	Bob Stoddard	Dr. John Swang
Edwina Smith	Joseph Spiezio	Ronna Stoddard	Kristen Swanson
Elizabeth Smith	Jon Spitz	Paul Stoft	Michael Swanson
Ellen Smith	Ann Duvall Sponner	Diana Stokes	Stanley L. Swart
Gaye Smith	Karen Spradlin	Mele Stokesberry	Kathleen Sweeney
Jerry Smith	Ann Sprayregen	Maria Stoll	Ellen Sweetin
Jim Smith	Constance St Jean	John and Martha Stoltenberg	Arthur Swers
Joan Smith	Mary St. Michael	James Stone	Joe Swierkosz
Joanne Smith	Elana Sue St. Pierre	Lisa Stone	Frank Swift
Kellie Smith	Dan Stabel	Mark Stone	Edmund Swiger
Kevin Smith	Charlotte Stahl	Sonja Stone	Rev Crow Swimsaway, PhD
Linda Smith	Margaret Stahl	William Stone	Matthew Swyers
Lori Smith	Ruth Stambaugh	Emily Storar	Angee Sylvester
Lucy Smith	Barbara Stamp	Lauren Storm	Cindy Symington
Maria Smith	Jennifer Stanczak	Libby Stortz	Joseph Szabo
Mary Smith	Steven Standard	Robert Story	Thaddeus Zostak
Maxsonn Smith	Phyllis Standish	Berrie Straatman	Laura Taffany
Sara Smith	Marsha Stanek	Veda Stram	Nancy Taiani
Stacey Smith	Jeffrey Stannard	Laurel B. Stranaghan	Ruth Ann Takes
Stephen Smith	Jack Stansfield	Stella Strand	Tom Talboom
Virginia Smith	Anthony Stanton	Maleada Strange	Nicholas Talbot
William Smith	Lucy Starbuck	Marisa Strange	Karen Talluto
Dia SmithRedman	Carol Stark	Jewels Stratton	Gabrielle Tao
Jerica Smythe	C. K. Starkweather	Gwen Straub	Arthur Taplinger
Dr. William J. Sneck, S.J., Ph.D.	Tanai Starrs	John Strauss	Tim Tarbell
Daivd Snope	Carrie Staton	Nelda Street	Ron and Paulette Tatum
Jean Snow	Brian Stauffer	Erik Streeter	Jennifer Taveras
Vince Snowberger	Georgia Stauffer	Marjorie Streeter	Brigitte Tawa
Patricia Snowden	Barrie Stebbings	Mary-Alice Strom	Aileen Taylor
Ross Snyder	Matt Stedman	Grace Strong	Carol Taylor
Sara Snyder	Carlene Steel	Timothy Strong	Joan Taylor
Marie Socarras	Eric Steffen	Joel Strouss	Kirk Taylor
Katherine Perrault Sogolow, PhD	Karen Stegemann	Michael Stuart	Larry Taylor
Arthur Soifer	Jill Steidl	Maria Studer	Lee Ann Taylor
Fred Sokolow	Cletus Stein	Patrick Studt	Megan Taylor
Rita Sokolow	Herbert Stein	Merlene Stuerzer-Rhodes	Timothy Taylor
John Solaperto	Howard Stein	Sandy Stuhaan	Karine Tchakerian
Jose Sologuren	Pail Stein	Ernest Sturdevant	Dave Te Tohunga
B. Soltis	George Steinitz	Robert Sucher	Kim Telgarsky
John Somers	Barbara Steinmann	Ann Suellentrop	Robert Temple
Timmi Sommer	Diane Steitz	Lynn Suits Lamkin	Marlene Tendler
Kathryn Sonenshine	Dusty Stepanski	Lynn Suits Lamkin	Lee and Charlotte Terbot
Rachel Sonnenblick	Jan Stephens	Christopher Sullivan	Alexis Terell
Sandee Sorel-LeDuc	Jan Stephens	Dr. Jay Sullivan	John Teriazzo
Bill Sorem	Robert Stephens	Linda Sullivan	Walter Terrell
Phoebe Sorgen	Susan Stephens	Theresa Sullivan	Michael Terry
Rachel Soroka	Carla Stern	Tom Sullivan	Olivia Teter
Madeleine Sosin	Roberta Stern	Robert Sullivan, MD	Charles Thatcher
Lilvia Soto	Elizabeth Sterner	Dot Sulock	The Wojo Family
Derek Southard	David Stetler	Jess Summers	Lynn Thelen
Ada Southerlnad	Lorene Stetzler	Kathryn Summers	Ann Thielen
Leela M. Southworth	Robert Steurer	Autumn Sun	Eva Thielk
	Barbara Stevens	Jane Sun	David Thiermann
	Summer Stevens	Deborah Sunderman	

List of Commentors

Thomas Thirion	Irene Tremper	Leah Vasquez	Linda Wallace
Chip Thomas	Stephanie Trevor	Lisa Vaughan	Joshua Wallman
Claudine Thomas	Gloria Trinka	Michael Vaughan	Hunter Wallof
Connie Thomas	Tia Triplett	Ordell Vee	Bennett Walls
Cynthia M. Thomas	Dorothy Tristman	Elinor Vega	Barbara Walrafen
Debbie Thomas	Mike Trollinger	Anne Veraldi	Anita Walsh
Dennis Thomas	Brenda Troup	Carolyn Verga	Christopher Walsh
Elizabeth Thomas	Paul Troyano	Evelyn Verrill	Dianne Walsh
Ellen Thomas	Hal Trufan	John Viacrucis	Indi Walsh
Karen Thomas	Leon Trumpp	Mar Vial	Rev. James Walsh
Ken Thomas	Joel Trupin	Daniel Vice	Ricki Walsh
Stan Dorothy Thomas	Barabara Tucker	William Vickstrom	Sharon Walsh
Theodore Thomas	David Tucker	Barbara Viken	Mark Walshin
Paul Thomason	Karen Tucker	Kenny Villacorta	V. Walson
Amber Thompson	Gabriella Turek	Michele Vinz	Marilyn Waltasti
Dean Thompson	Keith Turner	Christina Virsida	L. Walters
Mary Thompson	Michelle Turner	Elizabeth Vitale	Donald Waltman
Patricia Thompson	Mike Turner	Nathan Vogel	Gabrielle Wannier
Sally Thompson	Robert Turner	Deborah J. Volk	Jacque Ward
Robert Thomson	Rodgers Turrentine	Karl Volk	Kelly Ward
Shelley Thoppil	Virginia Twinam Smith	Peter Volkert	Lonnie Ward
Marion Tidwell	Steve Tyler	Nan Vollbracht	Michael Ward
Catherine Tierney	Nathan Tyson	Peter Von Ehrenkrook	Shelia Ward
Grace Tiessen	Aaron Ucko	Cynthia von Hendricks	Susan Ward
Peter Tijerina	LaVernre Uhte	Bill and Marilyn Voorhies	Lisa Warmbrodt
Margo Tiller	Betty Ulbrich	Barabara Voss	Barbara Warner
Merritt Tilley	Barbara Ulman	Pamela VourosCallahan	Carol Warner
Charles Tillotson	Vic and Barby Ulmer	Frances Wade	Kelly Warner
Bernard Tilson	Georja Umano Jones	Lillian Wade	Cecilia Warren
Don and Roberta Thurstin	Luci Ungar	Paul Wade	Charles Warren
Timmerman	Kris Unger	Rueben Wade	Richard Warren
Ray Timmermans	Julie Unruh	Eric Wagner	Susan Warren
Lisa Timmermeyer	Sandra Uribe	Frank Wagner	Anita Wasserman
Rebecca Tippens	John and Helene Vachet	Heidi Wagner	Constance Waters
Lauren Titchener	Joshua Valdes	Jim and Virginia Wagner	Wayne Wathen
Thomas Tizard	Karen Valentine	Richard Wagner	Brian Watson
Kathy Tobey	Valerie Valentine	Robert Wagner	John Watson
Claudia Todd	Joseph Valentino	Sandra Wagner	Larry Watson
Laurie Todd	Arthur Valenzuela	Steven Wagner	Laurel Watson
Samuel Todd	Corey Valenzuela	Sam Wagstaff	Nate Watson
Margaret Toews	Paulino Valenzuela	Mare Wahosi	Gary Wattles
Shirley Tofte	Vivian Valtri Burgess	Linda Waive	David Way
Mark Tokarczyk	Dona van Bloemen	Marlene Waite	Lois Way
Mark Tolley	Beirnda Van Cleave	Marie Wakefield	Paul Waybrant
Micheal Tomczyszyn	Deborah S. Van Damme	William Wakefield	Rick Wayman
Kaori Tomioka	Penny Van Dyk	George Walberg	Larry Wear
Andy Tomsy	Karen Van Fossan	Jeriene Walberg	Dean Webb
William Toner	Kristen Van Tassell	Annamay Waldman	Debra Webb
Barbara Tonsberg	Dan Vanbuskirk	Joseph Waldner	Susan Webb
Michael Toobert	Eric Vance	Jason Waldo	T. Ed. and Marie Webb
Gloria Toolan	Nat Vance	Richard Waldo	Majill Weber
Laurence Topliffe	Kris Vancil	Veneda Waldo	Zorina Weber
S. Torres	Roberta Vandehey	Charlotte Wales	Susanne Wechsler
Kim Tosdale	Liesbeth Vandenbosch	Beverly Walker	Eldon Wedlock
Michael Toto	Craig Vanderborgh	Carol Walker	Rose Wedlund
Patricia Townsend	Elizabeth Vandercen	Carrie Walker	Ardeth L. Weed
Walter Townsend	Rachelle VanDerWyst	Christopher Walker	Grant Weherley
Sarah Tracey	Marjorie Vangsness	Craig Walker	Jeff Weicher
Kyle Tracy	Mike VanLandingham	Dan Walker	Jeannine Weidner
William Trapnell	Joan Vanoni	James Walker	Kenneth Weidner
Kenneth Trauger	R. Vanstrien	Lynn Walker	Krystal Weilage
Dennis Treleven	Annette Varady	Nancy Walker	Sherry Weiland
Andrew Tremain	Dorothy Varellas	Philip Walker	Wendy Wein
Karen Tremblay	Joan Varney	Joy Wall	Leslie Weinberg
Dennis Trembly	Karen Varney	Kathy Wall	Pete Weinelt

Nona Weiner	Lisa Willamson	Chris Witting	Darlene Yamrose
Deborah Weinschke	Monica Willard	Laura Wittke	Linda Yancy
Diane Weinstein	Laurie Willets	Pauline Wittry	Theresa Yandell
Carol Weinstock	Angie Williams	Carolyn Wlater	Susan Yarnell
Edmund Weisberg	Barbara Williams	Andrew Woitkoski	Erin Yarrobino
Jody Weisenfeld	Brian Williams	Dot Wolf	Sonya Yeager-Meeks
Jennifer Weishaar	Bruce Williams	Martin Wolf	Anthony Tsang Yee
Stuart Weiss	Danna Williams	Pauline Wolf	Mary Yelich
Stephen Weitz	Debbie Williams	Kathlen Wolfe	Evangeline Yeun
Krissy Weldch	Diane Williams	Regina Wolfer	Peter Yff
Kate Wells	Donna Williams	John Wolff	Jennifer York
Fred Welty	Glen Williams	Jake Wolfhart	Sarah and Mike Yost
Peter Wemyss-Gorman	Janet Williams	Mark Wolgamuth	Lucia You
Mary Lou Wendtland	Jayna Williams	Jean Wollenweber	David Young
Sophia Werbowy	Jeanene Williams	Isaac Wollman	Diana Young
Kirsten Wert	Jesse Williams	Cheryl Wong	Geoff Young
Nancy Weston	Leonora Hall Williams	Olivia Wong	Sonya Young
William Weston	Mara Williams	Dennis Wonn	Vincent Young
Mike Weyand	Mary Williams	Erik Wood	Charlene Yourke
Shirley Whalen	Michael Williams	Margaret Wood	Scott Yundt
Joan Wharton	Sally Laidlaw Williams	Martha Wood	Dawn Yunker
Cleveland Wheeler	Terrie C. Williams	Virginia Wood	William Zaccagnino
Maureen Wheeler	Trudy Williams	Sandra Woodall	Guy Zahller
Mary Whitaker	Wayne Williams	Barbara Woodard	Jonathan Zahos
Allan White	Maria Williamson	Bennie Woodard	Susan Zalon
Dave White	Shawn Williamson	Mary Woodconstable	Val Zampedro
Edwina White	Beverly Williamson-Pecori	S. Woodruff	Benjamin Zank
Judy White	Richard Willing	Billy Woods	Jan Zanone
Lois White	Jen Willis	Linda Woodward	Caroline Zaworski
Sue White	Melodi Willis	Ken Woolard	Susan Zega
William White	Patricia Willis	Alex Woolery	John Zeigler
Pippa White Lawson	Emily Willoughby	Nancy Woolley	Tim Zemba
Paul Whiteley Sr.	Judith Willoughby	Angela Wootton	Zentura
Andy Whiteman	Cassandra Wilson	Marjorie Worthington	Dennis Zerbo
Judy Whitley	Edith Wilson	Charles Wright	Stephen Zerefos
Rosemary Whitmore	Judith Wilson	Charlie Wright	Lynn Ziegler
Karen Wible	Katrina Wilson	Jacob Wright	Arlene Zimmer
Roger Wiesmeyer	Ken Wilson	Joan Wright	Andrea Zinn
Amy Wiesner	Sandy Wilson	John Wright	Adam Zion
Sunni Wigand	Amy Windish	Maureen Wright	Nancy Zorn
Marika Wilde	Laura Winds	Sharon Wright	Bennet Zurofsky
Laura Wilder	Max Wineinger	Betsy Wright Loving	Bettina Zwerdling
Roy Wilensky	Doug Wingeier	Susan Wrightsman	
John Wiles III	Gail Winter	Mark Wrobel	
Janus Wilhelm	Ann Witherspoon	Katherine Wuthrich	
Doris S. Wilk	Nancy Withington	Rowena Wyckoff	
Yancy Wilkenfeldt	Peggy Witsell	Kimberly Wyke	
Jere Wilkerson	John Witte	Mary Wylie	
Richard Wilkins	Alice Wittenbach	Artemas Yaffe	
Wayne Wilkinson	Andreas Wittenstein	Susan Yamagata	

**ACRONYMS, ABBREVIATIONS, AND CONVERSION
CHARTS**

ACRONYMS, ABBREVIATIONS, AND CONVERSION CHARTS

ATSDR	Agency for Toxic Substances and Disease Registry
BLM	Bureau of Land Management
BMP	Best Management Practices
CEQ	Council on Environmental Quality
CFR	<i>Code of Federal Regulations</i>
CMR	Chemistry and Metallurgy Research
CMRR	Chemistry and Metallurgy Research Building Replacement
CMRR-NF	Chemistry and Metallurgy Research Building Replacement Nuclear Facility
CRD	Comment Response Document
DBE	design-basis earthquake
DD&D	decontamination, decommissioning, and demolition
DNFSB	Defense Nuclear Facilities Safety Board
DOE	U.S. Department of Energy
EA	environmental assessment
EIS	environmental impact statement
EPA	U.S. Environmental Protection Agency
EPRI	Electric Power Research Institute
FR	<i>Federal Register</i>
<i>g</i>	gravitational acceleration
GTCC	greater-than-Class C
HEPA	high-efficiency particulate air filter
LANL	Los Alamos National Laboratory
LASG	Los Alamos Study Group
LCF	latent cancer fatality
LEED	Leadership in Energy and Environmental Design
MEI	maximally exposed individual
NAAQS	National Ambient Air Quality Standards
MDA	material disposal area
NEPA	National Environmental Policy Act
NMAC	New Mexico Administrative Code
NMED	New Mexico Environmental Department
NNMCAB	Northern New Mexico Citizens Advisory Board
NNSA	National Nuclear Security Administration
NNSS	Nevada National Security Site
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NRC	U.S. Nuclear Regulatory Commission
PC	Performance Category
PGA	Peak Ground Acceleration
P.L.	Public Law

PM _n	particulate matter less than or equal to <i>n</i> microns in aerodynamic diameter
PRS	Potential Release Sites
PSHA	Probabilistic Seismic Hazard Analysis
RAC	Risk Assessment Corporation
RCRA	Resource Conservation and Recovery Act
RLUOB	Radiological Laboratory/Utility/Office Building
RLWTF	Radioactive Liquid Waste Treatment Facility
ROD	Record of Decision
SASSI	System for the Analysis of Soil-Structure Interaction
SEIS	supplemental environmental impact statement
SPEIS	supplemental programmatic environmental impact statement
SSC	structures, systems, and components
SSHAC	Senior Seismic Hazard Analysis Committee
SSI	soil-structure interaction
START	Strategic Arms Reduction Treaty
SWEIS	site-wide environmental impact statement
TA	technical area
U.S.C.	<i>United States Code</i>
WIPP	Waste Isolation Pilot Plant

CONVERSIONS

METRIC TO ENGLISH			ENGLISH TO METRIC		
Multiply	by	To get	Multiply	by	To get
Area					
Square meters	10.764	Square feet	Square feet	0.092903	Square meters
Square kilometers	247.1	Acres	Acres	0.0040469	Square kilometers
Square kilometers	0.3861	Square miles	Square miles	2.59	Square kilometers
Hectares	2.471	Acres	Acres	0.40469	Hectares
Concentration					
Kilograms/square meter	0.16667	Tons/acre	Tons/acre	0.5999	Kilograms/square meter
Milligrams/liter	1 ^a	Parts/million	Parts/million	1 ^a	Milligrams/liter
Micrograms/liter	1 ^a	Parts/billion	Parts/billion	1 ^a	Micrograms/liter
Micrograms/cubic meter	1 ^a	Parts/trillion	Parts/trillion	1 ^a	Micrograms/cubic meter
Density					
Grams/cubic centimeter	62.428	Pounds/cubic foot	Pounds/cubic foot	0.016018	Grams/cubic centimeter
Grams/cubic meter	0.0000624	Pounds/cubic foot	Pounds/cubic foot	16,025.6	Grams/cubic meter
Length					
Centimeters	0.3937	Inches	Inches	2.54	Centimeters
Meters	3.2808	Feet	Feet	0.3048	Meters
Kilometers	0.62137	Miles	Miles	1.6093	Kilometers
Temperature					
<i>Absolute</i>					
Degrees Celsius + 17.78	1.8	Degrees Fahrenheit	Degrees Fahrenheit - 32	0.55556	Degrees Celsius
<i>Relative</i>					
Degrees Celsius	1.8	Degrees Fahrenheit	Degrees Fahrenheit	0.55556	Degrees Celsius
Velocity/Rate					
Cubic meters/second	2118.9	Cubic feet/minute	Cubic feet/minute	0.00047195	Cubic meters/second
Grams/second	7.9366	Pounds/hour	Pounds/hour	0.126	Grams/second
Meters/second	2.237	Miles/hour	Miles/hour	0.44704	Meters/second
Volume					
Liters	0.26418	Gallons	Gallons	3.78533	Liters
Liters	0.035316	Cubic feet	Cubic feet	28.316	Liters
Liters	0.001308	Cubic yards	Cubic yards	764.54	Liters
Cubic meters	264.17	Gallons	Gallons	0.0037854	Cubic meters
Cubic meters	35.314	Cubic feet	Cubic feet	0.028317	Cubic meters
Cubic meters	1.3079	Cubic yards	Cubic yards	0.76456	Cubic meters
Cubic meters	0.0008107	Acre-feet	Acre-feet	1233.49	Cubic meters
Weight/Mass					
Grams	0.035274	Ounces	Ounces	28.35	Grams
Kilograms	2.2046	Pounds	Pounds	0.45359	Kilograms
Kilograms	0.0011023	Tons (short)	Tons (short)	907.18	Kilograms
Metric tons	1.1023	Tons (short)	Tons (short)	0.90718	Metric tons
ENGLISH TO ENGLISH					
Acre-feet	325,850.7	Gallons	Gallons	0.000003046	Acre-feet
Acres	43,560	Square feet	Square feet	0.000022957	Acres
Square miles	640	Acres	Acres	0.0015625	Square miles

^a This conversion is only valid for concentrations of contaminants (or other materials) in water.

METRIC PREFIXES

Prefix	Symbol	Multiplication factor
exa-	E	1,000,000,000,000,000,000 = 10 ¹⁸
peta-	P	1,000,000,000,000,000 = 10 ¹⁵
tera-	T	1,000,000,000,000 = 10 ¹²
giga-	G	1,000,000,000 = 10 ⁹
mega-	M	1,000,000 = 10 ⁶
kilo-	k	1,000 = 10 ³
deca-	D	10 = 10 ¹
deci-	d	0.1 = 10 ⁻¹
centi-	c	0.01 = 10 ⁻²
milli-	m	0.001 = 10 ⁻³
micro-	μ	0.000 001 = 10 ⁻⁶
nano-	n	0.000 000 001 = 10 ⁻⁹
pico-	p	0.000 000 000 001 = 10 ⁻¹²

SECTION 1
OVERVIEW OF THE PUBLIC COMMENT PROCESS

1.0 OVERVIEW OF THE PUBLIC COMMENT PROCESS

This section of this Comment Response Document (CRD) describes the public comment process for the *Draft Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico (CMRR-NF SEIS)*, as well as the procedures used to respond to those comments. Section 1.1 describes the public comment process and the means through which comments on the *Draft CMRR-NF SEIS* were received. It also identifies the comment period and the locations and dates of the public hearings on the *Draft CMRR-NF SEIS*. Section 1.2 addresses the public hearing format. Section 1.3 describes the organization of this document, including how the comments were categorized, addressed, and documented. Section 1.4 summarizes the changes made to the supplemental environmental impact statement (SEIS) that resulted from the public comment process. Section 1.5 summarizes the next steps the National Nuclear Security Administration (NNSA) will take after publication of this *Final CMRR-NF SEIS*.

Comment Document – A communication in the form of a transcript from a public hearing, a letter, an electronic communication (e-mail, fax), or a transcription of a recorded phone message that contains comments from a sovereign nation, government agency, organization, or member of the public regarding the *Draft CMRR-NF SEIS*.

Comment – A statement or question regarding the draft SEIS content that conveys approval or disapproval of proposed actions, recommends changes, or seeks additional information.

1.1 Public Comment Process

NNSA prepared the *CMRR-NF SEIS* in accordance with the National Environmental Policy Act of 1969 (NEPA) and Council on Environmental Quality (CEQ) and the U.S. Department of Energy (DOE) NEPA regulations (40 CFR Parts 1500 – 1508 and 10 CFR Part 1021, respectively). An important part of the NEPA process is solicitation of public comments on a draft EIS and consideration of those comments in preparing a final EIS. NNSA distributed copies of the *Draft CMRR-NF SEIS* to those organizations, government officials, and individuals who were known to have an interest in the Los Alamos National Laboratory (LANL), as well as those organizations and individuals who requested a copy. Copies also were made available on the Internet and in regional DOE public document reading rooms and public libraries.

On April 29, 2011, NNSA published a notice in the *Federal Register* (76 FR 24018), concurrent with the U.S. Environmental Protection Agency's Notice of Availability (76 FR 24021), announcing the availability of the *Draft CMRR-NF SEIS*, the duration of the comment period, the location and timing of the public hearings, and the various methods for submitting comments. NNSA announced a 45-day comment period, from April 29 to June 13, 2011, to provide time for interested parties to review the *Draft CMRR-NF SEIS*. In response to requests for additional review time, the comment period was extended by 15 days, through June 28, 2011, giving commentors a total review and comment period of 60 days (76 FR 28222). In addition, because of the Las Conchas wildfire, NNSA also accepted and responded to all comments submitted after the June 28, 2011, deadline through July 31, 2011.

Three public hearings were held at regional venues near LANL from May 24 through May 26, 2011 (Los Alamos, Española, and Santa Fe, New Mexico). In response to requests for additional public hearings, NNSA held a fourth public hearing in Albuquerque, New Mexico, on May 23 (76 FR 28222), as well as informational meetings elsewhere. Newspaper advertisements related to the public hearings, including the Albuquerque hearing, began to run in local newspapers on May 8 and continued through May 19, 2011.

Table 1–1 lists the locations, estimated numbers of attendees, and number of commentors at each hearing. The attendance estimates are based on the number of registration forms completed and returned, as well as a rough “head count” of the audience.

Table 1–1 Public Hearing and Informational Meeting Locations, Attendance, and Comments Received

<i>Location</i>	<i>Date</i>	<i>Estimated Attendance</i>	<i>Number of Commentors</i>
Albuquerque, New Mexico	May 23, 2011	47	35
Los Alamos, New Mexico	May 24, 2011	39	11
Española, New Mexico	May 25, 2011	75	40
Santa Fe, New Mexico	May 26, 2011	70	34
Total		231	120

In addition, Federal agencies, state and local governmental entities, Native American tribal governments, and members of the public were encouraged to submit comments via the U.S. mail, e-mail, a toll-free telephone number, and a toll-free fax line. NNSA considered all comments, including those received after the comment period ended.

Although many e-mails were received through the e-mail address provided for receiving comments on the *Draft CMRR-NF SEIS*, there were approximately 4,500 submittals that were attempted, but not successfully received by that method. These submittals were initially transmitted by commercial e-mail servers capable of sending up to two million e-mails per hour, which were blocked for a period of time by DOE Internet security features. Paper copies of these comments were later transmitted to NNSA and were fully considered in preparing this *Final CMRR-NF SEIS*. Responses to these comments can be found in Campaign AA in Section 3 of this CRD. NNSA gave equal weight to spoken and written comments.

Table 1–2 lists the number of comment documents received by each method of submission.

Table 1–2 Numbers of Comment Documents Received by Method of Submission

<i>Method of Submission</i>	<i>Number of Comment Documents</i>
Toll-free telephone number	1
E-mail	1,185
Toll-free fax line	4
U.S. mail (including 4,522 signatories to Campaign AA)	4,555
Petition A (signed by 607 individuals) (Hand-delivered)	607
Input via computer at Public Hearings	2
Input via voice recording at public hearings	0
Total	6,354

Upon receipt, all written comment documents were assigned a document number for tracking during the comment response process. Oral comments received by toll-free telephone, as well as those transcribed by the court reporter or entered into a computer at the public meetings, were assigned document numbers. The transcript from each public hearing also was assigned a document number. All comment documents were then processed through the comment analysis and response sequence for inclusion in this document, and the originally submitted documentation was maintained. The text of each comment document was analyzed to identify individual comments, which were numbered sequentially. The comments were re-evaluated throughout the course of the response process as new information became available and as the *Final CMRR-NF SEIS* was developed. All comments received by NNSA through July 31, 2011, were considered in preparing this *Final CMRR-NF SEIS*. Comments determined not to be within the scope of

the SEIS were acknowledged as such in this CRD. The remaining comments were then reviewed and responded to by policy experts, subject matter experts, and NEPA specialists, as appropriate. **Figure 1–1** illustrates the process used for collecting, tracking, and responding to the comments.

The comments and NNSA responses were compiled in a side-by-side format, with each identified comment receiving a separate response. All comments and responses are numbered with a comment identification number to facilitate matching a comment with its response

Integration of the comment response process into preparation of this *Final CMRR-NF SEIS* served to focus revision efforts and ensure consistency throughout the final document. The comments assisted in determining whether the alternatives and analyses presented in the *Draft CMRR-NF SEIS* should be modified or augmented; whether information presented in the draft SEIS needed to be corrected or updated; and whether additional clarification was necessary to facilitate better understanding of certain issues. Change bars are presented alongside the text in Volume 1 of this *Final CMRR-NF SEIS* to indicate where substantive changes were made and where text was added or deleted. Editorial changes are not marked.

1.2 Public Hearing Format

NNSA representatives were available to respond to questions and comments on the NEPA process and the *Draft CMRR-NF SEIS* at the hearings and informal meetings. A court reporter was present at each hearing to record the proceedings and prepare a transcript of the oral public comments. These transcripts are available on the *CMRR-NF SEIS* website at <http://nnsa.energy.gov/nepa/cmrrseis>.

The format used for each hearing included a presentation about the NEPA history of the CMRR project and a public comment period. The hearing opened with a welcome from the facilitator, followed by a presentation by an NNSA representative summarizing the evolution from the 2003 *CMRR EIS* to the *Draft CMRR-NF SEIS*. The facilitator next opened the public comment session, during which attendees were given an opportunity to provide oral comments. Following the public hearings, comments were identified from the transcripts of each hearing.

To facilitate participation from hearing attendees, NNSA provided a number of other ways to submit comments at each hearing: a court reporter to record individual comments, computers for entering comments into a computer database, a voice recorder to receive oral comments, and comment forms that could be received at the hearing or mailed by the commentor at a later date. For those unable to attend the hearings, NNSA indicated that comments could be submitted by U.S. mail, e-mail, a toll-free phone line, and a toll-free fax line.

1.3 Organization of this Comment Response Document

This CRD is organized into the following sections:

- Section 1 describes the public comment process, the public hearing format, the organization of this document, and the changes made to the *Draft CMRR-NF SEIS* before publication of the *Final CMRR-NF SEIS*.
- Section 2 presents summaries of major issues raised in the comments and NNSA's responses. Major issues include comment topics that required a detailed response or appeared frequently in the comments.

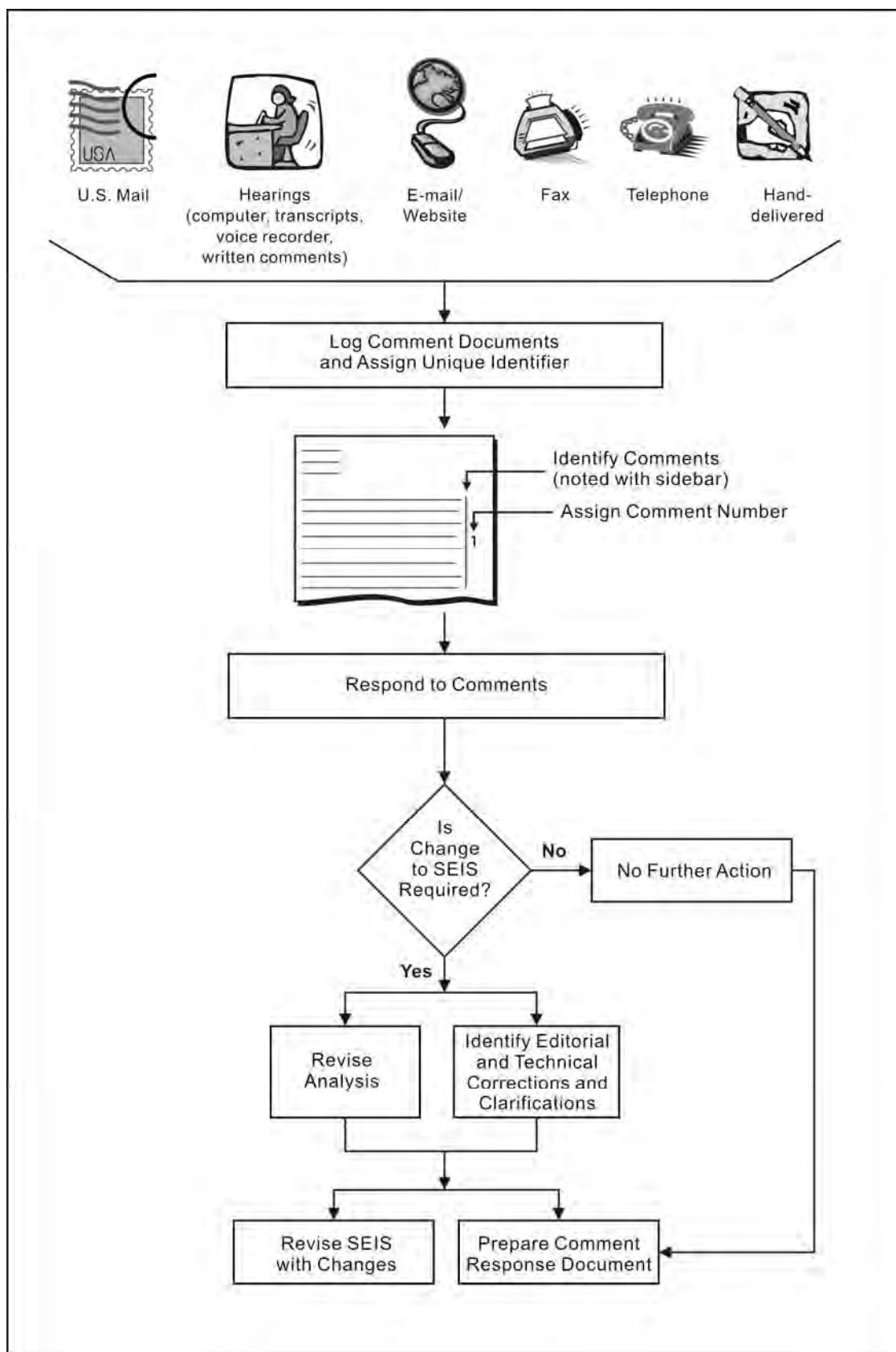


Figure 1-1 CMRR-NF SEIS Comment Response Process

- Section 3 presents transcripts of the oral comments, the computer-recorded comments and scanned copies of the comment documents received during the four public hearings, as well as additional comments received via U.S. mail, e-mail, toll-free telephone number, and toll-free fax line, side-by-side with NNSA’s comment-specific responses.
- Section 4 lists the references cited in this volume.

1.4 Changes from the Draft Supplemental Environmental Impact Statement

In preparing this *Final CMRR-NF SEIS*, NNSA made revisions in response to comments received from other Federal agencies, state and local government entities, Native American tribal governments, and the public. In addition, the *Final CMRR-NF SEIS* was changed to provide additional environmental baseline information, include additional analyses, correct inaccuracies, make editorial corrections, and clarify text. The following summarizes the more-important changes made to the *CMRR-NF SEIS*.

Chapter 1, “Introduction and Purpose and Need for Agency Action,” was updated to discuss the reason why the design of the Chemistry and Metallurgy Research Building Replacement Nuclear Facility (CMRR-NF) needed to be modified and how this change resulted in the need to develop an SEIS. Section 1.7, Public Involvement, was modified to summarize the comments received during the scoping period and to include information related to the public comment period and public hearings on the *Draft CMRR-NF SEIS*. Section 1.8, Changes from the *Draft CMRR-NF SEIS*, was added to summarize the changes that have been made. Section 1.9, Organization of this *CMRR-NF SEIS*, was modified to include a paragraph on the addition of this CRD as Volume 2 of this *Final CMRR-NF SEIS*.

Chapter 2, “Project Description and Alternatives,” was updated to include additional project-related information. Section 2.4, Proposed Chemistry and Metallurgy Research Building Replacement Project Capabilities, was updated to include additional information on the analytical chemistry and materials characterization capabilities that would be present in the proposed facility. Section 2.6.2, Modified CMRR-NF Alternative, was updated to include additional information on the evolution of the Deep and Shallow Construction Options and to add propane to the construction requirements associated with this alternative. Propane would be used to heat the building during the winter months for 3 to 6 years. The addition of propane use resulted in small changes in the air quality and greenhouse gas impacts under this alternative, as shown in Chapter 4, Section 4.3.4, Air Quality and Noise, as well as changes in Section 4.3.3, Infrastructure. Information was added in Section 2.6.2 regarding the weight of the proposed CMRR-NF and the ability of the ground beneath the proposed facility to support this weight. A bus parking lot that would be constructed on the boundary of Technical Area 48/55 (TA-48/55) was also added to this alternative to provide room for buses from the proposed construction workers parking lot in TA-72 to remain near the proposed construction site. This change resulted in a small increase in land use for this alternative, as discussed in Chapter 4, Section 4.3.2, Land Use and Visual Resources. The description of potential power upgrades associated with this alternative was modified to indicate that the potential power upgrades from TA-5 to TA-55 to support the Modified CMRR-NF could be temporary or permanent, depending on future power requirements. This does not change the amount of land that may be affected, but could change the impacts from temporary to permanent, as indicated in Chapter 4, Section 4.3.2. Section 2.7, Alternatives Considered and Dismissed, was revised to describe in more detail the alternatives that NNSA considered and determined not to be reasonable for meeting the purpose and need for continuing Chemistry and Metallurgy Research (CMR) operations into the future. Section 2.7.4 was added to describe other alternatives and proposals considered and to explain why they were not analyzed further in this *CMRR-NF SEIS*. Section 2.10, Summary of Environmental Consequences, was modified to show how the environmental impacts associated with the Modified CMRR-NF Alternative and Continued Use of CMR Building Alternative have changed as a result of the changes discussed in Chapter 4. These changes

are all relatively small and do not significantly change any of the environmental consequences presented in the *Draft CMRR-NF SEIS*. Section 2.10 has also been modified to include a summary of the intentional destructive acts sections of Chapter 4 (Sections 4.2.10.3, 4.3.10.3, and 4.4.10.3).

Chapter 3, Affected Environment, was updated in a number of sections. Information was updated in this *Final CMRR-NF SEIS* to reflect the most recent environmental data from the 2009 *SWEIS Yearbook* (LANL 2011d). Information was included in Section 3.2, Land Use and Visual Resources, and Section 3.7, Ecological Resources, on the Las Conchas wildfire. None of this information affects the impacts analyses presented in Chapter 4. Section 3.3 was updated to include new estimates of the amount of electricity available to LANL and Los Alamos County. The amount of peak power was reduced from 150 megawatts to 140 megawatts, reflecting the unavailability of two steam-driven turbine generators in TA-3 and increased power available from the Abiquiu Turbine Hydropower Project. These changes resulted in a change in the estimated amount of available electricity and are reflected in changes in the infrastructure sections in Chapter 4, Sections 4.3.3 and 4.4.3, for the Modified CMRR-NF Alternative and Continued Use of CMR Building Alternative, respectively, as well as in Section 4.6, Cumulative Impacts. The availability of electricity continues to cover expected requirements under any of the alternatives. However, peak demand could theoretically exceed available power under the Modified CMRR-NF Alternative, as discussed in the draft SEIS, but this is not expected to occur because actual LANL peak demand has consistently been lower than the estimate included in the 2008 *Final Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory, Los Alamos, New Mexico* (DOE 2008a) and used in future forecasts. Additional information was included in this *Final CMRR-NF SEIS* to better describe the seismic studies and information developed for the proposed CMRR-NF site and LANL. This information is included in Chapter 3, Section 3.5, Geology and Soils, and includes information from the 2009 update (LANL 2009) to the 2007 probabilistic seismic hazards analysis (LANL 2007). An error in the reported vertical peak ground acceleration at LANL (0.3 g) was corrected to 0.6 g. This typographical error in the Executive Summary of the source document (LANL 2007) is not reflective of information presented elsewhere in the probabilistic seismic hazard analysis and was not used in the design of the proposed Modified CMRR-NF. The 2009 update changed the peak horizontal and vertical ground accelerations for the proposed CMRR-NF site in TA-55 (The updated factors were lower than the factors included in the 2007 analysis (0.47 g [gravitational acceleration] compared to 0.52 g for peak horizontal ground acceleration and 0.51 g compared to 0.6 g for peak vertical ground acceleration). The updated values were factored into the design of the proposed Modified CMRR-NF, as described in the *Draft CMRR-NF SEIS*, and do not change any of the analyses presented in this *Final CMRR-NF SEIS*. (This updated information was not available for unlimited public distribution when the draft SEIS was issued.) Information was included in Section 3.5, Geology and Soils, describing the volcanic history in the region. This information is factored into a revised discussion of potential accidents included in Appendix C. Section 3.9, Socioeconomics, was updated to include the latest information from the 2010 census on the region of influence and to show later unemployment data for the region. These changes did not result in any significant changes to the socioeconomics impacts sections in Chapter 4.

The 2010 census data were used to update the population projections to 2030 for total population, minority populations, and low-income population. As a result of slower than previously projected growth through 2010, the 2030 population projection for the 50-mile (80-kilometer) radius area surrounding TA-55 was reduced from about 545,000 to 511,000, and for the area surrounding TA-3, from about 536,000 to 502,000. Chapter 3, Section 3.10, Environmental Justice, was updated to include changes as a result of 2010 census data and to break the information down into smaller areas for evaluation (5-, 10-, and 20-mile [8-, 16-, and 32-kilometer] radii) in addition to the area within 50 miles (80 kilometers) of TA-55 and TA-3, as requested by the U.S. Environmental Protection Agency (EPA). The distribution of the population over the 50-mile (80-kilometer) radius was also updated using the latest census data, and more refined data were used (block data versus block group data; see Appendix B) to estimate the population

within 10 miles (16 kilometers) of TA-55 and TA-3. As a result, more people are located closer to LANL (within 5 miles [8 kilometers]) than previously projected. The updated population projections and distributions were used to re-estimate the human health impacts associated with the No Action Alternative (2004 CMRR-NF) (Chapter 4, Section 4.2.10.2, for accidents); the Modified CMRR-NF Alternative (Section 4.3.10); and the Continued Use of CMR Building Alternative (Section 4.4.10), as well as the environmental justice analysis presented in Sections 4.3.11 and 4.4.11. The projected population doses from normal operations and the population accident doses changed slightly as a result of these changes, but not to the extent that the assessment from the draft SEIS would change. Similarly, the doses included in the environmental justice analysis changed, but not significantly. Additional information was included in Chapter 3, Section 3.11, Human Health, on historical health effects studies that have been done on the area surrounding LANL. This information is presented for background and does not affect any of the impacts analyses presented in Chapter 4.

In addition to the updates to Chapter 4 discussed above, other changes were made to Chapter 4 since the *Draft CMRR-NF SEIS* was issued. Information was added in Section 4.2.10.2 on the accident analysis that was performed for this *CMRR-NF SEIS*, as presented in Appendix C, as well as the changes in the accident analysis since the *Draft CMRR-NF SEIS* was issued. These changes do not significantly change the results, with the exception of significantly higher doses to the maximally exposed individual (MEI) and noninvolved worker under the seismically induced spill and fire accident at the CMRR-NF. In this *Final CMRR-NF SEIS*, this accident assumes that the earthquake initiates a radioactive material spill that is followed shortly thereafter by a fire, instead of both accidents occurring simultaneously, as was assumed in the *Draft CMRR-NF SEIS*. This change in assumptions results in a larger dose to the MEI and noninvolved worker because the radioactive materials associated with the assumed spill are not immediately lofted by the fire, which would lessen doses to persons close to the accident site. Additional discussion also was added to the accident analysis section for the Modified CMRR-NF Alternative (Section 4.3.10.2) regarding the potential for a wildfire affecting the facility and the effects of a seismic event that damages the CMRR-NF and other plutonium facilities in TA-55.

A special pathways consumer analysis was added to the environmental justice sections in Chapter 4, Sections 4.3.11 and 4.4.11, to show the potential impacts of the alternatives on individuals who may subsist on fish and wildlife caught within the vicinity of LANL. This analysis shows that special pathway consumers would not be exposed to significant risks as a result of implementing either of these alternatives. Section 4.6, Cumulative Impacts, was updated to account for newly acquired information about other projects in the vicinity of LANL, but these projects do not change the impacts discussions presented in this section.

Appendix B was updated to include a revised Section B.3, Air Quality, which factors in the requirement for propane use during construction at the Modified CMRR-NF and a revised number of emergency backup generators associated with the proposed CMRR Facility. Section B.5, Geology and Soils, was modified to eliminate Table B-9, which was related to the Modified Mercalli Intensity Scale. The Modified Mercalli Intensity Scale is not considered in the design of buildings. The design of the CMRR-NF is influenced by peak ground acceleration factors, as discussed in Chapter 3, Section 3.5. Section B.10, Environmental Justice, was modified to include a discussion of changes related to the use of 2010 census data in projecting the affected population to the year 2030, as well as an evaluation of a special pathways receptor.

Appendix C, Evaluation of Human Health Impacts from Facility Accidents, was updated to include a discussion of the Fukushima Daiichi Nuclear Power Plant accident (Section C.9) and wildfires and volcanic activity in the LANL vicinity (Section C.4.1) as they relate to the proposed action in this *CMRR-NF SEIS*. Section C.6 was added to discuss the potential for offsite land contamination in the event

of a severe earthquake that results in the release of radioactive materials. Appendix C was also updated to include a discussion of the impacts of a severe earthquake on the multiple plutonium facilities in TA-55 should the CMRR-NF be built there (Section C.7). In the event of such an earthquake, it is expected that the consequences would be dominated by releases from the TA-55 Plutonium Facility, which is currently being upgraded to address seismic concerns.

The population consequences and risks shown in Appendix C have been re-estimated using the latest population projections and distributions, as discussed above. The estimated consequences for some accidents have changed as a result of these changes, but the risks associated with these accidents are not significantly different from those presented in the *Draft CMRR-NF SEIS*. The accident with the largest changes is the seismically induced spill, followed by a fire accident scenario for the CMRR-NF that was changed, as discussed above. This accident scenario was changed from that presented in the *Draft CMRR-NF SEIS* to reflect changes in the understanding of how it would progress and to present a more conservative accident scenario with respect to doses to the MEI and noninvolved worker.

1.5 Next Steps

No decision will be made any sooner than 30 days after EPA issues the Notice of Availability for this *Final CMRR-NF SEIS*. The decision will explain all factors considered by NNSA, including environmental impacts. The decision also will identify the environmentally preferred alternative or alternatives. If mitigation measures, monitoring, or other conditions are adopted as part of NNSA's decision, these would be described and summarized in the decision, as applicable, and would be included in the Mitigation Action Plan that would be prepared following issuance of the decision. The Mitigation Action Plan would explain how and when any mitigation measures would be implemented and how NNSA would monitor the mitigation measures over time to judge their effectiveness.

SECTION 2
MAJOR ISSUES

2.0 MAJOR ISSUES

Several topics raised by the public comments on the *Draft Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico (CMRR-NF SEIS)* were of broad interest or concern or required a more detailed response than could be effectively presented in the side-by-side format in Section 3 of this Comment Response Document (CRD). The following topics were therefore characterized as major issues and are addressed in this section:

- Opposition to the Chemistry and Metallurgy Research Building Replacement Nuclear Facility (CMRR-NF), Nuclear Weapons, and Nuclear Technology
- National Environmental Policy Act (NEPA) Process
- Programmatic Direction and Decisions
- Chemistry and Metallurgy Research (CMR) Mission
- Cleanup and Waste Management
- Seismic and Geologic Concerns
- Economic Impacts
- Nuclear Accidents
- Treaty Compliance
- Water Resources and Usage
- Alternatives Considered

2.1 Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology

Issue:

Many commentors indicated opposition to constructing a new nuclear facility such as the proposed CMRR-NF at Los Alamos National Laboratory (LANL); additionally, commentors suggested cessation of other nuclear activities at LANL. Commentors expressed opposition to nuclear weapons in general and pit production specifically, stating that nuclear weapons are unnecessary, immoral, unethical, or illegal, and should be eliminated. Some commentors also expressed their opposition to nuclear power.

Response:

These comments pertain to subjects beyond the scope of this *CMRR-NF SEIS* and also of the 2003 *Environmental Impact Statement for the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico (CMRR EIS)* (DOE 2003b) that is being supplemented, each of which was developed under the scope of analyzing the potential environmental impacts of reasonable alternatives for providing the analytical chemistry, materials characterization, and plutonium research capabilities required to support National Nuclear Security Administration (NNSA) mission requirements at LANL. U.S. national security policies and the mission of NNSA at LANL are not within the scope of these NEPA documents.

Since the end of the Cold War, the U.S. Department of Energy (DOE) and NNSA have made modifications and changes to site missions and activities to be consistent with national security policies and to reflect changes in the national nuclear security posture, including maintaining a smaller enduring

stockpile. In October 2008, NNSA completed its *Complex Transformation Supplemental Programmatic Environmental Impact Statement (Complex Transformation SPEIS)* (DOE 2008b), which analyzed the potential environmental impacts of alternatives for transforming the nuclear weapons complex into a smaller, more-efficient enterprise that can respond to changing national security challenges and ensure the long-term safety, security, and reliability of the nuclear weapons stockpile. In a subsequent Record of Decision (ROD) issued in December 2008 (73 FR 77644), NNSA announced its programmatic decision to retain manufacturing and research and development capabilities involving plutonium at LANL. In support of these activities, LANL must continue to maintain existing nuclear capabilities, such as those performed at the existing CMR Building. These capabilities are required to ensure NNSA's ability to safely maintain and manage the Nation's nuclear stockpile. The proposed CMRR-NF would replace the aging CMR Building at LANL and provide NNSA with the continued capability to perform the analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Nuclear weapons pit production does not occur in CMR and would not occur in the proposed CMRR-NF facility. Please see Section 2.4 of this CRD and Chapter 1 of this *CMRR-NF SEIS* for more information regarding the CMR Mission and the programmatic direction and decisions that led to the need for the proposed CMRR-NF.

NNSA acknowledges that there is substantial opposition to the nuclear weapons mission. However, even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. The President and Congress continue to hold DOE, and specifically NNSA, responsible for ensuring the safety and reliability of the nuclear weapons stockpile. LANL is one of three national laboratories engaged in activities that are necessary for NNSA to meet this national security obligation. A cessation of these activities would be counter to national security policy as established by the President and Congress.

2.2 NEPA Process

Issue:

Commentors expressed a variety of concerns related to implementation of the NEPA process for this *CMRR-NF SEIS*. Comments addressed the type of document that NNSA should prepare, calling for a new environmental impact statement (EIS) rather than a supplemental environmental impact statement (SEIS). Commentors also expressed great concern for the dramatic increase in cost for the project. Many commentors cited the large overall project cost increase as a reason for NNSA to prepare a new EIS.

Commentors felt that the review process was inadequate, including the format of the public hearings. Concerns were expressed regarding the amount of time allowed to speak at the public hearings, a need for a more-detailed presentation, wider distribution of information, and the facilitator's role. In addition, commentors expressed frustration regarding their ability to access references. Commentors also expressed the opinion that NNSA does not pay attention to comments received from the public.¹

¹ *Los Alamos Study Group (LASG) submitted a comment requesting that NNSA incorporate by reference all of its pleadings, evidence submitted, and both actual and prepared testimony in Los Alamos Study Group v. Department of Energy, Case No. 10-Civ-0760-JH-ACT. Much of this material involves legal contentions and does not comment on the draft CMRR SEIS. More important, LASG did not identify the specific issues in this very large amount of material to which it wanted NNSA to respond. Commentors are required to present their comments in a way that reasonably permits a reviewing agency to examine their contentions, and this comment by LASG does not do so.*

Response:

NNSA prepared this *CMRR-NF SEIS* as a result of changes in the design and construction of the CMRR-NF that were based on additional seismic and safety requirements and information. Council on Environmental Quality (CEQ) NEPA regulations and DOE implementing procedures (40 CFR 1502.9(c) and 10 CFR 1021.341(a)-(b), respectively) require preparation of an SEIS if there are substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or its impacts. An SEIS may also be prepared to further the purposes of NEPA. NNSA determined that a supplement to the *CMRR EIS* was prudent and appropriate, even though the changes would affect the structural aspects of the building, but not its purpose.

In commissioning the SEIS, NNSA sought to understand the environmental consequences associated with the proposed changes in construction of the CMRR-NF from those analyzed in the 2003 *CMRR EIS* (DOE 2003b). These construction changes are needed as a result of updated seismic information and the integration of enhanced safety requirements – including more robust fire suppression systems – into the design concept of the CMRR-NF. Project costs were not germane to NNSA’s decision to prepare a supplemental EIS, as project costs are not generally included as part of the environmental impact analysis and do not, in and of themselves, form the basis for compelling any level of NEPA review.

NNSA appreciates the value of public comments in the NEPA process. Consistent with the purpose and intent of NEPA and DOE’s implementing regulations, public comments assist NNSA in determining the scope of the analysis to be included in a NEPA document, improving the analysis and range of alternatives evaluated, and making decisions regarding the action under consideration. Accordingly, NNSA has provided several forums and methods for public comment submittal.

As with previous LANL NEPA documents, the public hearings were held at regional venues near LANL (Los Alamos, Española, and Santa Fe, New Mexico). In response to requests for additional public hearings, NNSA also held a fourth public hearing in Albuquerque, New Mexico (76 FR 28222). Announcements for the May 23, 2011 Albuquerque public hearing were made in the *Albuquerque Journal* on May 8 and 19, 2011, along with a notice in the *Federal Register* on May 16, 2011. The format of the public hearings was intended to give all participants ample opportunities to comment. To accommodate each commentator that asked to speak, NNSA allocated time within the period scheduled for each meeting based on the anticipated number of speakers. After all registered speakers had a chance to speak, as time allowed, those who had not registered and previous speakers wanting to provide additional comments were given an opportunity to speak. To further facilitate participation from hearing attendees, NNSA provided a number of other ways to submit comments at each hearing: a court reporter to record individual comments, computers to directly input comments, a voice recorder to leave oral comments, and comment forms that could be filled in and submitted at the hearing or mailed by the commentator at a later date. For those unable to attend the hearings, NNSA indicated – in the April 29, 2011, *Federal Register* (76 FR 24018) notice announcing the availability of the draft SEIS; in letters transmitting the document to interested parties; in advertisements placed in Albuquerque, Santa Fe, Española, and Los Alamos newspapers; and again in the May 16, 2011, *Federal Register* notice (76 FR 28222) announcing the 15-day extension of the comment period – that comments could be submitted by U.S. mail, e-mail, a toll-free phone line, and a toll-free fax line. In response to reported issues with sending large volumes of e-mails through commercial mail servers and to facilitate the receipt of a petition, NNSA also coordinated with commentators to receive the comments by U.S. mail and to pick up a hard copy of the petition to ensure their receipt.

NNSA made the SEIS references available in five DOE public reading rooms located in New Mexico, as well as an additional room in Washington, D.C., throughout the comment period. Except where limited

by copyright or security concerns, NNSA also made the SEIS references available on the Internet. These efforts were consistent with NNSA's past practices for other LANL NEPA documents.

NNSA considers every comment received at the public hearings or by U.S. mail, e-mail, or toll-free phone or fax lines during the public comment period. All comments submitted to NNSA during the public comment period, as well as late comments submitted after the June 28, 2011 deadline through July 31, 2011, were considered in preparing this *Final CMRR-NF SEIS*. Chapter 1, Section 1.8, of this SEIS addresses the changes that have been made in this SEIS between the draft and final documents.

During the public review and comment period for this *CMRR-NF SEIS*, NNSA received a large number of comments from the public. Two unexpected events occurred during the final days of the extended comment period for this *CMRR-NF SEIS* that affected some commentors: (1) some commentors attempting to transmit large volumes of e-mails through commercial mail servers had their comments blocked for a period of time by DOE Internet security features, and (2) the Las Conchas wildfire affected many in the immediate vicinity of LANL. In response to these events, NNSA reiterated its practice of accepting late comments to the extent practicable. NNSA also coordinated with affected commentors who informed NNSA of their problems to ensure the receipt of their comments through U.S. mail or through couriers sent to retrieve hard copies of their comments. All comments submitted to NNSA during the public comment period, as well as late comments, were considered in preparing this *Final CMRR-NF SEIS*.

2.3 Programmatic Direction and Decisions

Issue:

Commentors submitted a variety of comments regarding NNSA's programmatic direction of work performed at LANL and of the work that would be performed at the CMRR-NF. Specific comments included the following requests for NNSA: stop all work using radioactive materials at LANL; stop nuclear work related to weapons production at LANL; direct LANL scientists to perform other work, including research on alternative energy production sources and other energy research activities; or use congressional funding to meet various community needs, such as feeding the hungry, education, reducing the debt, or similar needs.

Response:

These comments pertain to subjects that are beyond the scope of this *CMRR-NF SEIS* and also of the 2003 *CMRR EIS* that is being supplemented, each of which was developed with the scope of analyzing the potential environmental impacts of reasonable alternatives for providing the analytical chemistry, materials characterization, and plutonium research capabilities required to support NNSA mission requirements at LANL. Examining congressional budget decisions, U.S. national security policies, or the mission of NNSA at LANL is not within the scope of these documents. National security and mission issues were more appropriately discussed in the *Complex Transformation SPEIS* (DOE 2008b) and the *Final Environmental Impact Statement for the Continued Operation of Los Alamos National Laboratory, Los Alamos, New Mexico*, issued in 2008 (*LANL SWEIS*) (DOE 2008a).

The *2010 Nuclear Posture Review Report* (DoD 2010), prepared by the U.S. Department of Defense in consultation with DOE and the U.S. Department of State, sets out the following five key objectives of current U.S. weapons policies and posture:

1. Preventing nuclear proliferation and nuclear terrorism
2. Reducing the role of U.S. nuclear weapons in U.S. national security strategy

3. Maintaining strategic deterrence and stability at lower nuclear force levels
4. Strengthening regional deterrence and reassuring U.S. allies and partners
5. Sustaining a safe, secure, and effective nuclear arsenal

The President and Congress expect DOE, primarily through NNSA, to play a central role in Objectives 1 and 5. These expectations are manifested by recommendations in the President’s proposed annual budget and in congressional budget appropriations. DOE and NNSA have no discretion to use monies specifically provided by Congress for these objectives, at LANL or elsewhere, to meet community needs or to perform other non-mission-related activities.

NNSA has developed a comprehensive program of stockpile stewardship and management that maintains essential capabilities for stockpile safety and reliability. LANL is one of three national laboratories engaged in a broad range of technical activities that are necessary for NNSA to meet its national security obligations. LANL’s role in enabling NNSA to fulfill its national security responsibilities defines the need for analytical chemistry and materials characterization capabilities at LANL, as described in Chapter 1, Section 1.3, of this SEIS, to support NNSA’s core mission as directed by Congress and the President. This core mission specifically includes ensuring a safe and reliable nuclear stockpile. A cessation of these activities would be counter to national security policy as established by Congress and the President. Therefore, ending these activities is not considered in this SEIS.

2.4 CMR Mission

Issue:

A number of commentors suggested that a capacity study or a “plutonium infrastructure” study should be conducted. Commentors made a variety of comments related to the need for and function of the CMRR-NF. Commentors stated directly or implied that the CMR Building, the proposed CMRR-NF, or both, were the location at which plutonium pits or “triggers” are manufactured. Some commentors questioned the need for CMRR-NF, indicating that the production rate of 20 pits per year supported by current facilities and the number of pits in storage should be sufficient. Commentors also questioned the need for pit production, as pits are reported to have a greater-than-100-year lifespan. Other commentors asked what pit production rate the CMRR-NF was intended to support, and whether the increased size of CMRR-NF was related to a change in pit production.

Response:

The need for the CMRR-NF is not connected to a specific level of operations. The CMR Building and the proposed CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL’s pit production capability or to any particular production level of activity that would take place at the TA-55 Plutonium Facility. As described in Chapter 1, Section 1.2, of this *CMRR-NF SEIS*, NNSA’s capability to perform a full range of analytical chemistry and materials characterization functions is currently constrained because of safety restrictions at the existing CMR Building; some types of materials characterization work have been suspended because of these limitations.

NNSA and the site contractor have considered a number of ideas for providing analytical chemistry and materials characterization at LANL, such as distributing the capabilities among multiple facilities at the site. Further discussion of this subject is included in Section 2.11, Alternatives Considered, of this CRD.

As discussed in Chapter 1, Section 1.5, of this *CMRR-NF SEIS*, NNSA is not planning at this time to revisit relocating the CMR capabilities to another site. Construction of a new CMRR-NF at LANL was previously evaluated in the *CMRR EIS* (DOE 2003b) and the 2008 *LANL SWEIS* (DOE 2008a). Regarding commentors' requests for a capacity study or a "plutonium infrastructure" study, the *Complex Transformation SPEIS* (DOE 2008b), which addressed transforming the nuclear weapons complex into a smaller, more-efficient enterprise was such a "plutonium infrastructure" study and addressed the location for manufacturing and research and development involving plutonium. NNSA announced its decisions to maintain the plutonium mission at LANL and to construct and operate the CMRR Facility in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644).

Some commentors believe that pits (which are sometimes erroneously called triggers) would be manufactured in CMRR-NF. As indicated in Chapter 2, Section 2.4, of this *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in CMRR-NF. Similarly, the manufacture of "triggers" for nuclear weapons does not occur in the CMR Building, nor would it occur in CMRR-NF. As stated above, the CMR Building and the proposed CMRR-NF analytical chemistry and materials characterization capabilities would continue to support the plutonium mission (stockpile stewardship, maintenance, and pit production).

Pit production capabilities, including analytical chemistry and materials characterization support for fabrication of new pits, modifying the internal features of existing pits, and recertifying or requalifying existing pits, are essential components of NNSA's stockpile stewardship mission. NNSA reviewed pit lifetime studies and concluded that degradation of plutonium in a majority of nuclear weapons will not affect warhead reliability for a minimum of 85 years. NNSA plans to continue studying plutonium aging through surveillance and scientific evaluation. NNSA will annually reassess the status of plutonium in nuclear weapons as the weapons laboratories continue to evaluate new data and observations (NNSA 2006a). It should be noted that plutonium aging is only one of the variables affecting nuclear weapon system reliability; other variables can control the overall life expectancy of nuclear weapon systems. It is not the purpose of this *CMRR-NF SEIS* to address a change in the level of pit production, and NNSA will not make a decision on the level of pit production in the ROD following completion of this *CMRR-NF SEIS*.

Commentors noted the increase in size of the Modified CMRR-NF over the structure analyzed in the 2003 *CMRR EIS* and under the No Action Alternative in this *CMRR-NF SEIS* (from 200,000 square feet [18,600 square meters] to 344,000 square feet [32,000 square meters] of usable floor space). The amount of laboratory floor space where analytical chemistry and materials characterization operations would occur would be about the same in both facilities (22,500 square feet [2,100 square meters]). The footprint of the Modified CMRR-NF (342 feet long by 304 feet wide [104 meters long by 93 meters wide]) is larger than that of the 2004 CMRR-NF (300 by 210 feet [91 by 64 meters]) due to the space required for engineered safety systems and equipment, such as an increase in the size and quantity of heating, ventilation, and air conditioning ductwork and the addition of safety-class fire-suppression equipment, plus the associated electrical equipment. This equipment added 42 feet (13 meters) to the building in one dimension. The addition of 94 feet (29 meters) in the other dimension was to provide corridor space for movement of equipment, to avoid interference between systems (mechanical, electrical, piping), and to allow enough space for maintenance, repair, and inspection, as well as mission support activities (maintenance shop, waste management areas, and radiological protection areas). Part of the increase in the building footprint over the 2004 CMRR-NF is due to thicker walls and other structural features required by current seismic and nuclear safety requirements.

2.5 Cleanup and Waste Management

Issue:

Commentors expressed a desire for funds to be spent on cleanup activities at LANL, rather than on a new nuclear facility. Commentors also expressed concerns that the Compliance Order on Consent (Consent Order) signed with the State of New Mexico would not be honored if a new nuclear facility were constructed at LANL. Commentors also were concerned about potential release sites such as Material Disposal Area (MDA) C, which could be in the vicinity of proposed construction activities, and were doubtful that the cleanup of MDA G in TA-54 would be implemented by December 31, 2015, as required by the Consent Order. Commentors were further concerned about the availability of disposal capacity for the projected waste quantities and questioned the practice of burying low-level radioactive waste in unlined pits.

Response:

Funding decisions on major Federal programs and projects at LANL, such as cleanup activities, are made by Congress and the President and are beyond the scope of this *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. It may be noted, however, that NNSA does not consider compliance with the Consent Order optional and is not linking Consent Order compliance with decisions about constructing and operating the proposed CMRR-NF. NNSA intends to continue conducting the environmental restoration program at LANL in parallel with its stockpile stewardship mission.

DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites at LANL that were known or suspected to be contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between the New Mexico Environment Department (NMED) and DOE. In 2005, DOE, the State of New Mexico, and the University of California (the management and operating contractor for LANL at the time) negotiated a Consent Order that governs cleanup efforts on the site (http://www.nmenv.state.nm.us/hwb/lanl/OrderConsent/03-01-05/Order_on_Consent_2-24-05.pdf). The Consent Order requires a site-wide investigation and cleanup to be conducted at LANL pursuant to stipulated procedures and schedules. The Consent Order also requires installation of wells, piezometers, and other subsurface technologies to provide site characteristic or environmental information; collection and investigation of sample data; and preparation and submittal of investigative reports for various potential release sites.

Chapter 2, Section 2.2.6, of the 2008 *LANL SWEIS* summarized progress made in environmental restoration since 1999 (DOE 2008a). Progress since publication of the 2008 *LANL SWEIS* is summarized in annual *SWEIS* yearbooks (LANL 2010a, 2011d). A total of 1,446 potential release sites are regulated under the Consent Order. From the March 1, 2005, effective date of the Consent Order through the end of 2009, the total number of corrective action sites remaining in the investigative process was reduced to 1,407 due to certificates of completion issued by NMED. In addition, over this same time period, corrective actions were completed for 94 sites, further reducing the number of corrective action sites remaining in the investigation process to 1,313. During 2008 and 2009, numerous investigation and remediation activities were conducted across the LANL site, including those for the Upper Mortandad Canyon Aggregate Area, Pajarito Canyon, MDA C, MDA G, and TA-21. The results of a Phase II investigation for MDA C, for example, concluded that, although further investigation activities were required, MDA C did not pose an unacceptable present-day risk to human health under the industrial and residential scenarios and to ecological receptors. During 2009, NNSA continued to monitor volatile organic compounds and hydrogen-3 (tritium) in subsurface pore gas at MDA G and submitted a revised Corrective Measures Evaluation Report to NMED addressing corrective remedy alternatives for MDA G.

Several buildings were demolished at TA-21 and contamination was removed (LANL 2011d). For more information on LANL's ongoing environmental restoration program, refer to the SWEIS yearbooks referenced above or the latest environmental surveillance report, which can be accessed at <http://www.lanl.gov/environment/all/docs/reports/>.

The CMRR-NF would be designed, constructed, and, along with RLUOB, operated to accommodate the projected waste volumes generated at the facilities. Sufficient capacity exists at LANL or at offsite facilities to manage all of the projected waste associated with any of the alternatives analyzed in this *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. The projected transuranic and mixed transuranic waste from operations at RLUOB and the proposed CMRR-NF would be disposed of at the Waste Isolation Pilot Plant (WIPP) or a similar facility. The waste volumes projected over the 50-year life of the new facilities would require up to 12 percent of the current unsubscribed WIPP disposal capacity. Decisions about disposal of any significant quantities of transuranic waste, however, would be made within the context of the entire DOE complex. It was assumed for analysis in the *Waste Isolation Pilot Plant Disposal Phase Final Supplemental Impact Statement* (DOE 1997) that transuranic waste would be received at WIPP over about a 35-year period, through approximately 2033. However, because the total quantity of transuranic waste that may be disposed of at WIPP is statutorily established by the Waste Isolation Pilot Plant Land Withdrawal Act, the actual operational period for WIPP will depend on the volumes of TRU waste received at WIPP from all DOE waste generators. Waste minimization efforts across the DOE complex would extend the WIPP operating period. If waste disposal capacity at WIPP is no longer available over the operating life of the CMRR-NF, then any transuranic waste generated at the CMRR-NF or elsewhere at LANL would be safely stored until additional disposal capacity becomes available.

Sufficient disposal capacity for low-level radioactive waste is expected to be available. Low-level radioactive waste would be transported off site to the Nevada National Security Site or licensed commercial facilities for disposal or would be disposed of on site at Area G at TA-54. The methods being used to dispose of low-level radioactive waste at Area G are beyond the scope of this *CMRR-NF SEIS*. It may be noted, however, that Area G includes a 63-acre (25.5-hectare) site that contains MDA G, as well as waste disposal units that are not subject to the Consent Order and are currently used for low-level radioactive waste disposal. NNSA plans to close the entire 63-acre (25.5-hectare) site and to transition low-level radioactive waste management and disposal activities to other locations at Area G.

Sufficient offsite treatment, storage, and disposal capacity is expected for all the mixed low-level radioactive waste; chemical wastes; and solid waste projected from CMRR-NF and RLUOB construction and/or operations. Mixed low-level radioactive waste management capacity is available at offsite commercial facilities or the Nevada National Security Site. Hazardous, toxic, and solid waste management capacity is available at numerous permitted facilities located within New Mexico and nearby states. The projected liquid radioactive waste generation rates from CMRR-NF and RLUOB have been considered in LANL forecasts for annual receipt of liquid waste at the Radioactive Liquid Waste Treatment Facility (RLWTF), and no impacts on radioactive liquid waste treatment and discharge capacity are expected from their operation.

2.6 Seismic and Geologic Concerns

Issue:

Many commentors expressed concerns and made statements about geologic features of the area in general, as well as the proposed construction site specifically. Commentors noted that LANL is located in a seismic fault zone between a rift valley and a dormant volcano. Many commentors noted that the proposed construction site is near a geologic fault line or earthquake fault; some commented that it is

about two-thirds of a mile from the fault, and others indicated that the CMRR-NF would be built on the fault. Commentors also referred to the area as “geologically unstable.” Additionally, commentors stated that an updated probabilistic seismic hazard analysis (PSHA) from May 2007 showed a potential huge increase in seismic ground motion and activity. In addition to concerns expressed regarding the nearness of a fault and the potential for a seismic event, it was also noted that the construction site is located over a layer of soft volcanic ash that can be compacted by the building’s weight. Commentors expressed opinions that building in a geologically unstable area or near a fault was a principal factor in the increased cost of the project. Some commentors expressed concern regarding the potential for volcanic activity in the LANL area.

Response:

All proposed new DOE facilities are required to be designed, constructed, and operated in compliance with applicable DOE orders, requirements, and governing standards established to protect public and worker health and the environment. DOE Order 420.1B, *Facility Safety*, requires nuclear or nonnuclear facilities to be designed, constructed, and operated so that the public, the workers, and the environment are protected from the adverse impacts of natural phenomena hazards, including earthquakes. The order stipulates the natural phenomena hazards mitigation requirements for DOE facilities. DOE Standard 1020-2002, *Natural Phenomena Hazards Design and Evaluation Criteria for Department of Energy Facilities* (DOE 2002a), implements DOE Order 420.1B and provides criteria for the design of new structures, systems, and components (SSCs) to ensure that DOE facilities can safely withstand the effects of natural phenomena hazards.

Per DOE Order 420.1B, facility SSCs must be designed, constructed, and operated to withstand natural phenomena hazards and to ensure confinement of hazardous materials; protection of occupants of the facility, as well as members of the public; continued operation of essential facilities; and protection of government property. The facility design process incorporates an iterative interaction with safety analyses to categorize SSCs into performance categories based on natural phenomena hazard considerations. The role of the safety analyses in this iterative approach is to yield insights into the preventive and mitigative functions of the SSCs that are needed for determining appropriate natural phenomena hazard categories. Each SSC is assigned to one of five performance categories, depending on its safety importance, and each performance category is assigned a target performance goal in terms of the probability of unacceptable damage due to natural phenomena. The performance categories are:

- PC-0: SSCs for which no consideration of natural phenomena is necessary
- PC-1: SSCs for which the primary concern is preventing major structural damage, collapse, or other failure that would endanger personnel
- PC-2: SSCs meant to ensure the operability of essential facilities or to prevent physical injury to in-facility workers
- PC-3: SSCs for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment because radioactive or toxic materials are present and could be released from the facility as a result of that failure
- PC-4: SSCs for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment because radioactive or toxic materials are present in large quantities and could be released as a result of that failure

Specific criteria applicable to seismic hazard assessment are provided in DOE Standard 1023-95, *Natural Phenomena Hazards Assessment Criteria*, including criteria for determining ground-motion parameters for the design-basis earthquake (DBE) and criteria for determining the acceptable design response

spectral shape. In accordance with DOE Standard 1020-2002, *Natural Phenomena, Hazards Design and Evaluation Criteria for Department of Energy Facilities*, the DBE spectra shall be a site-specific shape anchored to the appropriate ground-motion parameters. Sites containing facilities with SSCs in performance categories PC-3 or PC-4 must perform a site-specific seismic hazard assessment to determine the DBE; the assessment methodology must also be reviewed at least every 10 years. CMRR-NF is projected to contain SSCs with performance categories ranging from PC-0 to PC-3.

The potential seismic hazards at LANL have been the subject of numerous studies performed in the past 30 years. Since the early 1990s, it has been recognized that LANL is situated within and over the seismically active Pajarito fault system. The surface trace of the main Pajarito fault is the western boundary of LANL and dips underneath LANL, whereas subsidiary strands of the fault system, including the Rendija Canyon fault, extend into portions of LANL. The Pajarito fault system has been mapped in detail in the northern and western portions of LANL property, as well as in the vicinity of LANL. These detailed fault data include fault mapping from a variety of projects that were performed using conventional and high-precision geologic mapping, surveying, drilling, and trenching.

Previous geologic studies used methods such as aerial photographic lineament mapping, geophysical techniques, and fracture studies of rock outcrops in canyons to postulate that the southern ends of the Rendija Canyon and Guaje Mountain faults may continue as surface faults south of the Los Alamos townsite and trend through sensitive LANL sites. Ensuing site-specific studies at and near TA-55 used geologic field investigative techniques such as conventional geologic mapping, trenching, borehole studies, and innovative high-precision mapping to recognize vertical fault displacements so small that they would be overlooked and unmapped by conventional geologic mapping techniques. Results from these studies have greatly improved the understanding of the location of fault traces at LANL. These investigations found that the surface trace of the Rendija Canyon fault trends southerly to Los Alamos Canyon, where it splays southwestward and extends into TA-3. The surface expression of the Guaje Mountain fault is not visible south of Pueblo Canyon (north of LANL). Additionally, other small faults are found in parts of LANL, as discussed below.

At TA-67 (south of TA-55), investigations found small, complex faults with activity older than 50,000 to 60,000 years and found no correlation between increased fracture density and surficial faulting. At TA-3, a fault with approximately 8 feet (2.4 meters) of displacement was identified. In contrast, around TA-55 and the CMRR-NF site, stratigraphic markers in the 1.25-million-year-old Bandelier Tuff were found to be continuous and high-precision total-station mapping showed no evidence of surface-rupturing faults. This is consistent with findings of a subsequent subsurface excavation at the CMRR-NF site that also used high-precision mapping techniques. Although some fractures and small faults were observed to be confined within units of the tuff, it was concluded that fractures and faults exposed at the proposed CMRR-NF site formed very shortly after emplacement of the tuff as a result of cooling and compaction, and the structures identified at the proposed CMRR-NF site pose no independent surface faulting hazard.

In 1991, a state-of-the-art comprehensive earthquake ground-shaking hazard evaluation of LANL was initiated using the latest information on the Pajarito fault system and ground-motion prediction models. One of the main purposes of the evaluation was to develop design-basis ground motions to be used at LANL in accordance with DOE Order 420.1 and DOE Standard 1020-2002 (previous revisions of the current documents). A significant program of geological, geophysical, and geotechnical investigations was performed to provide input into the probabilistic seismic hazard analysis. Based on the assessment of the seismic hazard, DBE ground motions were developed and adopted for use at LANL to evaluate existing facilities, as well as to design new facilities. After 4 years of investigations and analyses, a final report was issued in 1995 (Wong et al. 1995). This report was reviewed and approved by an internationally recognized external review panel and DOE, with oversight from the Defense Nuclear Facilities Safety Board (DNFSB).

DOE Order 420.1B stipulates that “[a]n NPH [natural phenomena hazards] assessment review must be conducted at least every 10 years and must include recommendations to DOE for updating the existing assessment based on significant changes found in the methods or data.” In 2004, LANL began to look at the changes in the data and methods used in the probabilistic seismic hazard analysis process and decided to update the work that was last completed in 1995. This update was prompted in part by new paleoseismic information on the Pajarito fault system that had been collected since the 1995 study, as well as new advances in ground-motion prediction. In 2007, a final report describing and summarizing the updated evaluation was released (LANL 2007). The updated seismic hazard analysis indicated an increase in the expected level of ground motion for a DBE and provided a better understanding of the probable seismic behavior of various geological material layers occurring at LANL. As a result, DBE ground motions increased significantly over the 1995 values due largely to the use of updated site-specific ground-motion models and higher than previously recognized activity rates of the Pajarito fault system based on the new paleoseismic data. This report was also reviewed by an external review panel, DOE, and DNFSB. The report represented the best knowledge at the time and also included a thorough treatment of the uncertainties in the knowledge of both seismic sources, including the Pajarito fault system, and ground-motion prediction models as specified by U.S. Nuclear Regulatory Commission guidelines developed by the Senior Seismic Hazard Analysis Committee (NRC 1997). This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a DBE without major damage (see Chapter 2, Section 2.6.2, of this *CMRR-NF SEIS*).

The 2007 DBE ground motions for LANL were reviewed and revised in 2009 to incorporate very recent ground-motion prediction models (LANL 2009). The vertical ground-motion estimation was also re-evaluated using a more refined approach. The analyses were again reviewed and accepted by an external review panel, DOE, and DNFSB. The results of the 2009 update recommended a slight reduction in the DBE ground motions for TA-55 and the CMRR-NF construction site compared to the 2007 study.

DOE has been very proactive in the assessment of the potential seismic hazards at LANL, and the resulting design-basis ground motions for modified CMRR-NF reflect the best science and engineering available to date. That said, as future studies are performed on the geology and seismology of LANL, there may be new information that becomes available that should be evaluated for potential impacts on the assessment of the seismic hazards. In the 1995, 2007, and 2009 LANL seismic hazard evaluations, a concerted effort was made to properly capture the uncertainties in input parameters and, hence, it is anticipated that new information will not have a significant impact on the current assessment of the seismic hazard or DBE ground motions for LANL.

In addition to the assessment of seismic hazards at the CMRR-NF site, site-specific geotechnical investigations have been completed for both the Shallow Excavation Option and the Deep Excavation Option. A geotechnical report prepared for the Shallow Excavation Option provides a thorough analysis that focuses on, among other things, the foundation design and performance, taking into account the local seismic setting and the underlying stratigraphy, which includes an unconsolidated tuff layer approximately 15 feet (4.6 meters) below the depth of the proposed foundation (Kleinfelder 2007a). The report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]). The proposed modified CMRR-NF would be designed and constructed in accordance with geotechnical data and recommendations provided in *Geotechnical Engineering Report, Chemistry and Metallurgy Research Facility Replacement (CMRR) Project, Los Alamos National Laboratory* and *Geotechnical Data Report, Chemistry and Metallurgy Research Facility Replacement (CMRR) Project, Los Alamos National Laboratory* (Kleinfelder 2007a, 2007b). Similarly, the Deep Excavation Option would be completed in accordance with recommendations resulting from the geotechnical reports, *Phase I Ground*

Modification Alternatives Feasibility Study, Chemistry and Metallurgy Research Replacement (CMRR) Nuclear Facility, Los Alamos National Laboratory, and Work Plan, Excavation Support Design, Chemistry and Metallurgy Research Facility Replacement (CMRR) Project, Los Alamos National Laboratory (Kleinfelder 2010a, 2010b). To meet the seismic design requirements, the Modified CMRR-NF would require large amounts of structural and reinforcing concrete and steel for the construction of the building's walls, floors, and roof.

In response to comments regarding volcanic hazards, additional information was included in the *Final CMRR-NF SEIS*. Appendix C was revised to discuss the recurrence rate of the volcanic hazards in the LANL region. While the recurrence rate for silicic eruptions is about 1×10^{-5} per year, this is not the same as the probability of future eruptions. While eruptions cannot be ruled out, it would be an unlikely event within the lifetime of the CMRR-NF. The greatest hazard from a volcanic event would be ash loading on the roof. Conservative damage ratios and respirable release fractions used to analyze seismic events would be applicable to a volcanic ash fall event. Chapter 3, Section 3.5.1, and Chapter 4, Section 4.3.5 were also revised to include information regarding volcanic hazards, as described in the report, *Preliminary LANL Volcanic Hazards Evaluation* (LANL 2010c).

Some commentors submitted very technical comments regarding the seismic hazard of the LANL region as presented in the *CMRR-NF SEIS* and supported by the seismic hazard analyses (LANL 2007, 2009) and other geotechnical reports. Readers interested in these detailed technical comments and responses are referred to commentor numbers 241 and 315 in Section 3 of this CRD.

2.7 Economic Impacts

Issue:

A number of commentors were in favor of the project, expressing a view that construction of the new nuclear facility would be a source of increased jobs and revenue for the region at a time of economic hardship. Commentors were concerned that the construction industry in New Mexico has a high unemployment rate and has been particularly hard hit by the ongoing economic downturn.

Other commentors noted that the *Draft CMRR-NF SEIS* indicated there would be a small economic benefit in the region from the increased direct and indirect employment. Information from the *Draft CMRR-NF SEIS* was cited as evidence that the Modified CMRR-NF would not create a large number of jobs at LANL because virtually all of the workers would relocate to the facility from other locations on the site. Other commentors stated that more jobs would be created if, instead of building a new nuclear facility, the contamination at LANL were cleaned up or the resources at LANL were applied to other pursuits, such as alternative (green) energy.

Response:

Economic benefits connected with the continued operation of LANL are felt throughout the state of New Mexico. Although this *CMRR-NF SEIS* focuses on the four counties most directly affected due to the large number of LANL employees that reside in them (Los Alamos, Rio Arriba, Santa Fe, and Sandoval), benefits accrue throughout New Mexico, including the other counties of northern New Mexico, as the income of LANL workers spreads through the community and LANL purchases are filled through local businesses. The socioeconomics sections of this *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in this *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or Modified CMRR-NF Alternative would require a construction workforce for up to 9 years. These jobs are expected to result in the creation of a number of indirect jobs within northern New Mexico during the construction period. As stated in Sections 4.2.9

and 4.3.9 of this *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison with the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico.

As discussed in this *CMRR-NF SEIS*, operation of the new CMRR-NF, if built, is not expected to result in any increase in LANL employment. The people expected to work in the new facility would be transferred from other facilities at LANL where CMR-related activities are currently being accomplished (such as the CMR Building).

With regard to the opinion of some commentors that the funds needed to construct the CMRR-NF would be better spent on other efforts at LANL that may create more jobs, this subject is not within the scope of this *CMRR-NF SEIS*, which evaluates the environmental impacts of alternatives related to the construction and operation of the proposed CMRR-NF. Please refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for additional information related to this issue.

2.8 Nuclear Accidents

Issue:

Commentors expressed concerns that an accident similar to the one that occurred in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. Some commentors expressed a belief that the Fukushima Daiichi Nuclear Power Plant accident was a result of the earthquake, not the tsunami, and that similar consequences could be experienced in the surrounding area if an earthquake were to occur at LANL. Specific comments referenced other nuclear accidents, such as those at the Rocky Flats Plant, the Church Rock spill, and the accidents at Three Mile Island and Chernobyl. Many commentors expressed a desire to ensure that similar accidents would not occur at LANL by not building the proposed CMRR-NF or by shutting down other nuclear facilities at LANL.

Response:

The types of radiological accidents that occurred at the Fukushima Daiichi Nuclear Power Plant, Three Mile Island, and Chernobyl all require a large source of energy that is produced from the fissioning of nuclear fuel. Nuclear reactors are carefully designed to harness the energy produced from a controlled nuclear reaction. Even with an accident that results in a nuclear reactor shutdown, as occurred at the Fukushima Daiichi Nuclear Power Plant and Three Mile Island Unit 2 nuclear power plant, thousands of megawatts of heat continue to be produced from the decay of the fission products for a number of days following shutdown. The generation of decay heat must be managed with the use of active cooling systems or the associated water will boil off and cladding around the radioactive materials can be damaged, resulting in the release of radioactive materials. At the Fukushima Daiichi Nuclear Power Plant, the earthquake and the subsequent tsunami eliminated the ability to provide active cooling to the reactors, resulting in failures of the reactor fuel cladding and the release of radioactive gases and volatile materials such as cesium to the environment.

The plutonium metal and oxide used at the existing CMR Building and in the proposed CMRR-NF cannot produce a nuclear reaction by themselves and do not produce the large amounts of decay heat associated with nuclear reactors, which require the use of active cooling systems. A number of factors related to the configuration of the material, purity, temperature, and density must be met before an uncontrolled nuclear reaction involving these materials could begin. The programs and facilities at LANL are designed to prevent such an accident from occurring. For facilities like the existing CMR Building, the proposed CMRR-NF, and the other plutonium facilities at LANL, the general safety strategy does not require active cooling systems to prevent major disasters, but instead requires (1) plutonium materials to be contained at

all times within multiple layers of confinement designed to prevent the materials from reaching a critical mass and from reaching the environment in the event of an accident that could cause one or more layers of confinement to fail, and (2) energy sources that might disperse plutonium and threaten confinement to be minimized (for example, the proposed CMRR-NF would not have any natural gas pipelines in the facility).

This basic strategy means that operational accidents, including spills, impacts, fires, and operator errors, would not normally have sufficient energy to threaten the multiple levels of confinement that are always present within a plutonium facility. For plutonium facilities, the final layer of confinement is the building structure and the system of barriers and multiple stages of HEPA filters that limit the amount of material that could be released to the environment, as evaluated in the documented safety analysis process.

For plutonium facilities, the operational events that present the greatest threats to confinement are large-scale fires that, if they did occur, could present excessive heat and smoke loads on the building HEPA filter systems. The old Rocky Flats facilities (now torn down) did not have the modern safety systems that are in place at LANL for plutonium operations, and large fires did occur that resulted in plutonium releases to the environment. For modern plutonium facilities, such as the proposed CMRR-NF, the safety strategy is to prevent large fires by controlling their propagation at the source. This is done by limiting the energy sources and controlling the propagation with the use of combustible materials limits, fire barriers, and fire-suppression systems. For modern plutonium facilities, it is straightforward to design and operate the facilities such that the estimated frequency of any large fire within the facility would fall into the “extremely unlikely” category (less than one chance in a million) and would require multiple violations of safety procedures to introduce sufficient flammable materials to support such a fire. Any postulated large-scale fire in a modern plutonium facility would clearly be categorized as a “beyond-design-basis” event and is never expected to occur in the life of the facility.

Even in an earthquake so severe that major structural damage occurred throughout the Los Alamos area, including the plutonium facilities at LANL, the accident risks to the public from the plutonium facilities would be many times smaller than those posed by nuclear reactors and spent fuel pools like those at the Fukushima Daiichi Nuclear Power Plant. The proposed CMRR-NF may be damaged in an earthquake, but such an accident would not result in a nuclear reaction or nuclear explosion even if a fire were to occur. Unlike the Church Rock spill, flooding due to severe rain events or dam breaks does not present a significant threat to the plutonium facilities at LANL which are located on mesa tops.

Design-basis and beyond-design-basis earthquakes would have the potential to result in loss of offsite power. Except for the fire-suppression system, the safety-class structures, systems, and components at CMRR-NF are passive engineered features. The fire-suppression system is independent of the regional electrical power system for providing its safety-class function. CMRR-NF would have emergency backup generators that would automatically start if the offsite power source were interrupted. For plutonium facilities like the proposed CMRR-NF, a beyond-design basis earthquake could potentially result in substantial damage to containers, enclosures, and building structures and result in the release of material to the environment. It is possible that all offsite power, including backup power, could be unavailable for hours or days as a result of a beyond-design-basis earthquake. This could cause operational problems and hinder damage assessment and cleanup, but is not expected to result in the additional release of radioactive material to the environment solely because power is not available.

Plutonium materials stored within these facilities or being used in operations are generally stable and would not require cooling to keep them stable and prevent additional releases to the environment. Plutonium oxides that would be used at CMRR-NF behave much like sand and would require additional energy, such as high-pressure air or an explosion, to disperse them into the environment. The stability of plutonium metal varies, depending on the size of the piece. Fine metal turnings from a lathe oxidize

immediately, much like iron does in sparklers. Larger pieces of plutonium metal oxidize slowly and form an oxide crust. The rapid oxidation of plutonium metal requires a large energy source, such as an external, fuel-fed fire. Otherwise, the oxidation is slow and self-limiting. Plutonium in liquid form that is present in CMRR-NF would typically be a plutonium nitrate. This liquid form would also be stable and would not be dispersed without the application of an external energy source to disperse it.

The only form of plutonium that generates enough heat to require long-term cooling is plutonium-238 heat sources in the form of ceramic oxide pellets. The vault that is part of the proposed CMRR-NF would not store plutonium-238, so this possible energy source would not be present.

2.9 Treaty Compliance

Issue:

Commentors expressed the concern that (1) pit production at LANL violates nonproliferation treaties, particularly the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the New Strategic Arms Reduction Treaty (New START), and (2) CMR activities would support pit production and are, therefore, illegal.

Response:

The United States is not in violation of the NPT or any other nonproliferation treaty to which it is a signatory. In 1968, the President signed the NPT, which Congress ratified in 1970. The NPT is a landmark international treaty designed to prevent the spread of nuclear weapons and weapons technology, to promote cooperation in the peaceful uses of nuclear energy, and to further the goal of achieving both nuclear and general disarmament. Under the NPT, the parties agreed not to transfer nuclear weapons or other devices, or control over them, and not to assist, encourage, or induce nonnuclear states to acquire nuclear weapons; the parties also agreed to “pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control” (Article VI). The treaty does not mandate disarmament or specific stockpile reductions by nuclear states, and it does not address actions of nuclear states in maintaining their stockpiles.

The United States has worked for many years to help establish an international security environment conducive to progress toward disarmament. The United States has also made significant progress toward achieving the nuclear disarmament goals set forth in the Preamble and Article VI of the NPT and has a strong record of compliance with its Article VI obligations. The United States has taken dramatic steps toward the goal of nuclear disarmament, including working to resolve destabilizing global and regional tensions; reducing its nuclear forces and nuclear weapons stockpile, through both unilateral and bilateral initiatives; and working cooperatively with allies and partners to reduce nuclear threats. The United States is also signatory to several treaties with goals of reducing the size of nuclear weapons arsenals. Most recently, in February 2011, the President signed the New START. Through this treaty, the United States and Russia agreed to further reduce their numbers of warheads and deployment systems within 7 years.

NNSA acknowledges that there is substantial opposition to the nuclear weapons mission. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation’s nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Since the end of the Cold War, DOE has changed site missions and activities consistent with changing national security policies that reflect the new national security posture, including maintaining a smaller nuclear weapons stockpile. However, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Therefore,

along with its obligations to reduce its nuclear weapons stockpile and promote the nonproliferation of nuclear weapons to nonnuclear states, the United States must also ensure that its nuclear weapons stockpile remains safe, secure, and reliable.

NNSA has developed a comprehensive program of stockpile stewardship and management that maintains essential capabilities for stockpile safety and reliability. The proposed CMRR-NF would replace the existing CMR Building at LANL and provide NNSA with the capability to continue with the analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Pit production would not take place in the proposed CMRR-NF. The proposed CMRR-NF would provide analytical chemistry and materials characterization capabilities critical to continuing to provide research in support of arms control technology development and other nonproliferation program activities that would help support treaty compliance activities.

2.10 Water Resources and Usage

Issue:

Commentors expressed concerns that construction and operation of the proposed CMRR-NF would use a significant amount of water that could be used for other purposes such as watershed restoration or irrigation. Commentors expressed concern about Los Alamos County rights to San Juan-Chama Transmountain Diversion Project water and how LANL may use that water. Commentors were also concerned about the impact the proposed CMRR-NF would have on surface-water and groundwater quality. These concerns included buried contamination migrating to groundwater and surface water and contamination being detected in a Buckman Well, the Rio Grande, and Elephant Butte, as well as the canyons that flow from LANL property to the river. Some commentors expressed concern that the project would violate the Clean Water Act.

Response:

NNSA takes its resource stewardship and conservation responsibilities seriously and continues to work with Los Alamos County to implement water conservation measures. Chapter 3, Section 3.3.4, of this *CMRR-NF SEIS* describes current water use and the water utility infrastructure for LANL and the Los Alamos region. NNSA is now a county water customer; as such, NNSA is billed and pays for the water it uses in accordance with a water service contract. For water-use planning purposes, NNSA has established a target ceiling quantity for water use equal to the water rights it still owns (542 million gallons [2,050 million liters] per year). In 2010, LANL used 412 million gallons (1,600 million liters) of water or about 76 percent of LANL's target ceiling quantity.

Water usage estimates related to the proposed CMRR-NF are included in Chapter 4, Sections 4.2.3 and 4.3.3. As discussed in these sections, the proposed CMRR-NF is expected to use up to about 5 million gallons (19 million liters) of water per year to support construction of CMRR-NF. If built, CMRR-NF, combined with RLUOB, would use up to 16 million gallons (61 million liters) of water per year to support facility operations. When the CMRR-NF requirements are combined with other LANL site-wide projected water requirements, LANL water usage would increase to up to 428 million gallons (1,620 million liters) annually or about 79 percent of LANL's target ceiling quantity. Chapter 4, Section 4.6, of this *SEIS* examines the cumulative impacts of this projected requirement along with Los Alamos County's estimated water use and estimates that, between LANL and the county, about 92 percent of the county's available water would be used annually.

Los Alamos County has completed the conversion of its water contract with the Bureau of Reclamation to access San Juan-Chama Transmountain Diversion Project water, which enables the county to access another 390 million gallons (1,480 million liters) annually. The county is studying options for making this water accessible to the county and its customers. LANL operational water demands are estimated to remain within DOE's current water use target ceiling quantity and, therefore, would not necessitate LANL using any of the San Juan-Chama Transmountain Diversion Project water that the county may access in the future.

As discussed in Chapter 3, Section 3.6, of this SEIS, LANL has an extensive groundwater and surface-water monitoring program in place to monitor the impact of LANL operations on water quality in the surrounding area. Groundwater monitoring has been performed at numerous locations within and around LANL for many decades. Monitoring locations include natural springs, drinking-water supply wells, shallow monitoring wells, intermediate-depth monitoring wells, and a variety of regional aquifer-monitoring well types.

LANL implemented the Outfall Reduction Program to reduce the total number of outfalls discharging to the environment. From January 1 through December 31, 2009, there were 15 wastewater outfalls (14 industrial outfalls and one sanitary outfall) at LANL that were regulated under a National Pollutant Discharge Elimination System (NPDES) permit that establishes limits on the volume and quality of the discharges. These outfalls are sampled weekly, monthly, or quarterly, as specified in the permit, to analyze effluents for compliance with permit limits. As part of a comprehensive LANL Outfall Reduction Project, the NPDES-permitted outfall serving the CMR Building in TA-3 (outfall #03A-021) was closed as of September 2010. All nonradioactive liquid effluent from the CMR Building is now sent to the Sanitary Wastewater Systems Plant.

The proposed CMRR-NF would not discharge nonradioactive liquid effluent directly to the environment, as discussed in Chapter 4, Section 4.3.6, of this SEIS. All nonradioactive liquid effluent would be sent to the Sanitary Wastewater Systems Plant, where the effluent would be treated and discharged in accordance with LANL's NPDES permit and in compliance with the Clean Water Act. All radioactive liquid effluent would be sent to RLWTF, where the effluent would be treated and discharged in accordance with LANL's NPDES permit and in compliance with the Clean Water Act. Released treated wastewater from NPDES-permitted outfalls at LANL rarely leaves the site (LANL 2011d).

LANL is performing monitoring of all wells required by the NMED Consent Order. This monitoring is conducted in accordance with an NMED-approved *Interim Facility-Wide Groundwater Monitoring Plan* (LANL 2006). As watershed monitoring continues, LANL, in consultation with NMED, will continue a phased approach to determining which wells are needed and in what locations to satisfy long-term monitoring needs. The process is established by and in compliance with the Consent Order. The annual LANL site environmental report provides detailed information on LANL's water quality monitoring program, including analytical results (see <http://www.lanl.gov/environment/all/esr.shtml>).

Contamination detected in various environmental media reflects worldwide fallout of radioactive particles from nuclear weapons testing; nuclear accidents such as Chernobyl; releases from industrial, commercial, medical, and household uses of chemicals and radionuclides; and releases from decades of activities at LANL. Samples from some locations show that contaminants are present on site at levels above applicable standards and guidelines. Elevated levels are investigated to confirm the validity of the results, determine the source and extent of the contamination, and evaluate needed control and cleanup actions.

To assess LANL's impact on the Rio Grande, samples of sediment, water, and foodstuffs are collected both upstream and downstream of LANL and tested for a variety of contaminants, including metals, organic compounds, and inorganic compounds. Natural stream flow and sediment-loading in the

Rio Grande are quite large compared with Los Alamos area streams. These factors reduce the possibility of identifying significant impacts from LANL in the Rio Grande. Daily average flow in the Rio Grande at the Otowi gage in 2009 ranged from about 500 to 5,900 cubic feet (14 to 170 cubic meters) per second. In contrast, the estimated combined flows from all the Los Alamos area canyons exceeded 5 cubic feet (0.14 cubic meters) per second only on July 30 (7 cubic feet [0.2 cubic meters] per second). Similarly, the average annual amounts of suspended sediment and bed sediment passing the Otowi gaging station have been calculated to be 1,000 and 100 times, respectively, the amount contributed by Los Alamos Canyon (LANL 2010b).

Surface-water samples were collected from three locations along the Rio Grande in 2009 for analysis of inorganic and organic chemicals and radionuclides. These locations are upriver of Los Alamos Canyon and LANL at Otowi Bridge, at the planned surface-water diversion site for Santa Fe at Buckman (at the mouth of Cañada Ancha, downriver from Los Alamos, Sandia, and Mortandad Canyons) and at the mouth of Frijoles Canyon in Bandelier National Monument (downriver from all canyons draining LANL) (LANL 2010b).

Nine radionuclides were detected in the Rio Grande water samples: radium-226, radium-228, thorium-228, thorium-230, thorium-232, tritium, uranium-234, uranium-235/236, and uranium-238. No screening levels were exceeded in these samples. All of these radionuclides are naturally occurring except for hydrogen-3 (tritium), which is associated with atmospheric fallout. The highest concentrations for radium-226, the thorium isotopes, and tritium were measured at Otowi Bridge, upriver from LANL, demonstrating non-LANL sources. For the uranium isotopes, the maximum concentrations downriver of the Otowi Bridge were 1 to 13 percent of the maximum concentrations measured upriver, also indicating little or no LANL impacts (LANL 2010b).

In a previous LANL press release about the concentration of plutonium in the sediments of Cochiti Reservoir, a comparison was made with the concentration in sediments in other reservoirs. It was stated that the “plutonium levels in Rio Grande Reservoir, located at the headwaters of the Rio Grande in Southern Colorado, and Elephant Butte Reservoir in southern New Mexico were similar to those found in Cochiti” (LANL 1997). The information further indicated that the levels were less than 0.1 percent of the screening action levels that would prompt further investigation.

As part of the monitoring program, in 2006, LANL staff collected groundwater samples from Buckman Well #1 as part of routine quarterly sampling that is conducted at three water-supply wells in the Buckman Well Field. This sampling is performed pursuant to a cooperative agreement with the City of Santa Fe. The samples were sent to an independent laboratory for radiochemistry analysis where it was reported that they detected plutonium-238 at a level about 3 percent of the DOE concentration guide for water ingestion. However, after reviews of legacy data by LANL staff and further discussions with the analytical laboratory, the laboratory has confirmed that computer analyses of the results were incorrect. The laboratory concluded that plutonium-238 was not present in the sample from Buckman Well #1. No further reports of plutonium detection have occurred since this occurrence in 2006 (LANL 2011e).

For more information on LANL’s ongoing water monitoring program (surface water and groundwater), please see the latest environmental surveillance report, which can be accessed at <http://www.lanl.gov/environment/all/docs/reports/>.

2.11 Alternatives Considered

Issue:

Commentors expressed concerns regarding the alternatives in the *Draft CMRR-NF SEIS*. Some commentors thought the No Action Alternative should be a “no build” alternative that would involve ceasing CMR missions completely. Other commentors felt that the *Draft CMRR-NF SEIS* lacked sufficient alternatives because the No Action Alternative (2004 CMRR-NF) and Continued Use of CMR Building Alternative could not really be considered viable alternatives for implementation. They claimed that no “reasonable” alternatives to construction of the Modified CMRR-NF were considered in this SEIS. Commentors suggested a number of alternatives that should be included in the NEPA evaluation, including extensive upgrades to the CMR Building needed to sustain operations for another 20 to 30 years; use of RLUOB and/or the TA-55 Plutonium Facility for analytical chemistry and materials characterization activities, or relocating this capability to another NNSA site; and construction of a vault for secure storage of nuclear materials that would make sufficient space available in RLUOB and the TA-55 Plutonium Facility for CMR missions.

Response:

As indicated in Chapter 1, Section 1.3, of this SEIS, NNSA has a continuing purpose and need to provide analytical chemistry and metallurgical characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Although many commentors expressed a preference for a No Action Alternative that would abandon the current CMR Building and not proceed with the CMRR-NF, such an alternative is not consistent with meeting NNSA’s mission need nor does it reflect the status quo at LANL. The No Action Alternative in this *CMRR-NF SEIS* is based on the decision announced in the 2004 ROD for the original *CMRR EIS*. This is consistent with CEQ recommendations that, for proposed changes to an ongoing activity, “no action” can mean continuing with present plans (51 FR 15618). NNSA determined that a supplement to the *CMRR EIS* is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in design and construction of the CMRR-NF and has addressed alternatives consistent with previous analyses and decisions.

NNSA considered a series of alternatives in the development of this *CMRR-NF SEIS*. Chapter 2, Section 2.7, has been revised to describe these alternatives and why they are unreasonable and were not analyzed further in this *CMRR-NF SEIS*. These alternatives include alternatives suggested by commentors, including extensive upgrades to the existing CMR Building in whole or in part and construction of the CMRR-NF vault for use in conjunction with the TA-55 Plutonium Facility and RLUOB. As stated in Chapter 1, Section 1.5, of this *CMRR-NF SEIS*, NNSA does not intend to revisit decisions previously made concerning the level of operations at LANL, including the decision regarding maintenance of CMR operational capabilities to support critical NNSA missions. Additionally, after analyzing alternative locations across the NNSA National Security Enterprise Complex, NNSA selected LANL for the plutonium mission in the *Complex Transformation SPEIS* ROD. Thus, relocation of the CMR missions to another NNSA site was not reconsidered.

The proposal to construct a new facility at LANL to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2003 *CMRR EIS*, DOE considered the proposal to complete extensive upgrades to the existing CMR Building’s structural and safety systems to meet current mission support requirements for another 20 to 30 years of operations and dismissed it from detailed analysis (DOE 2003b). Beginning in 1997 and continuing through 1998, a series of operational, safety, and seismic issues surfaced regarding the long-term structural viability of the CMR Building. In the course of considering these issues, DOE determined that

the extensive facility-wide upgrades originally planned for the CMR Building would be less technically feasible than had been anticipated and would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Structurally upgrading the entire structure to a significant extent would require construction of new walls and other building components adjacent to the existing ones that have utilities and structural building features already in place. In addition, the floors of the building would need to be significantly upgraded. This work would have to occur while continuing to provide mission-essential operations in the CMR Building using nuclear materials and hazardous chemicals.

The technical challenges of implementing extensive seismic upgrades to the entire CMR Building, as discussed in the 2003 *CMRR EIS*, remain and are exacerbated by the findings of the subsequent probabilistic seismic hazard analysis and the magnitude of the current DBE (LANL 2007). However, in response to comments regarding upgrading the CMR Building, NNSA has considered undertaking a more limited, yet intensive, set of upgrades to a single wing of the CMR Building, Wing 9, to meet current seismic design requirements so that this wing could be used for a limited set of Hazard Category 2 analytical chemistry and materials characterization operations. CMR Building operations and capabilities are currently restricted due to safety and security constraints. Although the limited Wing 9 upgrade would allow the current operational restrictions on material quantities to be relaxed somewhat so that larger quantities of special nuclear material could be used within the laboratories, the size of Wing 9 would limit the amount of laboratory space that could be developed to less than half of that required to meet NNSA's purpose and need for mission support work. After careful consideration of the complex engineering and operational issues, as well as the CMR Building site's seismic issues, this potential Wing 9 upgrade alternative was also determined not to be a reasonable alternative for meeting NNSA's purpose and need for action.

Construction of only the proposed CMRR-NF vault at TA-55 and use of the TA-55 Plutonium Facility was also considered by NNSA to determine whether that proposed combination, together with the planned future use of RLUOB, would provide adequate space for analytical chemistry and materials characterization operations over the long term. However, augmenting the existing TA-55 Plutonium Facility with only additional vault storage space would not alleviate the need for additional work space for analytical chemistry and materials characterization laboratory operations. Space does not exist in the TA-55 Plutonium Facility to support this work, and these operations cannot be accomplished within RLUOB because RLUOB is not able to support the level of radiological operations required to support the work needed. As discussed in Chapter 2, Section 2.5, of this *CMRR-NF SEIS*, RLUOB contains a radiological laboratory capable of handling less than Hazard Category 3 radioactive materials per DOE Standard 1027, *Hazard Categorization and Accident Analysis Techniques for Compliance with DOE Order 5480.23, Nuclear Safety Analysis Reports* (DOE 1992). It is currently authorized to handle gram quantities of plutonium-239 equivalent. The CMRR-NF is being designed as a Hazard Category 2 facility capable of using kilogram quantities of plutonium-239 equivalent. This alternative was, therefore, not analyzed further in this *CMRR-NF SEIS*.

SECTION 3
PUBLIC COMMENTS AND NNSA RESPONSES

3.0 PUBLIC COMMENTS AND NNSA RESPONSES

This section presents a side-by-side display of the comments received by the National Nuclear Security Administration (NNSA) during the public comment period, as well as late comments received through July 31, 2011, on the *Draft Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico (CMRR-NF SEIS)* and NNSA's response to each comment. To find a specific commentor or comment in the following pages, refer to the "List of Commentors" immediately following the Table of Contents. This list is organized alphabetically by commentor name and shows the corresponding page number(s) where commentors can find their comment(s).

If a commentor provided comments through a postcard, form letter campaign, or petition, that commentor is referred to a copy of that postcard or form letter. This section only contains one representative copy of each postcard, form letter, or petition.

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Commentor No. 1: Tara Somerville



Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegtmeier, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov Deadline June 28, 2011

5/20/11

Dear Mr. Tegtmeier,

I am writing to express my opposition to the construction of new Chemical and Metallurgical Research Replacement - Nuclear Facility at Los Alamos National Labs. For the following reasons:

1. I am not in support of the construction of new nuclear weapons by the United States (or any country for that matter.) Their ability to cause such horrific killings and massive long-lasting environmental damage make their use an unwise, self-defeating choice and their construction an irresponsible waste of precious financial resources that could be used for the betterment of our state and nation, ^{for instance for} ~~scholarship~~ education programs & scholarship programs for underprivileged youth, research into renewable energy resources like solar and wind power.

2. I also have great concern about the proximity

CMRR-NF Hearings:

Mon. May 23, 5 to 9 p.m., Albuquerque Marriott, Salon F, 2101 Louisiana NE (Louisiana & 140), Albuquerque
Tue, May 24, 5 p.m. to 9 p.m., Holiday Inn Express, 60 Entrada Dr., Los Alamos
Wed. May 25, 5 p.m. to 9 p.m., Santa Clarita Hotel, 464 N. Riverside Dr., Espanola
Thur. May 26, 5 p.m. to 9 p.m., Santa Fe Community College, Jemez Rooms, 6401 Richards Ave, Santa Fe
View or download SEIS document: <http://www.nepa.energy.gov> or <http://www.nnsa.energy.gov/nepa/cmrrncis>

1-1 NNSA acknowledges the commentor's concerns about construction and operation of the CMRR-NF. NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the CMRR-NF SEIS. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

1-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the CMRR-NF SEIS. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

1-1


1-2

Commentor No. 1 (cont'd): Tara Somerville

of the new building to a seismic fault ^{is} zone (the Pajarito Plateau.) The recent and current tragedy surrounding the Fukushima nuclear power plant in Japan is a dreary case in point ~~of the~~ ^{is} and reminder of the repercussions surrounding areas can suffer when nuclear facilities are built on shaky ground.

I ~~am~~ ^{have been} a resident of Taos County since 2005 and a business owner since 2008.

Thank you very much
for your time.

Sincerely,


Tara Somerville
Po Box 1784
El Prado, NM 87529
(575) 741-5103

1-2
cont'd

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Commentor No. 2: Kenny Quinn



Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegtmeyer, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov

Deadline June 28, 2011

I am in complete agreement that a New (EIS) is needed
 & not a Supplemental (EIS) for the proposed CMRR-NF
 The main reasons I am ^{in support} ~~opposed~~ ^{having a New} ~~to the Supplemental~~ (EIS) is the
 increased financial cost, addressing the health & well being of people affected by
 the project, and finally the hidden cost of dealing w/ the nuclear waste.
 The initial ⁽²⁰⁰⁴⁾ EIS was assessed for a 500 million dollar project.
 Today 7 years later the project cost has increased 9 times to a figure
 of 4.5 Billion. How can the original w/ a Supplement address the issues
 & concerns of a ~~more~~ dangerous project of this magnitude & scope.
~~The~~ The initial EIS addressed concerns for the health & safety
 of people affected by the project. The 2011 EIS & a supplement would
 not adequately address the health & safety of the much larger proposed
 project ~~when dealing with~~ ~~mining~~ ~~uranium~~ ~~leach~~, there are many
 steps ~~(process)~~ I am reminded of the ongoing legacy of the
 mining of uranium on the Navajo Reservation of New Mexico & Arizona.
 I have a nurse friend who provides health care to the uranium miners.
 These men are now in their 80's & suffer from such diseases as
 cancer & neurological diseases directly related to mining of uranium.
 In essence we are still paying for the health of these impacted humans
 (from 40 to 50 years ago.)

CMRR-NF Hearings:

Mon. May 23, 5 to 9 p.m., Albuquerque Marriott, Salon F, 2101 Louisiana NE (Louisiana & 140) Albuquerque
 Tues. May 24, 5 p.m. to 9 p.m., Holiday Inn Express, 60 Entrada Dr., Los Alamos
 Wed. May 25, 2 p.m. to 9 p.m., Santa Clara Hotel, 464 N. Riverside Dr., Espanola
 Thurs. May 26, 5 p.m. to 9 p.m., Santa Fe Community College, Jemez Rooms, 601 Richards Ave. Santa Fe.
 View or download SEIS document: <http://www.nepa.energy.gov> or <http://www.nnsa.energy.gov/nepa/centerseis>

2-1

2-1

NNSA notes the commentor's position that a new environmental impact statement is needed, rather than a supplement to the CMRR EIS. NNSA determined that a supplement to the CMRR EIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

Commentor No. 2 (cont'd): Kenny Quinn

I am curious to know if the EIS & Supplement is addressing the process & cost of dealing with disposal (Containment) of the nuclear waste produced & properly containing the nuclear waste of the old outdated, unsafe nuclear bombs.

Truly No action for the proposed project is the only sane solution.

Kenny Quinn
P.O. Box 183
Carson, N. Mex 87517

2-2

2-2

NNSA notes the commentor's concern about the waste and containment issues surrounding nuclear weapons. The *CMRR-NF SEIS* does address the disposal of waste generated by facilities included in the alternatives evaluated in the SEIS. However, issues related to waste from retired nuclear weapons are beyond the scope of this SEIS.

Commentor No. 3: Joanne Forman

69 Maestas Rd/Ranchos de Taos NM 87557
23 May 2011

Sir:

This citizen is opposed to ANY expansion, including pit production, at Los Alamos. The last thing this world needs is more weaponry!!

As for the canard that it brings "prosperity" to our state, NM is, in many areas, down there with Mississippi. SHAME.

Sincerely,

Joanne Forman

3-1

3-1

NNSA notes the commentor's opposition to any expansion of operations, including pit production, at LANL. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the CMRR-NF SEIS, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, and Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

3-2

3-2

The socioeconomic sections of the CMRR-NF SEIS present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the CMRR-NF SEIS, construction of a new CMRR-NF under the No Action Alternative and the Modified CMRR-NF Alternative would require a construction workforce that would be needed for up to 9 years. As stated in the CMRR-NF SEIS, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico, as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

Commentor No. 4: Leslie Elgood, CEO
New Mexico Community Capital



Learning Communities and Enterprise™

May 24, 2011

Mr. John Tegtmeier, CMRR-NF SEIS
 U.S. Department of Energy
 National Nuclear Security Administration
 Los Alamos Site Office
 3747 West Jemez Road,
 TA-3, Building 1410
 Los Alamos, NM 87544

Dear Mr. Tegtmeier:

I am writing in support of the construction of the CMRR project primarily because of its critically important economic impact, particularly for the hard-hit New Mexico construction industry. The building industry in this state has been hit with an extended three year one-two punch, no new housing and no new commercial constructions. This makes the need for large construction projects critically important ones to job retention and creation. I think this is a project important for job creation and retention in a state with almost 8% overall unemployment and over 15% unemployment in parts of Northern New Mexico.

Los Alamos National Laboratory has managed other projects of this size and have a track record of responsibility and inclusion.

LANL itself is crucial to New Mexico's economic health, creating a \$2.9 billion impact on the state's economy and supporting about 24,000 jobs, according to the University of New Mexico.

Not only does the Lab create jobs, but they also support initiatives that promote economic development independent of the Laboratory. My organization has been a partner with the LANS Northern New Mexico Connect program. As a result, hundreds of small businesses in the northern and north-central part of the state have received high-end technical assistance.

Should you have any questions at all, please do not hesitate to call me.

Sincerely,

Leslie Elgood
 CEO

Board of Directors:

Jay Calhoun
 O. Dino Cervantes
 Penelope Douglas
 Leslie Elgood
 Richard Harding
 Owen Lopez
 Beverlee McClure
 T. Greg Merriam
 Richard Schneider
 M. Gayle Watson

4-1

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NNSA notes the commentor's support for the proposed CMRR-NF project. NNSA believes that the 60-year-old CMR Building needs to be replaced in order to address safety, reliability, consolidation, and safeguards and security issues related to performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production). Due largely to seismic and safety concerns, the existing CMR Building operates at a reduced level that does not fully support the NNSA plutonium mission. The proposed Modified CMRR-NF would provide the capability to fully meet the mission need in a modern structure that meets all seismic safety and security standards.

The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative and the Modified CMRR-NF Alternative would require a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico, as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

Commentor No. 5: Darren M. Cordova, Mayor
Town of Taos, New Mexico

Darren M. Cordova, Mayor

Councilmembers:

Rudy C. Abeyta
A. Eugene Sanchez
Amy J. Quintana
Michael A. Silva

Daniel R. Miera, Town Manager
Abigail R. Adame, Assistant Town Manager



Taos Municipal Building
400 Camino de la Placita
Taos, New Mexico 87571
(575) 751-2000
Fax (575) 751-2026

Visit us on our Website at:
www.taosgov.com

May 5, 2011

John A. Tegtmeier
Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544

Mr. Tegtmeier:

The Town of Taos is in receipt of a form letter from your office, dated April 21, 2011, wherein it informs the reader that your office will be holding three public hearings on May 24, 25, and 26, in Los Alamos, Española, and Santa Fe (respectively). The purpose of these hearings is to discuss the findings of the environmental impact analysis contained within the Draft CMRR SEIS.

Given that the Town of Taos, as a representative agency of its citizens, considers the greater Taos community as an interested party, we respectfully request that a formal hearing, similar to those afforded to other communities in the affected region, be held within the Town of Taos. There is a considerable number of citizens in our area that have taken positions of interest on this matter, so much so that the Town Council took a similar position regarding its view of the SEIS pertaining to the Nuclear Facility portion of the CMRR Project by passing Town of Taos *Resolution 11-03* on January 25, 2011. In support of this request for a formal hearing in Taos, the Town is willing to provide the meeting space necessary to accommodate such a hearing.

We ask that your office seriously consider our request and hope you will grant said request as soon as possible to allow for adequate notification to our public. Please feel free to contact me or the Town Manager, Daniel Miera, directly at (575) 751-2003 should you have any questions or wish to discuss this request in more detail. Thank you.

Regards,


Darren M. Cordova
Mayor

"La Ciudad de Don Fernando de Taos"
Incorporated May 7, 1934

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NNSA notes the Mayor's request for a public hearing on the *Draft CMRR-NF SEIS* in Taos, New Mexico. After further discussions with the Mayor, NNSA decided to hold an informational meeting in Taos. In addition to a poster session similar to that associated with a hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos.

Commentor No. 6: Scott Kovac, Operations and Research Director
Nuclear Watch New Mexico

From: Scott Kovac [scott@nukewatch.org]
Sent: Monday, May 09, 2011 7:52 PM
To: Snyder, Roger; NEPALASO@doeal.gov
Subject: CMRR NF SEIS response
Attachments: CMRR SEIS extension request 5-5-11[1].pdf;
townrequestforhearingcMRRseis.pdf

Mr. John Tegtmeier
CMRR-NF SEIS Document Manger

Roger Snyder
Deputy Manager Los Alamos Site Office

Gentlemen,

Thank you for adding the hearing in Albuquerque. I believe you will find this to be a worthwhile addition. (Your response Friday had to have been the quickest response I've ever received.)

This response is a preliminary response that does not represent all the groups, yet. But I wanted to respond as quick as I could with what I know.

Unfortunately, we find the lack of response to our request for a hearing in Taos, which your response on Friday did not even mention, unacceptable.

Since then, the Mayor of Taos, Mr. Darren M. Cordova, has requested a hearing in Taos. A copy of that letter is attached. As you stated in your reply, any environmental impacts from the proposed CMRR Nuclear Facility would most appreciably involve those in Northern New Mexico, where Taos is located. Please plan a hearing in Taos or at least let us know why not.

The Nuclear Facility is a national issue. It is part of the national nuclear weapons complex. Hearings for the Complex Transformation and Greater than Class C EISs, to name a couple, were scheduled for DC, even though neither of these EISs covered facilities that were located in DC. These examples must be followed for the CMRR-NF SEIS.

The draft CMRR-NF SEIS is proving to be problematic to provide comments on.

For instance, we cannot find what is the plutonium pit production rate that the EIS is covering. Does this EIS cover a pit production rate of 20, 50, or 80 pits? This is an important question and not knowing the answer makes it impossible to compare

6-1 After consideration of the request for a public hearing, NNSA held an decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with a hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. DOE determined that holding a public hearing in Washington, D.C., is not appropriate for the *CMRR-NF SEIS* because construction of the CMRR-NF is specific to LANL missions.

6-2 The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF.

6-1

The waste generation rates shown in Chapter 4, Sections 4.2.12 and 4.3.12, are estimates for operating the 2004 CMRR-NF and RLUOB or the Modified CMRR-NF and RLUOB over a typical year assuming the facility accomplishes the type of work planned for this facility as described in Chapter 2, Section 2.4. As explained above, this work does not include the production of plutonium pits.

6-2

Problems with links to references that may have been experienced during the public comment period were corrected as soon as they were identified. In addition, the references were placed in a number of libraries in the area surrounding LANL as identified in Chapter 9 of the *CMRR-NF SEIS* and the Notice of Availability for the *Draft CMRR-NF SEIS* (76 FR 24018) published on April 29, 2011.

**Commentor No. 6 (cont'd): Scott Kovac, Operations and Research
Director, Nuclear Watch New Mexico**

this EIS to the 2003 CMRR EIS and other documents. We also do not know the what the waste volumes generated are based upon.

This question should have been answered, for example, in "Table 434 Modified CMRR-NF Alternative Operational Waste Generation Rates Projected for Modified CMRR-NF, RLUOB, and Los Alamos National Laboratory Activities."

The second column, "Projected Modified CMRR-NF Generation Rate" has a footnote "a" that leads to the footnote - " From CMRR-NF Project and Environmental Description Document (LANL 2010d) and other sources (LANL 2011)."

(LANL 2010d) is a link -

<http://nnsa.energy.gov/sites/default/files/seis/LANL%202010d%20CMRR-NF%20Pro>

ject%20Env%20Desc.doc - that leads to a page error.

And (LANL 2011) does not exist in the reference document list.

We are completing a survey of reference document issues, but problems like these are impeding the public comment process. And, really, the public comment timeframe should not start until all problems like these are taken care of.

We do appreciate your attempts to be sensitive to our workload concerns, but extending the comments period only 15 days, respectfully, does not help. (We have yet to see the Federal Register notice yet.) Having the GTCC and the CMRR-NF one day apart is an impossible request. We need to have only one EIS event per month. For instance, one set of hearings or one public comment period that ends is plenty of work load for one month.

Thank you for your consideration,

Scott

Scott Kovac

Operations and Research Director
Nuclear Watch New Mexico
551 W. Cordova Road #808
Santa Fe, NM, 87505
505.989.7342 office & fax
www.nukewatch.org

6-2
cont'd

Commentor No. 7: Molly Price

From: Molly Price [hanunu8@live.com]
Sent: Wednesday, May 18, 2011 6:01 PM
To: nepalaso@doeal.gov
Subject: Comments

NO NUKES!!!! No more nuclear waste, no more nuclear weapons, no more nuclear facilities! NO MORE!



7-1

7-1

NNSA notes the commentor's opposition to nuclear waste, nuclear weapons, and nuclear facilities. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NO MORE NUKES!!!!!!

Commentor No. 8: R. Daniel Beavers

From: Danny Beavers [beaverslu412@hotmail.com]
Sent: Tuesday, May 24, 2011 10:24 AM
To: NEPALASO@doeal.gov
Subject: Proposed CMRR Project Los Alamos New Mexico

To whom it may concern,

I am sending this e-mail to show my support for the proposed CMRR project. I believe it is in the Nations best interest to move forward with this project for the following reasons, the current facility was built if memory serves in the early 1960s. If there were any changes made to the design, they were only to enhance the seismic up grades for the facility. After the recent issue in Japan I don't understand how anyone could object to that.

Thank you,

R. Daniel Beavers
Business Representative
Plumbers and Pipefitters
Local Union No. 412

8-1

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NNSA notes the commentor's support for the proposed CMRR-NF project. NNSA believes that the 60-year-old CMR Building needs to be replaced in order to address safety, reliability, consolidation, and safeguards and security issues related to performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production). Due largely to seismic and safety concerns, the existing CMR Building operates at a reduced level that does not fully support the NNSA plutonium mission. The proposed Modified CMRR-NF would provide the capability to fully meet the mission need in a modern structure that meets all seismic safety and security standards.

All proposed new facilities would be designed, constructed, and operated in compliance with applicable DOE orders, requirements, and governing standards, established to protect public and worker health and the environment. DOE Order 420.1B (DOE 2005) requires that nuclear or nonnuclear facilities be designed, constructed, and operated so that the public, the workers, and the environment are protected from the adverse impacts of natural phenomena hazards, including earthquakes. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for a description of some of the recommendations regarding enhancement of the CMRR-NF to address issues related to nearby seismic faults.

Commentor No. 9: Angela Werneke

From: Angela Werneke [awerneke@earthlink.net]
Sent: Tuesday, May 24, 2011 8:21 PM
To: NEPALASO@doeal.gov
Subject: Public Scoping Comments: CMRR Project & Plutonium Pit Production
May 24, 2011

Mr. John Tegtmeier
CMRR-NF SEIS Document Manager
Department of Energy
Los Alamos Site Office
3747 West Jemez Road
Los Alamos, NM 87544

Re: Public Scoping Comments – Chemistry & Metallurgy Research Replacement (CMRR) Project as Part of the Plutonium Complex at Los Alamos National Laboratory (LANL)

Need for a New Environmental Impact Statement

Dear Mr. Tegtmeier:

I am writing to provide you with my scoping comments about the CMRR Project, which includes the Nuclear Facility (NF), the proposed addition to LANL's nuclear weapons production complex. The alternatives proposed in the 2003 final CMRR environmental impact statement (EIS) are no longer applicable today. It's time to start over and re-examine the purpose and need for the Project by preparing a new EIS. Further, it is premature to begin the scoping process when Secretary Chu has asked for an independent expert committee to review the need for the CMRR-NF.

The Costs of Trying to Build a Plutonium Pit Production Complex in a Geologically Unstable Area Are Just Too High - The total original estimate for the CMRR Project, including the recently completed \$363 million Radiological Laboratory Utility and Office Building (RLUOB), was around \$600 million in 2004. The current estimate is \$4.5 billion. The estimate, no doubt, will continue to climb.

LANL is located between a rift valley (the Rio Grande in that area) and a volcanic range (the Jemez Mountains) in a seismic fault zone (the Pajarito Plateau). An updated seismic hazards analysis was published in May 2007. It showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the over \$3 billion in cost estimate increases since 2008 are due to efforts to address the increased seismic hazards. DOE must analyze whether \$3 billion

9-1 NNSA notes the commentor's support for the preparation of a new EIS rather than a supplement to the *CMRR EIS*. NNSA determined that a supplement to the *CMRR EIS* is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information. In regards to an "independent expert committee" reviewing the need for the CMRR-NF, in November 2010, the Secretary of Energy invited experts to provide him with their individual assessment of program requirements for the CMRR-NF and the Uranium Processing Facility at the Y-12 National Security Complex in Oak Ridge, Tennessee (DOE 2010). In addition, the U.S. Department of Defense is conducting a review, with support from an independent group of experts, to consider safety, security, and program requirements and to develop an independent assessment of estimated cost range data for the CMRR-NF and the Uranium Processing Facility. Analyses and recommendations from these independent assessments, information in the *CMRR-NF SEIS*, and other programmatic considerations will be weighed as NNSA moves toward a final decision on the construction and operation of a CMRR-NF.

9-2 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

9-3 Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior

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Commentor No. 9 (cont'd): Angela Werneke

is too high a premium to pay for a new NF. In order to address these increased seismic hazards, DOE now plans to excavate 225,000 cubic yards of earth under the proposed NF and fill the hole with concrete. DOE must address the following questions: Is the surrounding geology robust enough to support all that concrete? Would a seismic event cause the concrete "slab" to sink or shift?

Cleanup of the Existing Mess Must Be the Priority – Not a New Nuclear Facility - DOE made a commitment to clean up the legacy waste sites at LANL when it signed the Consent Order with the New Mexico Environment Department on March 1, 2005. The Order requires cleanup of certain sites by December 31, 2015, including the Area G dump site at Technical Area 54. Construction activities for a new NF will interfere with cleanup activities, including those at the nearby Material Disposal Area C. DOE must make compliance with the Order the priority – not a new NF.

New Alternatives Are Required – DOE must return to the drawing board in order to develop more alternatives, including not building the NF; stop operations at the old, dangerous CMR Building; and conduct a "capacity study" to determine whether the existing facilities – as they have since 1999 when DOE limited plutonium pit manufacturing to 20 per year - can be used instead of building the proposed NF. All analyses of alternatives must incorporate the new 200,000 square foot RLUOB in the review. Operations for the RLUOB are scheduled to begin in less than two years.

Requisite Analyses for the New Environment Impact Statement:

1. Environmental Justice – Both Economic and Ethnicity Analyses Must Be Done - Los Alamos County is one of the richest counties in the U.S.A. It is surrounded by some of the poorest and most ethnically diverse counties in the country. Therefore, shipping any type of waste to anywhere else is an inherent environmental justice issue. Such analyses must be completed in the new draft EIS.

2. Health Effects for Those Most at Risk - Many federal standards for protection of human health, such as limits on emissions from the proposed CMRR-NF industrial stacks, are based on "Reference Man," a hypothetical Caucasian male 20 to 30 years old weighing 154 pounds. All analyses must address the risk to a pregnant woman farmer, her fetus, and her other children under age 18, rather than Reference Man. As a matter of reproductive and environmental justice, the most potentially vulnerable human beings must be protected. Such analyses must be completed in the new draft EIS.

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to the preparation of a NEPA document. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

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NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

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Chapter 3, Section 3.10, provides a description of the composition of the 50-mile (80-kilometer) region of influence surrounding LANL, including minority and low-income populations. Analysis of specific impacts to populations in close proximity of LANL at additional radial intervals of 5, 10, and 20 miles (8, 16, and 32 kilometers) has been added to the *Final CMRR-NF SEIS* in Chapter 3, Section 3.10, and Chapter 4, Sections 4.3.11 and 4.4.11. Impacts from transportation are presented in Chapter 4, Sections 4.2.13.1, 4.3.13.1, and 4.4.13.1. Both radiological and nonradiological risks from transportation would be small under all alternatives.

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The radiological dose and impact estimates are based on national and international standards that do consider both sexes and a range of ages. These techniques were developed by the world's experts to try to accurately address the potential impact on the population as a whole from radiation. These techniques are considered appropriate for use in EISs.

Commentor No. 9 (cont'd): Angela Werneke

3. Waste Disposal - To Use DOE Terminology: What is the "Path Forward?"

- Given the anticipated lack of disposal facilities for low-level radioactive, toxic, and hazardous waste at LANL, DOE must detail where its legacy and newly generated waste will be disposed and how it will be transported to off-site facilities. DOE must detail the proposed transportation modes and routes and the impacts to the communities along the routes and those surrounding the dumps. What emergency preparedness capabilities exist along the proposed routes?

9-8

4. Water Usage in the Face of Stricter Limits Asked By DOE – DOE estimated in the 2003 Final CMRR EIS that waste generation may double and the annual water consumption may increase by 10.4 million gallons. Why should a Leadership in Energy and Environmental Design (LEED) certified building generate any waste, emit contaminants into the air, or discharge contaminated water into the canyons? DOE must explain these contradictions in the new draft EIS.

9-9

5. Climate Change Impacts Required – "Just-Do-It" - On February 18, 2010, the Council on Environmental Quality (CEQ) released draft guidance for public comment about how "Federal agencies can improve their consideration of the effects of greenhouse gas GHG emissions and climate change in their evaluation of proposals for Federal actions under the NEPA." While the guidance is being finalized, the CEQ recommends "just-doing-it." DOE must conduct such analyses in the new draft EIS.

9-10

6. Methods for Decontamination, Decommissioning and Demolition (DD&D) of the Existing CMR Building and the Proposed New NF - The 2004 Record of Decision (ROD) for the CMRR Project stated the existing CMR building would be DD&D in its entirety. However, the actual implementation of these decisions is dependent on DOE funding levels and allocations of the DOE budget across competing priorities, including construction of a new NF. The DD&D Work Plan must be part of the new draft EIS in order to ensure that it becomes part of the complete National Environmental Policy Act (NEPA) analyses. Further, the new draft EIS that will analyze the impacts of building a new NF must also examine the impacts of removing it.

9-11

Thank you for your consideration of my comments.

Sincerely,

Angela Werneke
 awerneke@earthlink.net
 3466 Cerrillos Road J1
 Santa Fe, NM 87507-3014
 505.988.2099

9-8

Radioactive waste generated by construction and operation of the proposed CMRR-NF would be managed through the LANL waste management program, as described in Chapter 3, Section 3.12.4.1, Solid Radioactive Waste Management. Low-level and mixed low-level radioactive waste would be disposed of off site at either the Nevada National Security Site or the commercial facility in Clive, Utah. Transuranic waste would be disposed of at the Waste Isolation Pilot Plant in New Mexico. Impacts associated with management and transport of these wastes are evaluated in the waste management and transportation sections of Chapter 4. Radioactive waste would be transported by truck. The transportation routes that are analyzed are shown in Appendix B, Figure B-1. The level of emergency preparedness would vary along the transportation routes. DOE uses DOE Order 151.1, Comprehensive Emergency Management System, as a basis to establish a comprehensive emergency management program that provides detailed, hazard-specific planning and preparedness measures to minimize the health impacts of accidents involving loss of control over radioactive material or toxic chemicals. DOE contractors are responsible for maintaining emergency plans and response procedures for all facilities, operations, and activities (including transportation) under their jurisdiction and for implementing those plans and procedures during emergencies. The Transportation Emergency Preparedness Program was established by DOE to ensure its operating contractors and state, tribal, and local emergency responders are prepared to respond promptly, efficiently, and effectively to accidents involving DOE shipments of radioactive material.

9-9

LANL approaches sustainability on a site-wide basis, knowing that new facilities will require the use of limited resources. LEED certification ensures that new projects such as the proposed CMRR-NF are executed sensibly, while other efforts, such as decommissioning of unused space and large-scale infrastructure projects are aimed at improving the efficiency of energy and water use site wide. LEED certification has become an industry standard for achieving more efficiency in buildings in terms of energy and water use. Using a tiered approach, the LEED program educates and encourages selection of strategies and products that reduce water consumption and waste compared to buildings that do not incorporate such measures (see Chapter 4, Section 4.6, for additional information related to LEED-related efforts at LANL). Efforts like these are focused on achieving continual resource use reductions for the entire LANL site, as set out in DOE regulations and Executive orders.

Commentor No. 9 (cont'd): Angela Werneke

- 9-10** The *CMRR-NF SEIS* includes an analysis of the impacts of the proposed alternatives with respect to greenhouse gas emissions. Refer to Chapter 4, Sections 4.2.4.2, 4.3.4.2, and 4.4.4.2 of the SEIS. For all alternatives, annual greenhouse gas emissions during construction and operation would be below the draft CEQ guidance threshold that would require a more-detailed evaluation.
- 9-11** The projected environmental impacts associated with decontamination, decommissioning, and demolition of the existing CMR Building and the proposed CMRR-NF are considered to the extent possible at the current time in the *CMRR-NF SEIS* (see Chapter 4, Section 4.5, of the SEIS).

Commentor No. 10: Glenn McMaken

From: Glenn McMaken [mcmakeng@hotmail.com]
Sent: Wednesday, May 25, 2011 7:51 AM
To: nepalaso@doeal.gov
Subject: CMRR comment

I only want to say the CMRR is a necessary project and I support continuing forward with construction of it. The current CMR is beyond its life expectancy, and the new building is needed to continue to process materials the old facility handled. Concerns over the safety of the building are unfounded.

Thank-you,
Glenn McMaken

10-1

10-1

NNSA notes the commentor's support for the proposed CMRR-NF project. NNSA believes that the 60-year-old CMR Building needs to be replaced in order to address safety, reliability, consolidation, and safeguards and security issues related to performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production). Due largely to seismic and safety concerns, the existing CMR Building operates at a reduced level that does not fully support the NNSA plutonium mission. The proposed Modified CMRR-NF would provide the capability to fully meet the mission need in a modern structure that meets all seismic safety and security standards.

Commentor No. 11: Bart Davis

From: Bart Davis [bdavis@jbhenderson.com]
Sent: Wednesday, May 25, 2011 12:50 PM
To: NEPALASO@doeal.gov
Subject: CMRR Supplemental EIS
To Whom It May Concern:

I am writing in support of moving forward with the Los Alamos National Laboratory Chemistry and Metallurgy Research Replacement Project.

First and foremost, I believe it to be crucial and Instrumental to preserving our national security, and second, I support it from an economic boost perspective for both Northern New Mexico, and the State as a whole.

I hate it that we have to spend billions of dollars for a facility such as the CMRR, and I pray we never have to actually deliver the products it produces, but I can't see any other option. We can say the Cold War is over, and I think from one perspective it is, but even as good as our foreign intelligence is, I'm not convinced we know where the next threat to the United States will come from. We need to be prepared on the highest level.

I stand with the often quoted school of "Walk softly, but carry a big stick".

Please insure that I am counted in support of this project .

Respectfully,

Bart Davis

JB Henderson Construction Co., Inc.
VP, Rocky Mountain Division
Office: (505) 662-1910
Fax: (505) 662-1913
Mobile: (505) 780-0926
bdavis@jbhenderson.com

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II-1

11-1

NNSA notes the commentor's support for the proposed CMRR-NF project. The socioeconomic sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative and the Modified CMRR-NF Alternative would require a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico, as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

Commentor No. 12: Margaret Powers

From: makpowers@aol.com
Sent: Wednesday, May 25, 2011 3:34 PM
To: NEPALASO@doeal.gov
Subject: CMRR SEIS comments

I support the proposal to relocate activities from the existing CMR facility to a new facility on Pajarito Rd. The new facility would be within a more secure area, will be more stable in the event of a seismic event, and would reduce the movement of radioactive materials across LANL, thus reducing the likelihood of a release from a vehicle accident. In addition, LEEDS certification should be pursued to demonstrate a commitment to energy savings and long-term sustainability. The environmental impacts of constructing the new facility do not greatly exceed those analyzed in the 2003 EIS. It appears that the shallow excavation option provides some measure of savings in transportation, energy, water, etc. I believe that DOE should select that option, since it appears to have the least environmental costs, assuming it has the same safety and security provisions as the deep option.

Margaret Powers
 3 Rocking Horse Rd
 Santa Fe, NM 87506

12-1

12-1

NNSA notes the commentor's support for the proposed CMRR-NF project. The CMRR-NF is registered under the U.S. Green Building Council LEED-NC rating system, as discussed in Chapter 2, Section 2.5, Description of Actions Taken to Date Related to the Chemistry and Metallurgy Research Building Replacement Project.

12-2

12-2

NNSA notes the commentor's preference for the Shallow Option for constructing the CMRR-NF.

Commentor No. 13: Jerry Bonn

From: Bonn4@comcast.net
Sent: Wednesday, May 25, 2011 10:44 PM
To: NEPALASO@doeal.gov
Subject: DRAFT CMRR SEIS

Attn: Mr. John Tegtmeier, CMRR–NF SEIS Document Manager

I would like to express my support for the construction of the new CMRR facility in Los Alamos, New Mexico. It is imperative that US science and technology are provided state of the art facilities with capabilities to advance research and support the stockpile stewardship of the US. As a Northern New Mexico resident and US citizen this will not only bring economic growth to the region but also economic benefits to small and large business across the US. The US needs this, New Mexico needs this, the National Laboratory needs this. Thank you for taking my comments into consideration.

Respectfully submitted,

Jerry Bonn
5645 Quemazon
Los Alamos, NM 87544

13-1

13-1

NNSA notes the commentor’s support for the proposed CMRR-NF project.

Commentor No. 14: Michael "Ike" Levy

From: Michael "Ike" Levy [michael@taoshighspirits.com]
Sent: Thursday, May 26, 2011 7:29 PM
To: NEPALASO@doeal.gov
Subject: CMRR-NF SEIS

Continuation of nuclear production and enriched plutonium is unthinkable at Los Alamos, or anywhere else. It is incompatible by its very nature with the concept of Environmental Impact. The environmental consequences of production, distribution, utilization, and waste containment are all unacceptable on this planet. Specifically, the consequences from earthquake has not been provided for properly.

Nuclear weapons are unjustifiable as defense strategies or offensive weapons in today's world and are no longer needed, if in fact, they were ever needed.

Please cease and desist your plan to operate or "improve" these facilities. It is unsafe and utter folly.

Cheers,

Michael 'Ike' Levy
 HCR 74 Box 24508, El Prado, NM 87529-9546
 Ph/Fax (575) 776-2230 Mobile (575) 613-5007
 Email: Michael@TaosHighSpirits.com
 Website: www.TaosHighSpirits.com
 Skype: icarus8888

14-1

14-1

The CMRR-NF SEIS does consider the unlikely event of a severe earthquake that results in the release of radioactive material.

Detailed discussion of accidents is presented in Appendix C; potential impacts related to each alternative are presented in Chapter 4, Sections 4.2.10.2, 4.3.10.2, and 4.4.10.2.

Site-specific geotechnical investigations have been completed for the proposed CMRR-NF project site for both the Shallow Excavation Option and the Deep Excavation Option and recommendations issued related to the design of the CMRR-NF. The *CMRR-NF SEIS* has been revised to include this information. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 15: Ann Hendrie

From: Ann Hendrie [ahh.funny@wildblue.net]
Sent: Friday, May 27, 2011 10:38 AM
To: NEPALASO@doeal.gov
Subject: my comments about the proposed new CMRR building
Attachments: Personal statement addressed to the hearing about the LANL plan for the new CMRR Building.doc

Please see the attachment, which has my thoughts about the proposed new CMRR building. I am praying that whoever actually reads any of this, might really begin to question this proposal, if not even look into their own heart to decide where the truth lies.

Sincerely,

Ann Hendrie—living downwind, in Ojo Sarco, NM

Response side of this page intentionally left blank.

Commentor No. 15 (cont'd): Ann Hendrie

Personal statement addressed to the hearing about the LANL plan for the new CMRR Building...

First of all, I want to thank the Greg Mello's of the world, the Concerned Citizens for Nuclear safety, the Los Alamos Study Group, Nuclear Watch and all those here who have voluntarily dedicated some, if not a LOT, of their energy and lives to questioning the viability of our nuclear present and future. This presence of conscience in the face of seemingly insurmountable odds is the only re-assuring glimpse of sanity in this room.

I have 2 questions for the representatives of the nuclear (defense and energy) industry, which I would like to resurrect from the drowning of industry propaganda to which we are all subjected. These 2 questions are: Why do we need more nuclear warheads?

To answer that first question, we need only to look at Who profits from them. As for really deploying them, any 1 of them, I believe the U.S. has already made its point to the world in 1945.

The second question is: Does the nuclear industry have the incentive, much less the means, of assessing the true risks and costs of nuclear?

I suggest that economics, psychology and history might provide some answer.

Psychologically speaking, we do a bad job in managing risks when they are so enormous and unpredictable. We have little empirical basis for judging rare events, so it is difficult to arrive at good estimates. After Chernobyl, and now, Japan, there has not been even the resources nor the means to collect that data accurately. And when corporations run the show, there might be few incentives to think hard at all. On the contrary, when others bear the cost of mistakes, the incentives favor self-delusion.

Experts assure us that New Technology all but eliminates the risk of catastrophe. Events prove them wrong: not only do risks exist, but their consequences are so enormous that they easily erase all the supposed benefits of nuclear technology. What insurance company is willing to be liable in case of a nuclear catastrophe? NONE. Thanks to the US 1957 Price-Anderson Nuclear Industries Indemnity Act, Bechtel (in this case) passes off liability to the public. Is the nuclear industry lobby willing to rescind that Act?? ...So, we can conclude: a system that socializes losses and privatizes gains is doomed to mismanage Risk.

Compounding this self-delusion of the industry, is the secrecy surrounding the nuclear industry, which prevents the public from gaining much information about risks arising from their operations, much less in knowing how to protect themselves in the event of a crisis. What are the so-called escape routes—for Espanola residents, much less for the Japanese? What escape route exists, when it affects the whole planet? And if university professors are hindered in their research programs to study the toxicological effects of long-term, low level exposure to radionuclide contamination, how can we adequately trace the effects back to the source?

15-1

The accident analyses in the *CMRR-NF SEIS* rely on conservative assumptions that over-estimate the potential impacts of severe events to ensure that NNSA has an understanding of the impacts of beyond-design-basis events. In response to concerns following the earthquake and subsequent tsunami that damaged the Fukushima Daiichi Nuclear Power Plant, NNSA revised the *Final CMRR-NF SEIS* to include additional information about the geologic and seismic environment at LANL, additional analysis of extreme events, and a discussion of critical differences between a nuclear power plant (like the Fukushima Daiichi Nuclear Power Plant) and a nuclear materials research laboratory. NNSA believes that the final *CMRR-NF SEIS* presents a rigorous analysis and thorough understanding of the potential environmental consequences that each of the alternatives presents.

15-2

The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10.

Chapter 3, Section 3.11.6, Emergency Preparedness, of the *CMRR-NF SEIS* addresses emergency response preparedness. Emergency response facilities and equipment, trained staff, and effective interface and integration with offsite emergency response authorities and organizations support NNSA's emergency management system at LANL. LANL personnel maintain the necessary apparatus, equipment, and a state of the art Emergency Operations Center to respond effectively to virtually any type of emergency, not only at LANL, but throughout the local community as well. Additional information on the Emergency Operations Center can be found in the 2008 *LANL SWEIS* (DOE 2008a).

Radioactive waste generated by construction and operation of the proposed CMRR-NF would be managed through the LANL waste management program, as described in Chapter 3, Section 3.12.4.1, Solid Radioactive Waste Management. Low-level and mixed low-level radioactive waste would be disposed of off site at either the Nevada National Security Site or the commercial facility in Clive, Utah. Transuranic waste would be disposed of at the Waste

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Commentor No. 15 (cont'd): Ann Hendrie

And who pays (and will pay for the next 100,000+ years!!!) for the still-unmanaged disposal of nuclear waste? After 50 years of trying, no acceptable solutions for long (and I mean LONG) term storage of nuclear waste has been found. That, even by good business standards, should be unacceptable, unless, as I said, it is paid for by the public. If the costs are hidden, who's to blame?? And we can conclude again: vested interests cause the nuclear industry to compulsively underestimate these costs and risks.

I do not think that there is any doubt left in the public mind that our political institutions are too weak to stand up to the Nuclear Lobby in terms of safety. So, who is to lobby for the environment, for the uranium miners, for the populations down-wind? Only the few Greg Mello's, Joni Arends', Jay Coglans and us, that's who.

Even though the nuclear industry has put millions into propaganda to assure us that the risks are all but non-existent, there are historical facts and geological uncertainties which unquestionably DO exist. What political institution do you consider secure after witnessing our Arab Spring? —after acknowledging who's profiting and who's paying for nuclear? Are nuclear proliferation or terrorism part of the Environmental Impact Statement?? They should be, because they, too, are part of the hidden costs of our nuclear folly.

And if the experts want to argue that we need the weapons industry to supply the fuel for nuclear energy to combat global warming, that so-called solution would be—at best—only transitional. The deployment of new nuclear energy plants cannot be done quickly enough to mitigate climate change. It takes 10 years to build one, and even then, their output would only take care of a fraction of the energy demand. Not to mention, the cost of dealing with one meltdown is sufficient to move the entire world to solar power over a 20 year period. Once the transition to solar is achieved, guess what—the fuel is free.

And, while I'm on the subject, it's worth noting that the Nuclear Industry has suppressed renewable energy development for decades. In addition, ironically, as these hidden costs of nuclear power are rising astronomically, the cost of wind and solar is falling fast.

So, in conclusion, it is logical that our nuclear industry, so embedded with the defense and energy interests of this country as they are, is deaf to all our pleas to rationality and morality, as their present existence depends on the continued funding of this insanity. But, if you, dear LANL employees, are so enamored with nuclear energy, that you cannot grasp the scale of the disaster in Japan and the ongoing threat of all our nuclear adventures to the Entire Planet, then you lose all moral credibility and any claim to rationality.

*15-2
cont'd*

Isolation Pilot Plant in New Mexico. Impacts associated with management and transport of these wastes are evaluated in the waste management and transportation sections of Chapter 4.

Commentor No. 16: Susan Noel

From: suenoel@cybermesa.com
Sent: Friday, May 27, 2011 10:00 PM
To: NEPALASO@doe.gov
Subject: plutonium pit facility eis

Gentlemen: I am a laboratory retiree. As such, I know the nonsense that did go on at the laboratory and continues to go on. I know it is much easier to continue with bomb "research" than it is to go out and do something meaningful for civilization. I know it is much easier to get money from reactionaries in government than to produce something that will bring money. When I began working at the laboratory in 1975, I worked for the solar energy division. We were on the verge in 1975 of actually solving energy problems. However, that would not suit the powers that control this country, as you well know. After Reagan was elected, the money that went for such "insignificant" projects went to star wars -- welfare for Ph.Ds. Very little came out of star wars "research." There was so much waste at the laboratory then, and I am assured by my colleagues who still work for, now, Bechtel, that the waste continues. In the case of the pit factory, there is not only waste, there is extreme danger. I have already had cancer. I have seen in Oak Ridge, TN the water pollution caused by the governmental chemical and radiological activities.

Is it your intent to destroy all forms of life in your greed? I know from experience that you "scientists" say we mere human beings just do not understand, that everything is under control. Tell that to the people who have cancer after Three Mile Island, Chernobyl, and Fukushima. Stop the insanity. I know you will not. I know those of us protesting are spitting into the wind. It might benefit you to get cancer yourselves, thus finding out what your insanity is causing.
 Susan Noel, 820 Zia lane, Espanola, NM 87532

16-1

16-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The accident analyses in the *CMRR-NF SEIS* rely on conservative assumptions that over-estimate the potential impacts of severe events to ensure that NNSA has an understanding of the impacts of beyond-design-basis events. In response to concerns following the earthquake and subsequent tsunami that damaged the Fukushima Daiichi Nuclear Power Plant, NNSA revised the *Final CMRR-NF SEIS* to include additional information about the geologic and seismic environment at LANL, additional analysis of extreme events, and a discussion of critical differences between a nuclear power plant (like the Fukushima Daiichi Nuclear Power Plant) and a nuclear materials research laboratory. NNSA believes that the final *CMRR-NF SEIS* presents a rigorous analysis and thorough understanding of the potential environmental consequences that each of the alternatives presents.

Commentor No. 17: Robert L. Maness, Colonel
Kirtland Air Force Base



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 377TH AIR BASE WING (AFMC)

MAY 25 2011

Colonel Robert L. Maness
377 ABW/CC
2000 Wyoming Blvd SE Suite E-3
Kirtland AFB NM 87117-5000

Mr. John Tegtmeier
U.S. DOE/NNSA
Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos NM 87544

RE: Draft Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project, Los Alamos, New Mexico

Dear Mr. Tegtmeier

Kirtland Air Force Base (AFB) has reviewed the Supplemental Environmental Impact Statement for the above referenced project. We currently do not see any impacts to the Kirtland AFB mission and therefore have no comment.

17-1

17-1

Comment noted.

We appreciate the opportunity to comment on this project. Should you have any question, please feel free to contact Joshua Adkins, NEPA Program Manager for Kirtland AFB, of my staff at (505) 846-7084 or Joshua.adkins@kirtland.af.mil.

Sincerely

ROBERT L. MANESS, Colonel, USAF
Commander

Commentor No. 18: Joan May, Chair
San Miguel County, Colorado Board of County Commissioners

SAN MIGUEL COUNTY
BOARD OF COMMISSIONERS

BLAINE FISCHER ART GOODTIMES JOAN MAY

VIA Electronic Mail

June 1, 2011

Mr. John Tegmeier
 CMRR-NF SEIS Document Manager
 USDOE, NNSA
 Los Alamos Site Office
 3747 West Jemez Rd.
 Los Alamos, NM 87544
 E-mail: NEPALASO@doeal.gov

Re: Draft Supplemental Environmental Impact Statement for the Nuclear Facility
 Portion of the Chemistry and Metallurgy Research Building Replacement Project at
 Los Alamos National Laboratory, Los Alamos, New Mexico (CMRR-NF SEIS)
 (DOE/EIS-0350-S1)

Dear Mr. Tegmeier:

The San Miguel County Board of Commissioners (BOCC) appreciates the opportunity to submit comments concerning the draft CMRR-NF SEIS. Given the potential impacts to those downstream from proposed facility and national importance of decision, we request that the comment period on the draft CMRR-NF SEIS be extended seventy five (75) days until on August 26, 2011.

The BOCC is requesting this extension for the following reasons:

1. The proposed scale of the CMRR-NF SEIS has grown dramatically, with the addition of a second modified construction alternative – the “Shallow Excavation Option.” Further, the Project has seriously grown in complexity in order to address seismic issues, with, for example, added related subprojects, such as the concrete batch plant and the pouring of a 250,000 yd³ foundation of a lean concrete basement to mitigate concerns about increased seismic risks. Because the CMRR-NF SEIS provides no preferred construction option at this time, research and technical review to prepare informed comments will have to be performed on multiple construction options.
2. The “extensive Upgrades to the Existing CMR Building” (CMR Alternative 2) was removed as an alternative in the draft CMRR-NF SEIS from the alternatives provided in the October 1, 2010, Notice of Intent. Those members of the public who believe this to be the best alternative will still have to do research and technical review for this important omission. It will require even more work from the public because the baseline impacts have not been provided by NNSA.

P.O. BOX 1170 • Telluride, Colorado 81435 • (970) 728-3844 • FAX (970) 728-3718
www.sanmiguelcounty.org

18-1

On April 29, 2011, NNSA published a notice in the *Federal Register* (76 FR 24018) announcing the availability of the *Draft CMRR-NF SEIS*, the duration of the comment period, the location and timing of public hearings, and the various methods for submitting comments. NNSA's implementation of public participation activities for review of the *Draft CMRR-NF SEIS* was consistent with past practices for other NEPA documents prepared for LANL. NNSA announced a 45-day comment period to provide sufficient time for interested parties to schedule their review of the *Draft CMRR-NF SEIS* around other commitments. In response to requests for additional review time, the comment period was extended by 15 days to a total review time of 60 days (76 FR 28222). NNSA believes this allows a sufficient period of time to provide comments on the *Draft CMRR-NF SEIS*. The Las Conchas wildfire affected many in the immediate vicinity of LANL. All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*. Other NNSA EIS processes were delayed to respond to concerns regarding multiple NEPA public involvement opportunities (for example, the Sandia SWEIS scoping meetings and the BSL-3 Draft EIS public review period).

18-1

Commentor No. 18 (cont'd): Joan May, Chair
San Miguel County, Colorado Board of County Commissioners

San Miguel County Comments
Page 2 of 2

3. Further, the CMRR-NF is not scheduled to be completed any earlier than FY 2022. Given all of this a 75-day extension, which we argue is the right thing to do, is inconsequential compared to the Project's increased scope and long schedule. Consequently, we think granting the extension places no significant burden on NNSA, while not granting the extension would place a significant burden on the public.

4. Public Scoping hearings are currently scheduled to be held May 24 - 26 which will provide the public with an opportunity to interact with NNSA personnel, ask questions, discuss concerns, and likely become better informed. The unfortunately the proposed comment period would end just 18 days later. We believe that is not sufficient time for the general public to research, prepare and submit informed comments on the draft CMRR-NF SEIS after having the benefit of interacting with NNSA officials.

5. A separate but additional Department of Energy (DOE) NEPA process involving the LAB is being held concurrently with the scoping comment period for the CMRR-NF SEIS. This is the draft Greater Than Class C EIS (GTCC EIS), which provides a 120-day comment period (the same we are requesting for the draft CMRR-NF SEIS) with comments due on June 27 - a mere two weeks after the CMRR-NF comments are due. This limited timeframe places an undue hardship on governments, private groups and the public who are providing DOE with informed comments about both important matters at LANL. A 75 day extension would make the comments on the draft due August 26, 2011 which is a more reasonable time after the draft GTCC EIS comments are due.

Thank you again for the opportunity to comment and for your consideration to our request for a 75 day extension.

Sincerely,

SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS


Joan May, Chair

*18-1
cont'd*

Response side of this page intentionally left blank.

**Commentor No. 19: Julie Roybal, Environmental Impact Review
Coordinator, New Mexico Environment Department**

From: Roybal, Julie, NMENV [julie.roybal1@state.nm.us]
Sent: Wednesday, June 01, 2011 5:21 PM
To: NEPALASO@DOEAL.GOV
Subject: Environmental Review Response #3451
Attachments: 3451ERResponse 5-31-11 signed.pdf

Good day Mr. Tegmeier,

Attached is the Environmental Review Response from the New Mexico Environment Department that was requested by your agency back in April.

Have a great day,

Julie~

Response side of this page intentionally left blank.

**Commentor No. 19 (cont'd): Julie Roybal, Environmental Impact Review
Coordinator, New Mexico Environment Department**



SUSANNA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT
Office of the Secretary

Harold Rummels Building
1190 Saint Francis Drive (87505)
PO Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-2855 Fax (505) 827-2836
www.nmenv.state.nm.us



DAVE MARTIN
Cabinet Secretary
RAJ NIGLOMIN, P.E.
Deputy Secretary

May 24, 2011

John Tegmeier
U.S. DOE/NNSA
Los Alamos Site Office
3747 West Jemez Road
TA-3 Bldg 1410
Los Alamos, NM 87544

RE: Draft Supplemental Environmental Impact Statement for the Nuclear Portion of the Chemistry and Metallurgy Research Building Replacement Project, Los Alamos National Laboratory (NMED File No. 3451ER)

Dear Mr. Tegmeier:

Your letter regarding the above named project was received in the New Mexico Environment Department (NMED) and was sent to various Bureaus for review and comment. Comments were provided by the Hazardous Waste Bureau, Surface Water Quality Bureau, Ground Water Quality Bureau and the Air Quality Bureau and are as follows.

Hazardous Waste Bureau

The Hazardous Waste Bureau provides the following comments.

1. Section 1.4.1, Scope and Alternatives, page 1-10:

The use of term "No Action Alternative" to indicate construction of CMRR-NF according to the 2004 Record of Decision (ROD) based on the final Environmental Impact Statement (EIS) issued in 2003 is misleading. The "No Action Alternative" suggests continued use of the existing Chemistry and Metallurgy Research (CMR) Facility at Technical Area (TA) 3, rather than the construction and use of a new building at TA-55 based on 2004 ROD.

2. Section 1.4.2, Modified CMRR-NF Alternative, page 1-11:

Under the National Nuclear Security Administration's (NNSA) Modified Alternative proposal, a new Chemistry and Metallurgy Research Building Replacement Nuclear Facility (CMRR-NF) would be constructed and operated at TA-55 adjacent to the already constructed Radiological Laboratory/Utility/Office Building (RLUOB). The Modified CMRR-NF (modified from the alternative selected in the 2004 ROD) would have certain design and construction modifications and additional support activities that address

19-1

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19-1 The No Action Alternative included in the CMRR-NF SEIS is to implement the decision made following preparation of the original CMRR EIS in 2003 (that is, to take no action that differs from the previous decision).

19-2 The *Final CMRR-NF SEIS* was revised to include more information on the evolution of the Shallow Excavation Option. In 2011, a review of the requirements for the design of the CMRR-NF identified an opportunity to reduce the amount of additional excavation and concrete fill required for the Deep Excavation Option by raising the bottom of the basemat to near the original design elevation. The overall building height would remain the same, but the top of the roof would be higher above ground than it was in the conceptual and preliminary design. At the current level of design maturity, this approach, known as the Shallow Excavation Option, appears to provide some reductions in construction impacts and cost without affecting other building design requirements. Both construction options require the same sets of safety controls and are expected to remain close in offsite environmental consequences as shown in the analyses contained in this SEIS. At this time, both construction options are being considered by NNSA. As the design studies continue and more details become available, one option or the other may be judged to have significant advantages in the time and/or cost expected for executing the excavation phase of construction that will facilitate NNSA's selection of a preferred construction option. Whichever alternative or option is selected, the CMRR-NF must meet the design standards for a Performance Category 3 (PC-3) facility. PC-3 structures, systems, and components are those for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials. Design considerations for this category are to limit facility damage as a result of design-basis natural phenomena events (for example, an earthquake) so that hazardous materials can be controlled and confined, occupants are protected, and the functioning of the facility is not interrupted (DOE 2002b). The human health and environmental impacts for both the Shallow and Deep Excavation Options have been analyzed to the same level in the *CMRR-NF SEIS*. The potential impacts of the proposed alternatives for construction and operation of the CMRR-NF are discussed in Chapter 4 and summarized in Chapter 2, Section 2.10, of the *CMRR-NF SEIS*. The Deep Excavation Option would have greater impacts from construction than the Shallow Excavation Option, but the operational impacts would be the same for either option.

***Commentor No. 19 (cont'd): Julie Roybal, Environmental Impact Review
Coordinator, New Mexico Environment Department***

seismic safety, infrastructure enhancements, nuclear safety-basis requirements, and sustainable design principles. NNSA believes that, based on new seismic information available since 2004, the alternative selected previously will not meet the standards for a Performance Category 3 structure required to conduct NNSA mission work.

Implementing the Modified CMRR-NF Alternative requires the use of additional concrete and reinforcing steel for the construction of the building's walls, floor, and roof; additional soil excavation, soil stabilization, and special foundation work also would be necessary. Also, a set of fire suppression water storage tanks would be located within the building rather than connecting with the existing fire suppression system at TA-55. The estimated building footprint will be larger than that of the 2004 CMRR-NF due to requirements for engineered safety systems and equipment for the modified CMRR-NF.

The Modified Alternative includes two construction options: the Deep Excavation Option and the Shallow Excavation Option. Under the Deep Excavation Option, NNSA would excavate the building footprint area down to a depth below the poorly welded tuff layer (that lies from 75 ft-130 ft below ground surface), then fill the excavated site partially with low-slump concrete to form a 60-ft thick engineered building site. Three of the building's four floors would be located below ground. The Shallow Excavation Option would avoid the poorly welded tuff layer by constructing the basement well above that layer in the stable geologic layer, which would allow the building to "float" over the poorly welded tuff layer. Engineered backfill would be used to partially bury the building.

The SEIS states that the preferred construction option has not been selected at this time. There is uncertainty associated with the Shallow Excavation Option and it needs additional technical review. The information provided is not adequate for NMED to comment on the proposed two construction options.

3. Section 2.6.2.1, Construction Activities Associated with the Modified CMRR-NF, page 1-22 to 1-25:

The section lists the technical areas that would be affected by the Modified Alternative analyzed in the CMRR-NF SEIS. TA-50 would be one of the areas affected by the alternative. Since 2004 ROD, additional investigations have been conducted at Material Disposal Area (MDA) C at TA-50. Several new boreholes were drilled and subsurface pore-gas data was collected at MDA C to evaluate the potential effect of subsurface fractures on vapor-phase contaminant concentrations and transport. Similarly, investigations have been conducted at other technical areas since 2004 ROD. The CMRR-NF-SEIS should utilize data collected since 2004 to evaluate potential effects of subsurface contamination and transport on the construction of the Modified CMRR-NF.

4. Section 2.10.1, Comparison of Potential Consequences of Alternatives, page 2-33 to 2-34:

The SEIS states that larger amounts of land will be affected under the modified CMRR-NF proposal than previously estimated during 2003 EIS. Additional land is needed to provide space for additional laydown and spoils area due to larger amounts of construction material needed to support construction of larger building and to store greater amount of excavated material due to larger excavation needed. The modified CMRR-NF would require up to three concrete batch plants. TAs -5, -36, -46, -51, -52, -

19-2
cont'd

19-3

As discussed in Chapter 2, Section 2.6.2.1, the activities included in TA-50 in the proposed action would involve use of the parking lot that was developed during construction of RLUOB, and the construction of a small stormwater detention pond and possible construction of an electrical substation across Pajarito Road from Material Disposal Area C. Also, there is the potential for temporary power to be run through TA-50 alongside Pajarito Road, but outside of Material Disposal Area C. None of these activities would infringe upon Material Disposal Area C and no excavation would take place that could affect the area down slope from Material Disposal Area C.

19-3

19-4

As described in Chapter 4, Section 4.3.12, acreage would be disturbed in several technical areas (in addition to TA-55) under either construction option. There are known Potential Release Sites (PRSs) located within the affected technical areas (for example, Material Disposal Area C in TA-50), and the potential for contact with contaminated soil or other media would be appropriately considered throughout the construction process. For example, PRS-48-001 is being evaluated for potential impacts resulting from actions in the TA-48/55 laydown and concrete batch plant area. Proper precautions would be taken as needed to minimize the potential disturbance of this or other PRSs. If necessary and as appropriate, contaminant removal would be provided by LANL Environmental Restoration staff in accordance with applicable requirements.

19-4

***Commentor No. 19 (cont'd): Julie Roybal, Environmental Impact Review
Coordinator, New Mexico Environment Department***

54, -63, -64, and -72 would be affected either temporarily for construction support or permanently for road realignments (TA-55), stormwater detention ponds (TA-50 and -63), and the electrical substation (TA-50).

These activities may potentially cause adverse impacts to the Solid Waste Management Units (SWMUs) and Areas of Concern (AOCs) located at these technical areas.

Surface Water Quality Bureau

The U.S. Environmental Protection Agency (USEPA) requires National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) coverage for storm water discharges from construction projects (common plans of development) that will result in the disturbance (or re-disturbance) of one or more acres, including expansions, of total land area. Because this project exceeds one acre (including staging areas, etc.), it may require appropriate NPDES permit coverage prior to beginning construction. This project includes construction and/or use of several permanent and temporary facilities including the CMRR-NF site, laydown areas/concrete batch plants, spoils areas (Deep Excavation Shallow Excavation Options), parking lot, temporary power upgrades, Pajarito Road realignment, storm water detention ponds, and TA-50 electrical substation. It also includes decontamination, decommissioning and demolition of the Chemistry and Metallurgy Research Building. These activities represent a "common plan of development" and all activities described will require permit coverage whether or not each individual component exceeds the threshold acreage limit.

Among other things, this permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared for the site and that appropriate Best Management Practices (BMPs) be installed and maintained both during and after construction to prevent, to the extent practicable, pollutants in storm water runoff from entering waters of the U.S. This permit also requires that permanent stabilization measures (revegetation, paving, etc.), and permanent storm water management measures (storm water detention/retention structures, velocity dissipation devices, etc.) be implemented post construction to minimize, in the long term, pollutants in storm water runoff from entering these waters. In addition, permittees must ensure that there is no increase in sediment yield and flow velocity from the construction site (both during and after construction) compared to pre-construction, undisturbed conditions (see Subpart 10.D.1.b).

You should also be aware that EPA requires that all "operators" (see Appendix A) obtain NPDES permit coverage for construction projects. Generally, this means that at least two parties will require permit coverage. The owner/developer of this construction project who has operational control over project specifications, the general contractor who has day-to-day operational control of those activities at the site, which are necessary to ensure compliance with the storm water pollution plan and other permit conditions, and possibly other "operators" will require appropriate NPDES permit coverage for this project. The CGP was re-issued effective June 30, 2008. The CGP, Notice of Intent (NOI), Fact Sheet, and Federal Register notice can be downloaded at: <http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>

In addition, operation of these types of facilities may require Storm Water Multi-sector General Permit (MSGP) coverage. It is unclear whether activities at this site meet the USEPA definition of "industrial activities," and thus require coverage under the MSGP. This permit also requires preparation of a SWPPP, and installation of appropriate storm water runoff control practices (per the SWPPP).

**19-4
cont'd**

19-5

19-5

NNSA intends to comply with all applicable laws and regulations. NNSA will obtain the appropriate permits as the project progresses.

***Commentor No. 19 (cont'd): Julie Roybal, Environmental Impact Review
Coordinator, New Mexico Environment Department***

An industrial SWPPP should include such things as:

- **A description of potential pollutant sources** - includes such things as a site map, an identification of the types of pollutants that are likely to be present in storm water discharges, an inventory of the types of materials handled at the site that potentially may be exposed to precipitation, a list of significant spills and leaks of toxic or hazardous pollutants, sampling data, a narrative description of the potential pollutant sources from specific activities at the facility, and identification of specific potential pollutants; and
- **A description of appropriate measures and controls** - includes the type and location of existing and proposed non-structural and structural best management practices (BMPs) selected for each of the areas where industrial materials or activities are exposed to storm water. A SWPPP must contain a narrative evaluation of the appropriateness of storm water management practices that divert, infiltrate, reuse, or otherwise manage storm water runoff so as to reduce the discharge of pollutants. Non-structural and structural BMPs to be described and implemented include such things as minimizing exposure, good housekeeping, preventive maintenance, spill prevention and response procedures, periodic inspections, employee training, record keeping, non-storm water evaluations and certifications, sediment and erosion control, as well as implementation/maintenance of traditional storm water management practices, where appropriate. A combination of preventive and treatment BMPs will yield the most effective storm water management for minimizing the offsite discharge of pollutants via storm water runoff.

The MSGP was re-issued effective September 29, 2008. The MSGP, Notice of Intent (NOI), Fact Sheet, and Federal Register notice can be downloaded at: <http://efpub.epa.gov/npdes/stormwater/msgp.cfm>

Ground Water Quality Bureau

GWQB staff reviewed the above-referenced document as requested, focusing specifically on the potential effect to ground water quality in the area of the proposed project.

LANL is proposing to construct and operate a new Chemistry and Metallurgy Research facility within Technical Area 55 (TA-55) to replace the existing Chemistry and Metallurgy Research facility located in TA-3. The new facility will consist of two buildings: a building for administrative and support functions and a building for Hazard Category 2 special nuclear material.

The existing Chemistry and Metallurgy Research facility at TA-3 sends non-radioactive wastewater to the sanitary wastewater system for treatment and radioactive wastewater to the radioactive liquid waste treatment facility for treatment. Operation of the new Chemistry and Metallurgy Research facility at TA-55 would continue the same practice of segregating non-radioactive and radioactive wastewater and sending them to the sanitary wastewater system and radioactive liquid waste treatment facility, respectively, for treatment. The GWQB regulates discharges of treated effluent from the sanitary wastewater system under Discharge Permit 857 (DP-857) and is presently drafting a renewed and modified permit for this facility. The GWQB is processing a Discharge Permit application for the radioactive liquid waste treatment facility and expects to propose a Discharge Permit for approval in the near future. The Discharge Permits for both treatment facilities will include requirements and conditions to ensure that discharges from these facilities will not result in the exceedance of ground water quality standards or the presence of toxic pollutants in ground water as defined by the Water Quality Control Commission Regulations, 20.6.2 NMAC.

**19-5
cont'd**

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***Commentor No. 19 (cont'd): Julie Roybal, Environmental Impact Review
Coordinator, New Mexico Environment Department***

Construction of the new Chemistry and Metallurgy Research facility will likely involve the use of heavy equipment, thereby leading to the possibility of contaminant releases (e.g., fuel, hydraulic fluid, etc.) associated with equipment malfunctions. The GWQB advises all parties involved in the project to be aware of discharge notification requirements contained in 20.6.2.1203 NMAC. Compliance with the notification and response requirements will ensure the protection of ground water quality in the vicinity of the project.

**19-5
cont'd**

Air Quality Bureau

The Quality Bureau has evaluated the proposal you have submitted with respect to the proposed Nuclear Facility portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory in the City of Los Alamos, Los Alamos County. Los Alamos County is currently considered to be in attainment with all New Mexico and National Ambient Air Quality Standards.

Construction activities identified in this proposal will create increases in pollutant emissions due to combustion-related construction equipment usage and the disruption of earth. It is important that all facilities and contractors utilized in the proposed project have current and proper air quality permits. For more information on air quality permitting and potential modeling requirements, please refer to 20.2.72 NMAC.

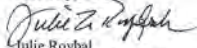
19-6 19-6

For the duration of the project, dust associated with increased vehicular use may also impact local air quality. Dust control measures should be considered to minimize the release of particulates due to vehicular traffic and ground disturbances. If activities result in significant ground disturbance, the project area should be reclaimed to avoid long-term problems with soil erosion and fugitive dust.

Activities identified in this proposal will impact air quality in the area. It is important that all county and local ordinances are followed for the duration of this project. Negative impacts associated with construction activities identified in this proposal will be minimized if regulations and guidelines identified in this document are followed.

I hope this information is helpful to you.

Sincerely,



Julie Roybal
Environmental Impact Review Coordinator
NMED File #3451 ER

All facilities and contractors utilized in the proposed project would have current and proper air quality permits, in accordance with 20.2.72 NMAC. As noted in the *CMRR-NF SEIS*, Chapter 4, Section 4.7, Mitigation, activities would follow standard procedures for minimizing construction impacts on air quality. These practices are required by Federal and state licensing and permitting requirements, as discussed in Chapter 5 of the *CMRR-NF SEIS*. As applicable, all county and local ordinances affecting air quality would be followed to minimize impacts associated with construction activity.

**Commentor No. 20: Stephen R. Spencer, PhD, Regional Environmental
Officer, U.S. Department of the Interior**

From: Spencer, Stephen [Stephen_Spencer@ios.doi.gov]
Sent: Thursday, June 02, 2011 3:40 PM
To: NEPALASO@doeal.gov
Subject: Department of the Interior Comments - Draft Supplemental EIS for
the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building
Replacement Project at LANL
Attachments: ER11-394.pdf

Please find attached a comment letter from the U.S. Department of the Interior
on the Supplemental DEIS for the subject project. I would appreciate an
acknowledgement by return e-mail that this letter has been received.

Thanks.

Stephen R. Spencer, PhD
Regional Environmental Officer
Office of Environmental Policy and Compliance
U.S. Department of the Interior
1001 Indian School Road NW, Suite 348
Albuquerque, NM 87104
Phone: (505) 563-3572 Fax: (505) 563-3066 Cell: (505) 249-2462
Stephen_Spencer@ios.doi.gov
Web Site: www.doi.gov/oepc/albuquerque.html

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Commentor No. 20 (cont'd): Stephen R. Spencer, PhD, Regional Environmental Officer, U.S. Department of the Interior



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
1001 Indian School NW, Suite 348
Albuquerque, New Mexico 87104



ER 11/394
File 9043.1

June 1, 2011

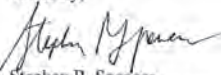
John Tegtmeier
EIS Document Manager
Los Alamos Site Office
National Nuclear Security Administration
U.S. Department of Energy
3747 West Jemez Road
Los Alamos, NM 87544

Subject: Draft Supplemental Environmental Impact Statement (DSEIS), Nuclear Facility of the Chemistry and Metallurgy Research Replacement Project (Draft CMRR-NF SEIS) (DOE/EIS-0350-S1) to address New Geologic Information regarding Seismic Conditions at the Site, Los Alamos National Laboratory, Los Alamos, New Mexico

Dear Mr. Tegtmeier:

The U.S. Department of the Interior has reviewed the subject DSEIS. In this regard, we have no comment.

Thank you for the opportunity to review this document.

Sincerely,

Stephen R. Spencer
Regional Environmental Officer

|| 20-1

20-1

Comment noted.

Commentor No. 21: Dr. Christopher Chancellor

I would like to offer my full support to the construction of the CMRR. In terms of responsibility to the environment, stockpile stewardship, employee safety, and advancing actinide research this facility is necessary. Contrary to the goals of the anti's, if it is not built here it will be built elsewhere. Hurdles that prevent construction of this facility will be to the detriment of Los Alamos National Laboratory and the communities that support it. Please consider this an investment in the next fifty years in the excellence produced by Los Alamos National Laboratory.

Dr. Christopher Chancellor
5402 S. Thomason Rd.
Carlsbad, NM 88220
chancellor-1@hotmail.com

21-1

21-1

NNSA notes the commentor's support of the construction and operation of a new CMRR Facility at LANL. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the proposed CMRR-NF would support this effort.

Commentor No. 22: Bob Walsh

From: Bob Walsh [walshb@cybermesa.com]
Sent: Thursday, June 02, 2011 11:43 PM
To: nepalaso@doeal.gov
Cc: jarends@nuclearactive.org; jay@nukewatch.org
Subject: Comment on Draft SEIS

June 2, 2011

Mr. John Tegtmeier
U.S. DOE/NNSA
Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico, 87544
by email to: nepalaso@doeal.gov

I respectfully submit this comment on the *Draft Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico*, DOE/EIS-0350-S1, April 2011. I would appreciate its serious consideration by the National Nuclear Security Administration (NNSA) and look forward to the agency's comprehensive response.

About 20 years ago, I was the lead on the safety analysis for a proposed plutonium storage arrangement at Pantex. We found that aircraft accidents from overflights were a significant contributor to risk, with possibly horrendous consequences. Last November, I commented on the scope of the Supplemental EIS, pointing out that the EIS should consider both accidents and intentional acts.

The Draft SEIS includes the following response to that and similar comments:

"The accident analyses ... present the impacts of a range of possible accidents. ... A classified appendix was prepared to address the impact of intentional destructive acts, which include terrorism. Substantive details are not released to the public because disclosure of this information could be exploited by terrorists to plan attacks."

In the appendix that evaluates accident impacts, Section C.3 states that the selection and evaluation of accidents was based on the Nonreactor SAR Preparation Guide. In that guide, Section 3.4 states, "External events ... will be ... analyzed ... if frequency of occurrence is estimated to exceed 10-6/yr conservatively calculated, or 10-7/yr realistically calculated.... The analysis that substantiates frequency need only be referenced."

22-1

22-1

In response to similar comments, the text in the *Final CMRR-NF SEIS*, Appendix C, Section C.3.2, has been revised to more clearly reflect the consideration of an airplane crash into the CMRR-NF. The largest aircraft that is considered to have a conservative probability greater than 1 in 1 million per year of accidentally crashing into the CMRR-NF is a general aviation aircraft. References were added to support this conclusion, including the *DOE Standard: Accident Analysis for Aircraft Crash into Hazardous Facilities* (DOE 2006) and a site-specific technical evaluation of the potential for aircraft crashes (LANL 2011a).

Commentor No. 22 (cont'd): Bob Walsh

In the Draft SEIS, Chapter C.3.2 states, "The probability of an airplane crash during overflight is less than 10-6." There are two deficiencies in the paragraph,

1. We assume that this was intended to be 10-6/yr.
2. No analysis is referenced to support this statement.

Having discovered these two oversights upon examination of only one section suggests that this document has not been subjected to rigorous independent review. The general public is neither technically qualified nor adequately funded to perform a comprehensive review.

I now provide the following four comments on the Draft Supplemental EIS:

1. **Please provide a reference to an analysis that substantiates that the probability of an airplane crash during overflight does not exceed 10-6/yr conservatively calculated.**
2. **Please provide a rigorous independent review of this document by an independent professional organization in order to increase public confidence in the conclusions.**
3. **Please provide an unclassified overview of the classified appendix, omitting details, but including at least answers to the following questions:**
 - a. **Does the appendix include consideration of attacks using aircraft?**
 - b. **In determining risks from terrorist attacks, does the appendix assume continued funding for government agencies other than NNSA, such as the Transportation Security Administration?**
 - c. **Does the appendix estimate the consequences of a successful terrorist attack? If so, have these potential consequences been brought to the attention of the President and Congress for consideration in decisions on nuclear weapons policy?**
4. **Please provide a rigorous independent review of the classified appendix by an independent professional organization with appropriate clearances and include in the SEIS an unclassified summary of that assessment. Please include the identity of the organization and the amount budgeted for the review as an assurance that the review is independent and thorough.**

Thank you for your consideration,

Bob Walsh
1553 Camino Amado
Santa Fe, NM 87505

22-1
cont'd

22-2

22-2

NNSA and DOE engage their own technically qualified staff and subject matter experts to prepare the SEIS along with qualified contractors. The analyses include the evaluation of accidents and intentional destructive act impact analyses. NNSA does not intend to pursue an independent external review of the analysis in the *CMRR-NF SEIS*.

22-3

22-3

As indicated in Chapter 4, Section 4.2.10.3 of the *CMRR-NF SEIS*, substantive details of terrorist attack scenarios, security countermeasures, and potential impacts are not released to the public because disclosure of this information could be exploited by terrorists to plan attacks. NNSA considered a range of possible terrorist or intentional destructive acts and performed a detailed analysis of selected scenarios. Selected scenarios provide a reasonable range of events, including those with the largest expected impacts.

22-2
cont'd

NNSA has an extensive program related to preventing terrorist threats. This includes ongoing evaluations of facilities and security forces to prevent successful attacks. In evaluating intentional destructive acts, the probability of a given scenario occurring is not a factor in the analysis. Therefore, the programs and funding of other entities, such as the Transportation Security Administration is not a relevant factor. The intentional destructive acts appendix presents consequences projected to occur in the event of a successful attack. The results of these analyses will be reviewed and considered by NNSA in making its decision on the CMRR-NF and are shared, as appropriate, with senior Administration officials and Congress.

Commentor No. 23: Beth Enson

From: beth enson [wildmushroomsoup@gmail.com]
Sent: Friday, June 03, 2011 5:28 PM
To: NEPALASO@doeal.gov
Subject: comments on new nuclear bomb factory at LANL

To whom it may concern,

I am horrified and enraged that our nation is engaged in the production of yet another generation of nuclear bombs, and here in our own backyard no less. There is NO TIME LEFT for this prodigious waste of resources when our planet, our society, and our economy are facing imminent, interrelated crises. The funneling of so much wealth into the hands of military contractors has devastated our civil society and is rapidly creating a rigid tiered-class system that outstrips anything ever seen anywhere on earth. I grieve and tremble for our nation and the future of my beloved daughter, Under no circumstances will I sit by and allow this crime against humanity to be committed in my name.

--
Beth Enson
PO Box 503
Arroyo Seco, NM 87514

23-1

23-1

NNSA notes the commentor's opposition to the production of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 24: Melody Sayre

From: Melody Sayre [melsay55@taosnet.com]
Sent: Friday, June 03, 2011 7:40 PM
To: NEPALASO@doeal.gov
Subject: e.i.s. statement

Considering the amount of time that has elapsed and the increase in cost since the inception of this project ,I believe strongly that a new e.i.s. statement be conducted. Sincerely , Melody Sayre

24-1

24-1

NNSA notes the commentor’s support for the preparation of a new environmental impact statement for the CMRR-NF project. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information regarding the decision to prepare a supplement.

Commentor No. 25: Jeff Northrup

From: Jeff Northrup [jeffn@taosnet.com]
Sent: Friday, June 03, 2011 9:06 PM
To: NEPALASO@doeal.gov
Subject: insanity

Anyone who insists on this road of destruction is crazy. It must stop.
Jeff Northrup Taos xxx-xxx-xxxx

|| 25-1

25-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL.

Commentor No. 26: Liz Schwartz

From: Liz Schwartz [lizschwartz@gmail.com]
Sent: Saturday, June 04, 2011 8:59 AM
To: NEPALASO@doeal.gov
Subject: nuclear bomb factory

DO YOU THINK THAT YOU AND YOUR FRIENDS AND FAMILY ARE IMMUNE
FROM THE CONSEQUENCES OF THIS INSANITY?

|| 26-1

26-1

Comment noted.

Commentor No. 27: Margarita Denevan

From: Margarita Denevan [micuaro@taosnet.com]
Sent: Saturday, June 04, 2011 4:14 PM
To: NEPALASO@doeal.gov
Subject: CMRR-NF SEIS

President Obama called for “a world free of nuclear weapons”. Why then does the United States need to build a new CMRR-NF any where let alone spend over 5 billion dollars of tax payers’ money to build such a complex on a recognized and acknowledged seismic fault ?

The Non-Proliferation Treaty forbids the building of new nuclear weapons. To say that plutonium pit production is “maintenance” of existing weapons is so obviously disingenuous since it is a known fact that each pit has a life of 100 years and that there are at least 14,000 pits available now. And why do we need to “maintain” nuclear weapons in “a world free of nuclear weapons” in the first place?

On the subject of “national security” the argument that we need to “maintain existing weapons” as a deterrent to possible attack is again, disingenuous. On 9/11 the entire world was aware that the US had the largest nuclear arsenal and yet we were attacked.

And again considering national security, how secure are we when the plan is to store tons of plutonium over a seismic fault? The plan to fill the fault (by the way, which one, there are five? in that area) with tons of concrete certainly threatens our safety since the production of that concrete will also produce green-houses gases which then pollute the very air we breath

A major concern for our country today is JOBS. That 5-6 billion tax dollars can be better spent on renewable energy research. New Mexicans would still be employed at a Los Alamos Renewable Energy Research Laboratory (ALRERL). In fact, opportunities for employment would be greater if Los Alamos became a Renewable Energy Lab due to the spin-off industries. The nuclear weapons production industry is very limited. Actually, the only ones to benefit from continued nuclear industry are corporations, such as Bechtel. They produce something we can never use. Who doesn’t understand that in a nuclear war there can be no winners, every one loses, even those who do not use the weapons. To continue paying Bechtel and their ilk to produce something that actually can harm, even destroy, us is a waste of money . . . it is called corporate welfare.

Respectfully submitted by Margarita Denevan, Arroyo Hondo, NM

June 4, 2011

27-1

27-2

27-3

27-4

27-5

27-1

A key purpose of the continued operation of LANL is to support NNSA’s core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

27-2

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

27-3

Refer to the response to Comment 27-1 and see Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

27-4

The emplacement of concrete referred to by the commentor is not for filling a fault. Its purpose is to replace a poorly welded tuff layer under the Deep Excavation Option (see Chapter 2, Section 2.6.2 of the *CMRR-NF SEIS*).

There would be a minimal and temporary increase in greenhouse gases from the construction of the Modified CMRR-NF. The greenhouse gases emitted by operations under the Modified CMRR-NF Alternative would add a relatively small increment to emissions of these gases in the United States and the world. The impacts on greenhouse gas emissions due to construction and operation CMRR-NF are analyzed in Chapter 4, Sections 4.2.4.2, 4.3.4.2, and 4.4.4.2, of the SEIS.

27-5 Funding decisions regarding major Federal programs (for example, energy and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 27 (cont'd): Margarita Denevan

Commentor No. 28: Gene Schmidt, Superintendent,
Los Alamos Public Schools

Los Alamos Public Schools

P.O. Box 90 or 2075 Trinity Dr., Los Alamos, New Mexico 87544
Main Line: (505) 663-2222 | Information Line (505) 663-2223 | Fax Line: (505) 663-3247

June 6, 2011

Mr. John Tegtmeier, CMMR SEIS Document Manger
U. S. Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Road, TA-3, Building 1410
Los Alamos, New Mexico 87544

Mr. Tegtmeier:

As superintendent of Los Alamos Public Schools, our school system stands ready to provide a high quality education for children of future CMMR employees. In stating this, it is important to note that Los Alamos Public Schools also looks to develop an educational partnership with CMMR, which could lead to solutions of real world problems in a school setting. Since its inception, LANL has been on the forefront of many important discoveries. There is every reason to expect that this incredible legacy of discovery will increase at an even faster velocity when construction of the facilities is completed and the operational function of CMMR is underway.

When this occurs, Los Alamos Public Schools seeks to tap into CMMR's brain trust via guest lectures, potential student apprenticeships, and, if possible, student internships. In addition, opportunities for science/mathematics teachers to meet and discuss potential classroom applications through lessons learned with CMMR staff offers the type of real world problem solving that energizes and brings relevance to our students' studies. For example, I foresee an opportunity for instructional staff to serve alongside CMMR staff in a summer exchange. Similarly, the use of CMMR staff as guest lecturers for school classroom is very enticing to our future.

I look forward to working closely with CMMR to ensure that our school system provides the type of high quality of education which makes it possible for Los Alamos National Laboratory to recruit and retain the highest quality staff in the nation and world. Also in closing, there is no doubt in my mind that students/staff throughout northern New Mexico stand to gain from the instructional opportunities as well. For example, school systems throughout our region will benefit from the high caliber of scientist, physicists and mathematicians that will be employed at CMMR.

In closing, I would like to thank you for this investment in our future.

Gene Schmidt
Superintendent

28-1

28-1

NNSA notes the commentor's support for construction of the CMRR-NF and the commentor's interest in developing an educational partnership with the CMRR-NF project. NNSA is dedicated to science education in northern New Mexico. There is an active program for education outreach at LANL; activities are coordinated through LANL's Community Programs Office.

28-2

NNSA's decision will be announced in a ROD that will appear in the *Federal Register*. In accordance with NEPA regulations, the ROD cannot be issued any earlier than 30 days after publication of the *Final CMRR-NF SEIS*.

28-2

Commentor No. 29: Robert Velasco

Tuesday, June 07, 2011 6:15 PM
Robert Velasco

I strongly believe the CMRR project is vital to our nation's interest. It is critical that we as a nation embrace the reality that nuclear weapons exist in the world and that the US stockpile provides a viable and positive deterrent to their continued proliferation. The only way that our nation can lead the march towards a nuclear-free world is to have a viable and fail-safe deterrent of our own. This is ONLY possible with investment into new nuclear facilities and infrastructure. If not in Los Alamos, then where?

29-1

29-1

NNSA notes the commentor's support of the construction and operation of a new CMRR Facility at LANL. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the proposed CMRR-NF would support this effort.

Commentor No. 30: Billy M. “Mike” Brazile

Wednesday, June 08, 2011 10:33 AM
Billy M. “Mike” Brazile

Nuclear weapons and nuclear materials are dangerous. We all know that. Since we can’t “put the Genie back in the bottle” and nuclear weapons and nuclear materials ARE here it seems that common sense would dictate that we have 21st century facilities, systems, and processes to protect these weapons and materials to ensure the weapons work as part of the United States’ overall system of deterrence against current and future enemies maintain our capabilities to produce these weapons and components and maybe even make them safer and smaller and reduce the number we need for deterrence and that we stay in control of these weapons and materials so they are never able to be used against us or anyone else. Or we can use outdated, 20th century facilities (some in shocking states of disrepair) outdated systems and processes and “hope for the best?” I put my faith in the new CMRR facility, new systems, and new processes so we do maintain control of our nuclear weapons and materials. Maintain our nuclear deterrence posture using 21st century facilities, systems, and processes , and continue the “Pax Americana” that we and the rest of the world enjoys and prospers from. While not perfect, we haven’t had a world war in over 60 years.

30-1

30-1

NNSA notes the commentor’s support for the proposed CMRR-NF project. NNSA believes that the 60-year-old CMR Building needs to be replaced in order to address safety, reliability, consolidation, and safeguards and security issues related to performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production). Due largely to seismic and safety concerns, the existing CMR Building operates at a reduced level that does not fully support the NNSA plutonium mission. The proposed Modified CMRR-NF would provide the capability to fully meet the mission need in a modern structure that meets all seismic safety and security standards.

Commentor No. 31: Shelley Waxman

From: swax5s@aol.com
Sent: Wednesday, June 08, 2011 1:09 PM
To: nepalaso@doeal.gov
Subject: CMRR Building, Los Alamos, NM

Mr. John Tegtmeir
 U.S. DOE/NNSA

I am a permanent resident of New Mexico and I oppose locating the CMRR Building in Los Alamos. It is 2/3 mile from a geologic fault line and could cause a disaster as well as contaminate the water table.

Shelley Waxman
 1613 Villa Strada
 Santa Fe, NM 87506

31-1

31-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

**Commentor No. 32: Eddie Archuleta, Business Manager,
LIUNA Local 16**

From: eddie_a@comcast.net
Sent: Wednesday, June 08, 2011 2:28 PM
To: NEPALASO@doeal.gov
Subject: CMRR PROJECT
Attachments: CMRR Letter June 8.docx

AS LABORERS UNION LEADER IN FAVOR A THIS PROJECT, I'M FORWARD
THIS LETTER IN APPROVAL

EDDIE ARCHULETA
BUSINESS MANAGER
LIUNA LOCAL UNION 16
ALBUQUERQUE, NEW MEXICO
(505) 265-7933

32-1

32-1

NNSA notes the commentor's support of the construction and operation of a new CMRR Facility at LANL.

The socioeconomic sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico. See Section 2.7, Economic Impacts, of this CRD for more information.

**Commentor No. 32 (cont'd): Eddie Archuleta, Business Manager,
LIUNA Local Union 16**

1030 San Pedro Dr. NE
Albuquerque, NM 87110

June 8, 2011

TO WHOM IT MAT CONCERN:

I am writing this letter in regards to the CMRR project in Los Alamos. Local #16 is fully in favor of this project and I have been asked to give testimony as to why I feel undertaking the project would be beneficial. After much thought, consideration and discussion with my staff, I feel confident in moving the project forward, keeping the following points in mind:

- With the addition of this project, we would nearly double the workforce being utilized in that area. As of now, Northern New Mexico has a very large out-of-work-list, but it is filled with highly skilled workers.
- The project would provide long-term, family-sustaining jobs in Northern New Mexico. The project is expected to last 12 years. This would give our Laborers an excellent outlook for both the near and more distant future.
- Local #16 currently has a training curriculum in place that would provide these workers with the necessary construction-focused training they would need for success on the project. In the past, the positions in that area have primarily been maintenance-based. This would mean more members with more varied skills.

With the above reasons, we hope that you are able to feel comfortable in approving this project, and, in doing so, providing hope and sustainability to a great number of our members.

Fraternally yours,

Eddie Archuleta
Business Manager/Secretary-Treasurer

**32-1
cont'd**

Response side of this page intentionally left blank.

**Commentor No. 33: Rocco Davis, Special Assistant to the General
President, LIUNA Local 16**



TERENCE M. O'SULLIVAN
General President

ARMAND E. SABITONI
General Secretary-Treasurer

Vice Presidents:

VERE O. HAYNES

MIKE QUEVEDO, JR.

TERRENCE M. HEALY

RAYMOND M. POCINO

JOSEPH S. MANCINELLI

ROCCO DAVIS
Special Assistant to the
General President

VINCENT R. MASINO

DENNIS L. MARTIRE

MANO FREY

ROBERT E. RICHARDSON

RALPH E. COLE

JOHN F. PENN

OSCAR DE LA TORRE

JOHN F. HEGARTY

MICHAEL S. BEARSE
General Counsel

HEADQUARTERS:
905 16th Street, NW
Washington, DC
20006-1765
202-737-8320
Fax: 202-737-2754
www.liuna.org

LIUNA!

PACIFIC SOUTHWEST REGIONAL OFFICE
11135 Trade Center Drive • Suite 100
Rancho Cordova, CA 95670
Phone: (916) 446-3622 • Fax: (916) 446-6655

June 8, 2011

Mr. John Tegtmeler
CMRR-NF Seis Document Manager
3747 West Jemez Road, TA-3, Building 1410
Los Alamos, New Mexico 87544

Dear Mr. Tegtmeler:

I am writing this letter in regards to the CMRR project in Los Alamos. The Laborers International Union of North America and Laborers Local 16 are fully in favor of this project and I have been asked to give testimony as to why I feel undertaking the project would be beneficial. After much thought, consideration and discussion we urge you to move the project forward.

- The CMRR project would nearly double the workforce being utilized in the area. As of now, Northern New Mexico has a high unemployment rate and Local 16 has a list filled with highly skilled workers ready to go to work.
- The project would provide long-term, family-sustaining jobs in Northern New Mexico. The project is expected to last 12 years. This would give our Laborers excellent employment opportunities for both the near and more distant future.
- Laborers Local 16 currently has training curriculum in place that would provide all Laborers with the necessary construction-focused training they would need for success on the project. In the past, the jobs in this area have primarily been maintenance-based. This project would mean more members having a wider variety of skills based on the available training once they complete the classes.

With the above reasons, we hope that you are able to feel comfortable in approving this project, and, in doing so, providing hope and sustainability to a great number of our members and their families.

Fraternally yours,

Rocco Davis
LIUNA Special Assistant to the General President, Vice President at Large
and Pacific Southwest Regional Manager

Feel the Power

33-1

33-1

NNSA notes the commentor's support of the construction and operation of a new CMRR Facility at LANL.

The socioeconomic sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF would require a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico, as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

Commentor No. 34: Kevin C. Krank

Friday, June 10, 2011 9:36 AM
Kevin C. Krank

The CMRR project is necessary for our national security. It is good for the national economy, for New Mexico, and Los Alamos.

|| 34-1

34-1

NNSA notes the commentor's support of the construction and operation of a new CMRR Facility at LANL.

Commentor No. 35: Laura Watchempino
Multicultural Alliance for a Safe Environment

A new Environmental Impact Statement (EIS) is needed. The Supplemental EIS cannot adequately assess the impacts of a completely redesigned Chemical and Metallurgical Research Replacement (CMRR) Nuclear Facility building for plutonium processing at Los Alamos National Lab (LANL). An updated seismic hazards analysis and final building design should be completed and analyzed in a new EIS.

35-1

A new EIS should analyze the costs of a new CMRR Complex in a geologically unstable area as well as the need for new nuclear weapons in the face of terrorist threats and climate change. The United States should not violate its obligations under non-proliferation treaties which are the law of the land under our Constitution.

35-2

The issue of nuclear hazardous waste disposal has yet to be dealt with by President Obama's Blue Ribbon Commission on America's Nuclear Future. The Commission's recommendations are also likely to result in the need for a new EIS.

35-3

New alternatives which consider the need for cleanup of LANL's legacy waste sites and LANL's compliance with its 2005 Consent Order with the New Mexico Environment Department should be evaluated.

35-4

Downstream and downwind communities will continue to suffer disproportionate environmental and health risks from LANL's dangerous activities. All communities which rely on the Rio Grande to supply their domestic water needs will be at risk, especially the northern Pueblo and Hispanic communities adjacent to LANL. Principles of environmental justice require an evaluation of the cumulative impacts of this project and LANL's past activities on these communities and their water supplies.

35-5

Ms. Laura Watchempino
Multicultural Alliance for a Safe Environment
P.O. Box 407
Pueblo of Acoma, NM 87034
5000wave@gmail.com

35-1

NNSA notes the commentor's position that a new environmental impact statement is needed, rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 35 (cont'd): Laura Watchempino
Multicultural Alliance for a Safe Environment

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA acknowledges that there is substantial opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

- 35-2** Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.
- 35-3** The Blue Ribbon Commission is addressing the disposition of high-level radioactive waste; this waste type is not associated with operations at the proposed CMRR-NF. Radioactive wastes to be generated at the CMRR-NF include low-level radioactive waste, mixed low-level radioactive waste, and transuranic waste. There are treatment and disposal facilities available for these waste types. See Chapter 3, Section 3.12.4, for more information regarding LANL operations associated with these waste types.
- 35-4** Activities related to environmental cleanup are not within the scope of the *CMRR-NF SEIS*. However, NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.
- 35-5** Chapter 3, Section 3.10, of the *CMRR-NF SEIS* has been updated to include additional information on the minority and low-income populations surrounding LANL. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority or low-income populations, including Native Americans and Hispanics, under any of the alternatives. As summarized in Chapter 2, Table 2-3, there would be no impacts on surface-water or groundwater resources during operations, with any small impacts due to construction activities being minimized through the use of standard erosion and sediment control measures and spill prevention practices.

Commentor No. 36: Scott Kovac, Operations and Research Director
Nuclear Watch New Mexico

From: Scott Kovac [scott@nukewatch.org]
Sent: Tuesday, May 17, 2011 4:12 PM
To: Scott Kovac; Snyder, Roger; NEPALASO@doeal.gov
Cc: Don Hancock; Joni Arends; Susan Gordon; Jay Coghlan; matthew_padilla@tomudall.senate.gov; jennifer.manzanares@mail.house.gov; jennifer.catechis@mail.house.gov; pablo_sedilla@bingaman.senate.gov; marigayl@netzero.com; Jeanne Green
Subject: 60 Signatures for a CMRR-NF hearing in Taos
Attachments: Taos CMRRNF Signatures 3.jpeg; Taos CMRRNF Signatures 4.jpeg; Taos CMRRNF Signatures 2.jpeg; Taos CMRRNF Signatures 1.jpeg

Mr. John Tegtmeier
CMRR-NF SEIS Document Manger
Roger Snyder
Deputy Manager Los Alamos Site Office
Gentlemen,

Thank you for your call yesterday with the "heads-up" concerning your facilitation meeting for Taos suggestion. While we await those details and subsequent responses from the residents of the Taos area, I am sending you the signatures from this weekend and reiterating our previous requests.

Please find attached more than 60 signatures from Taos area residents requesting a hearing in Taos for the Chemistry & Metallurgy Research Facility Replacement (CMRR) Nuclear Facility Project Supplemental Environmental Impact Statement (SEIS).

The request for a hearing by the Mayor of Taos and so many signatures clearly shows the large interest in the CMRR-NF project in the Taos area.

It is unacceptable to not have a hearing when there is such interest or to require that people travel 50 miles or more to a hearing in another location.

Please schedule the hearing promptly and provide public notice as soon as possible, including a Federal Register notice at least 15 days in advance of the dates of the hearings.

In addition to the additional hearing in Taos we remind you of our request for a hearing in DC. Our colleagues there believe that a hearing there would have a good turnout.

We appreciate your efforts this week to complete making the reference documents available, which will aid in making comments, but the comment period is too short.

36-1

After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and no previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with a hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. DOE determined that holding a public hearing in Washington, D.C., was not appropriate for the *CMRR-NF SEIS* because construction of the CMRR-NF is specific to LANL missions. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

As discussed in Section 2.2, NEPA Process, of this CRD, in response to requests for additional review time, the comment period was extended by 15 days to a total review time of 60 days. All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*. In addition, other NNSA EIS processes were delayed to respond to concerns regarding multiple NEPA public involvement opportunities (for example, the Sandia SWEIS scoping meetings and the BSL-3 Draft EIS public review period). NNSA determined this allows a sufficient period of time to provide comments on the *Draft CMRR-NF SEIS*.

36-1

**Commentor No. 36 (cont'd): Scott Kovac, Operations and Research
Director, Nuclear Watch New Mexico**

We are still requesting a 60 day extension. It seems to me that the BSL-3 EIS could be delayed to make room to extend the CMRR-NF comment period until the end of July.

|| 36-1
cont'd

Thank you,

Scott

cc: Matthew Padilla, Senator Tom Udall, Jennifer Manzanaras, Representative Ben R. Lujan Jennifer Catechis, Representative Ben R. Lujan Pablo Sedilla, Senator Jeff Bingaman

Scott Kovac
Operations and Research Director
Nuclear Watch New Mexico
551 W. Cordova Road #808
Santa Fe, NM, 87505
505.989.7342 office & fax
www.nukewatch.org

Response side of this page intentionally left blank.

Commentor No. 36 (cont'd): Scott Kovac, Operations and Research
Director, Nuclear Watch New Mexico

To Senator Jeff Bingaman, Senator Tom Udall, and Representative Ben Ray Lujan:

We, the undersigned, agree with Taos Mayor Darren Cordova on the need for a hearing on the CMRR-NF SEIS in Taos, New Mexico. Taos is a substantial downwind community of Los Alamos National Laboratory (LANL). Thus LANL decisions affect Taos County residents. We request that you demand that the NNSA schedule a CMRR-NF SEIS public hearing in Taos.

Name	Signature	Address
Linda Gaza	<i>Linda Gaza</i>	PO Box 1857, El Prado, NM 87529
Jennie Parlek	<i>Jennie Parlek</i>	750 Gusdorf Rd #202, Taos, NM 87551
Amy Montiek	<i>Amy Montiek</i>	PO Box 171, Tucson, AZ 85702
Joe Cyroni	<i>Joe Cyroni</i>	PO Box 811, El Prado, NM 87529
W. Thich	<i>W. Thich</i>	P.O. Box 599, El Prado, NM 87529
Margaret W. Hahn	<i>Margaret W. Hahn</i>	PO Box 402, Ranchos, NM 87557
Julie Cloutman	<i>Julie Cloutman</i>	P.O. Box 181, El Prado, NM 87529
Nomi Hava	<i>Nomi Hava</i>	PO Box 165, Taos, NM 87571
Amy Atkins	<i>Amy Atkins</i>	1017 A Dewey, Taos, NM 87571
Margarita Dezeran	<i>Margarita Dezeran</i>	P.O. Box 445, Arroyo Hondo, NM 87513
Pamela Yuen	<i>Pamela Yuen</i>	P.O. Box 168, Arroyo Seco, NM 87514
Lynn Yuen	<i>Lynn Yuen</i>	PO Box 168, Arroyo Seco, NM 87514
Christie Arvill	<i>Christie Arvill</i>	PO Box 394, Arroyo Hondo, NM 87513
Dorothy Jensen	<i>Dorothy Jensen</i>	PO Box 765, Gusta, NM 87536
Calvin Hubert	<i>Calvin Hubert</i>	PO Box 507, Arroyo Hondo, NM 87513
Susan McConthy	<i>Susan McConthy</i>	P.O. Box 1846, Ranchos de Taos, NM 87557
MONTE DEEREN	<i>MONTE DEEREN</i>	PO Box 1027, Questa, NM 87551
MARYANN Soloway	<i>Maryann Soloway</i>	P.O. Box 474, Arroyo Seco, NM 87514
Nancy Johnson	<i>Nancy Johnson</i>	PO Box 226, Espinoza Rd., Ranchos de Taos, NM 87557
MICAH ROSEBERRY	<i>Micah Roseberry</i>	PO Box 3137, Taos, NM 87571
Marilyn Hoff	<i>Marilyn Hoff</i>	PO Box 215, El Prado, NM 87529

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Commentor No. 36 (cont'd): Scott Kovac, Operations and Research
Director, Nuclear Watch New Mexico

To Senator Jeff Bingaman, Senator Tom Udall, and Representative Ben Ray Lujan:

We, the undersigned, agree with Taos Mayor Darren Cordova on the need for a hearing on the CMRR-NF SEIS in Taos, New Mexico. Taos is a substantial downwind community of Los Alamos National Laboratory (LANL). Thus LANL decisions affect Taos County residents. We request that you demand that the NNSA schedule a CMRR-NF SEIS public hearing in Taos.

Name	Signature	Address
Stephan Shearer	[Signature]	1200 Camino de la Cruz - El Taos, N.Mex
Carol-la Sonam Dorje	[Signature]	P.O. Box 3173 Rancho de Taos N.M
Chris Chang	[Signature]	P.O. Box 1357 Rancho de Taos N.M
John Acker	[Signature]	PO Box 3437 Taos NM 87571
SUSAN Moore	[Signature]	1452 Blanca Vista Ln El Prado
Roni Blevins	[Signature]	PO Box 1108 El Prado NM 87529
Alicia Norling	[Signature]	PO BOX 656 Arroyo Hondo 87513
Paule Marx	[Signature]	POB 2932 TAOS NM 87571
Liorah Fair	[Signature]	POB 156 El Prado NM 87529
CYNTHIA PATTERSON	[Signature]	P.O. B. 15 - Jara NM 87571
HANK SAGE	[Signature]	P.O. Box 15 Taos NM 87571
Helen South	[Signature]	110 La Loma St. Jara 87571
Bob South	[Signature]	" " " "
Kate Keely	[Signature]	719 Laramie Rd. Taos 87571
Whitney Nieman	[Signature]	P.O. Box 357, El Prado 87549
Tony Deeds	[Signature]	P.O. Box 472, Taos, NM 87571
Gray T. Kane	[Signature]	P.O. Box 1017 El Prado, NM 87579
Juan Ricardo	[Signature]	POB 310 Arroyo Seco 87514
Clifford Bain	[Signature]	P.O. Box 297 Arroyo Hondo, NM 87513
Carrie Leven	[Signature]	PO Box 1027 Questa, NM 87556
Jeanne Green	[Signature]	11 Las Piedras El Prado NM 87529

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Commentor No. 36 (cont'd): Scott Kovac, Operations and Research
Director, Nuclear Watch New Mexico

To Senator Jeff Bingaman, Senator Tom Udall, and Representative Ben Ray Lujan:

We, the undersigned, agree with Taos Mayor Darren Cordova on the need for a hearing on the CMRR-NF SEIS in Taos, New Mexico. Taos is a substantial downwind community of Los Alamos National Laboratory (LANL). Thus LANL decisions affect Taos County residents. We request that you demand that the NNSA schedule a CMRR-NF SEIS public hearing in Taos.

Name	Signature	Address
Josie Lenard	Josie Lenard	3006 Catfanta Rd, Taos, NM 875
Bonnie Bernady	Bonnie Bernady	Bx 351 El Prado 87529
Julie R Sutherland	Julie R Sutherland	HC 81 B9 Lamo, Taos 87529
Nanette S Lamy	Nanette S Lamy	562 Honda Seco Rd Arroyo Seco NM 8751
Steven Travers	Steven Travers	1562 Honda Seco Rd Arroyo Seco NM 87515
DIRK SULLIVAN	DIRK SULLIVAN	PO Box 1135, EL PRADO, NM 87529
BARBARA WATFIELD	BARBARA WATFIELD	Box 3156 Taos 87571
KATHLEEN URRUTIA	KATHLEEN URRUTIA	PO Box 1512 El Prado, NM 87529
NANCY ROBINSON	NANCY ROBINSON	PO Box 576 EL PRADO 87529
Loni Stiles	Loni Stiles	7 Lobo Run Rd Arroyo Seco NM 87513
Allen Ferguson	Allen Ferguson	PO Box 1589 El Prado 87529
Judy White Ferguson	Judy White Ferguson	PO Box 1589 El Prado 87529
LEE ROBERTS	LEE ROBERTS	PO Box 831, Arroyo Seco NM 87514
PAULINE KORMAN	PAULINE KORMAN	POB 80, TAOS, NM 87571
Margarita Denton	Margarita Denton	PO Box 445 Arroyo Seco, NM 87513
Liam Denevan	Liam Denevan	PO Box 445 Arroyo Seco NM 87513
Hope Buechler	Hope Buechler	PO Box 665 Arroyo Seco NM 87514
Maria Turner	Maria Turner	351 Vegans de San Carlo Taos NM 87571
Melissa Larson	Melissa Larson	PO Box 1051 Ranchito Taos, NM 87571
LUCIA BOMHOFF	LUCIA BOMHOFF	Box 2063 El Prado NM 87529
Rev. Susan Yacon	Rev. Susan Yacon	1200 Camino de la Cruz Taos NM 87571

Response side of this page intentionally left blank.

Commentor No. 36 (cont'd): Scott Kovac, Operations and Research
Director, Nuclear Watch New Mexico

To Senator Jeff Bingaman, Senator Tom Udall, and Representative Ben Ray Lujan:

We, the undersigned, agree with Taos Mayor Darren Cordova on the need for a hearing on the CMRR-NF SEIS in Taos, New Mexico. Taos is a substantial downwind community of Los Alamos National Laboratory (LANL). Thus LANL decisions affect Taos County residents. We request that you demand that the NNSA schedule a CMRR-NF SEIS public hearing in Taos.

Name Signature Address

Consuela Sonam Donje Carl-La Sonam Donje P.O. Box 9777 Rancho

Response side of this page intentionally left blank.

Commentor No. 37: Anna Katherine

From: Anna Katherine [annakath@earthlink.net]
Sent: Saturday, June 11, 2011 5:01 PM
To: nepalaso@doeal.gov

I am a long-time permanent resident of New Mexico. I oppose locating the CMRR building in Los Alamos. It is too close to a geologic fault line. Also, the contents of this building could contaminate our drinking water.

Anna Katherine
210 Gonzales Road
Santa Fe, N.M. 87501

37-1

37-1

NNSA notes the commentor's opposition to locating the new CMRR Facility in Los Alamos.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information. As discussed in Chapter 4, Sections 4.3.6, operation of the Modified CMRR-NF would not impact water resources around LANL.

Commentor No. 38: April Mondragon

From: April Mondragon [etasinum@gmail.com]
Sent: Sunday, June 12, 2011 8:42 AM
To: nepalaso@doeal.gov
Subject: CMRR Comments

Mr. John Tegtmeir
 U.S. DOE/NNSA
 Los Alamos Site Office
 3747 West Jemez Rd.
 TA-3 Building 1410
 Los Alamos, NM 87544

After attending the recent presentation given by Mr. John Tegtmeir, et.all., which was disrespectful to the well informed residents of Northern New Mexico. in that you refused to include our public comments for the record.

So I will briefly state the reasons for my opposition:

1. The health effects now and in the future of uranium and plutonium are lethal. You refuse to provide truthful information to the public regarding the health effects.
2. Despite efforts after the fact, to clean up current toxic waste (which is still not complete), the contamination to our environment has not been adequately factored into your "plan" in regard to the "cost" to the life and the eco-system. you will be producing more toxic waste, that has a half life of 500 thousand years. IF you really considered just these facts, with the simple knowledge that water, air and earth are necessary for life...then continuing to produce such toxic waste would be considered contrary to the mission of "keeping" the public "safe".
3. Knowingly building a CMRR on a seismic fault is nothing but foolishness, in that thinking that anything that is man made can with stand the power of the Earth. Fukushima and Cernobyl are clear examples, no matter what your "best" scientific up grades are.
4. BUilding a facility to increase the capability of nuclear weapon manufacturing from 20 pits to 80 pits per year, is in fact a contradiction in terms of the non=proliferation treaty START.
5. The great scientific minds of LANL would be put to better use in the research and development of solar and wind power technologies.
6. The military industrial complex budget, now in the trillions, and the CMRR alone is now in the BILLIONS, I can think of many far better ways to spend our time, money and energy.

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- 38-1** After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.
- 38-2** The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The danger of uranium and plutonium has long been recognized. The awareness and knowledge of the health effects related to exposure to uranium and plutonium has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.
- 38-3** NNSA is aware of the risks associated with the operation of its current and future facilities. These risks are mitigated through compliance with Federal, state and local laws and regulations that protect the public and environment, and through process design and operational procedures.
- 38-4** The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 38 (cont'd): April Mondragon

7. It is not intelligent nor factually adequate to have war profiteers influencing the decisions made for our health and well being.

8. This is not about jobs in New Mexico, this is about the military industrial complex run a muck. There are other industries to invest in, ie: education, film, healthcare, etc...

Sincerely,

--

April Mondragon
Live Peace

38-6
cont'd

The accident analyses in the *CMRR-NF SEIS* rely on conservative assumptions that over-estimate the potential impacts of severe events to ensure that NNSA has an understanding of the impacts of beyond-design-basis events. In response to concerns following the earthquake and subsequent tsunami that damaged the Fukushima Daiichi Nuclear Power Plant, revised the *Final CMRR-NF SEIS* to include additional information about the geologic and seismic environment at LANL, additional analysis of extreme events, and a discussion of critical differences between a nuclear power plant (like the Fukushima Daiichi Nuclear Power Plant) and a nuclear materials research laboratory. NNSA believes that the final *CMRR-NF SEIS* presents a rigorous analysis and thorough understanding of the potential environmental consequences that each of the alternatives presents.

38-5

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

38-6

Funding decisions regarding major Federal programs (for example, health care and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 39: Melvin Turcanik

From: Mel Turcanik [turcanik@yahoo.com]
Sent: Sunday, June 12, 2011 12:36 PM
To: nepalaso@doeal.gov
Subject: CMRR

Melvin Turcanik
19282 650th St.
Dodge Center, MN 55927
turcanik@yahoo.com

Mr John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 W. Jemez Rd.
TA-3 Bldg. 1410
Los Alamos, NM 87544

6/12/11

Dear Mr. Tegtmeir,

It has come to my attention that there is a proposal to build what is called "Chemistry and Metallurgy Research Replacement" project in Los Alamos, NM. I am told this project would increase our ability to produce the Plutonium Plts, which are the heart of a thermonuclear device, from 20 per year in the current facility to 80+ per year. We may already have 15,000 of these devices in storage.

39-1

I believe this to be in violation of the nuclear non-proliferation treaty. International treaties are supposed to be, according to the constitution, the highest law of the land.

39-2

This was originally budgeted to cost \$550 million. Currently the budget is \$5.86 billion. Congress has already rejected the need for "reliable replacement warheads" which was the purpose for this production facility. While we have real serious needs for government resources in this country to improve the lives of people, why would we expend these resources on a project to destroy the world????? I believe this to be an insane use of the power and resources of this country.

39-3

If the fundamental concept wasn't completely nuts, the site is 2/3 mile from a geologic fault line.

39-4

Please do everything possible to save us from this extension of cold war insanity.

39-5

Sincerely,

Melvin Turcanik

- 39-1 The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.
- 39-2 Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.
- 39-3 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. Funding decisions regarding major Federal programs (for example, energy and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.
- 39-4 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.
- 39-5 Comment noted.

Commentor No. 40: Laurie Harris

From: cosmiklaurie@gmail.com on behalf of laurie harris [laurielu@verizon.net]
Sent: Friday, June 17, 2011 6:33 PM
To: NEPALASO@doeal.gov
Subject: No more nukes

Nuclear power is dangerous to citizens of Mexico and the US. Don't do it.

|| 40-1

40-1

Comment noted.

Commentor No. 41: Jeff Sharp

Monday, June 13, 2011 11:10 AM
Jeff Sharp

There is no viable reason to hinder the construction of CMRR. this has been studied and evaluated and discussed to the point of ridiculousness, we as a Nation need this facility so that our national security is maintained, the what if's and could happens are the tools the environmentalist use to intimidade the general public , along twith the lie of "cheap " solar windbio-fuels this facility will consolidate, focus and expedite our ability as a nation to safety and effectively build and maintain our nuclear options into the future.

41-1

41-1

NNSA notes the commentor's support of the construction and operation of a new CMRR Facility at LANL. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the proposed CMRR-NF would support this effort.

Commentor No. 42: Susan Trujillo

From: Susan Trujillo
[strujillo@c21success.com]
Sent: Tuesday, June 14, 2011 5:20 PM
To: NEPALASO@doeal.gov
Subject: Comment on proposed nuclear facility

Dear Sirs:

The Los Alamos area is vulnerable to earthquakes (on the Rio Grande Rift), volcanic events (Valle Caldera), wildfires and floods. It is not a logical location for a nuclear facility. This project needs to be stopped and reevaluated.

Thank you.

Sincerely,

Susan Trujillo

Susan Trujillo, Associate Broker
Century 21 Success LL
829 Paseo del Pueblo Sur/ 5528 NDCBU
Taos, New Mexico 87571
800-336-4826 office
575-613-5778 cell
strujillo@c21success.com

42-1

42-1

NNSA notes the commentor's position that the CMRR-NF project should be stopped and reevaluated because of concerns about natural hazards. The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

In response to public comments on the possibility of volcano activity in the LANL region, Appendix C, Facility Accidents, and the Geology and Soils sections of Chapters 3 and 4 (Sections 3.5.1 and 4.3.5), of the *Final CMRR-NF SEIS* have been revised to include additional information regarding the potential volcanic hazards as described in the report, *Preliminary LANL Volcanic Hazards Evaluation* (LANL 2010c). Based on the report, future planning will be performed to consider CMRR-NF structural requirements for ash-loading.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in Appendix D of the 2008 *LANL SWEIS* (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials, including vegetation, are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources). If a wildfire disrupted the power provided to the CMR Building or the proposed CMRR-NF, emergency backup power would be provided locally to maintain the most important systems. As discussed in Appendix C, plutonium materials stored within LANL plutonium facilities or used in ongoing operations are generally stable in their configuration and would not require active cooling systems to keep them stable. Therefore, maintenance of power is not necessary to prevent significant releases to the environment. Because the CMRR-NF would be located on a mesa top rather than in a canyon, severe flooding is not a credible event.

Commentor No. 43: Jane Warren

From: Bruce and Jane Warren [janewarren1@gmail.com]
Sent: Tuesday, June 14, 2011 7:48 PM
To: nepalaso@doeal.gov
Subject: CMRR project

Mr. Tegtmeir

I ask that you cancel the CmRR project and that a study be done of LANL's plutonium infrastructure. The cost involved is immoral with all the country's human needs not being met and the Federal budget still unknown for coming years. We need to be down scaling our nuclear weapons. The fact that this is being considered in a location very close to a fault line makes this so easy to say NO to.

I live in Minnesota but am concerned for my fellow citizens in New Mexico and for the over all welfare and safety of our country.

Thank you for your service.

Please seriously consider my thoughts on this matter and do the right thing for our country.

Jane Warren

43-1

43-1

NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

43-2

43-2

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 44: William Reddy

From: Tony Reddy [tony.oldnhappy@gmail.com]
Sent: Tuesday, June 14, 2011 7:51 PM
To: nepalaso@doeal.gov
Subject: Facility

This proposal appears to be an error of cataclysmic proportions. There are apparently many lifetimes of "pits" already in storage in Texas. We don't need more! And the proposed location is near a fault line - ??????

So we here in New Mexico and the United States could be looking at our own nuclear disaster maybe much worse than Fukushima or Chernobyl.

We have a budget crisis - why are we spending billions of dollars that could be used to reduce our debt and prevent collapse of our current economic system.

William Reddy

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only the invisible is real

44-1

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44-1 A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The types of radiological accidents that occurred at Chernobyl and the Fukushima Daiichi Nuclear Power Plant require a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. See Section 2.8, Nuclear Accidents, of this CRD, for more information.

44-2 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 45: Frank Prideaux

From: Frank Prideaux [sirfrank10@gmail.com]
Sent: Tuesday, June 14, 2011 7:54 PM
To: nepalaso@doeal.gov
Subject: CMRR

Mr. John Tegtmeir
 U.S. DOE/NNSA Los Alamos Site Office
 3747 West Jemez Road
 TA-3 Building 1410
 Los Alamos, New Mexico 87544

The CMRR was designed to replace the existing Chemistry and Metallurgy Research Building and serve as the site where they would manufacture "Plutonium Pits", the fissile "triggers" capable of nuclear capability that initiate the destruction of modern thermonuclear weapons. In other words, they are the heart of every nuclear weapon. The Lab already has the ability to produce 20 pits a year at the CMR building, but if they move ahead and build the new CMRR, they will have the ability to produce 80+ a year. (Currently the Department of Energy has 15,000 pits stored at the Pentax Facility in Texas.)

WHAT YOU NEED TO KNOW:

The original cost of the project: FY2004 Preliminary Full Total Estimated Cost Projection was \$400-550 million with a completion date of 2011.

The current cost: The "Details of Project Cost Estimate" table in the FY2012 budget puts CMRR's current projected cost at \$5.86 billion and a completion date of FY2023 - **this is more than ten times the original forecast** - and who knows what the final cost would be if they are given the green light on this project.

Built near a fault line: The worst part of all is that the proposed site for the new CMRR building is some 2/3rds of a mile from a geologic fault line. The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. An updated seismic hazards analysis from May 2007 showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the more than \$3 billion added to cost estimates since 2008 result from efforts to address the heightened seismic hazards. The costs of adding this enormous new facility to LANL's weapons manufacturing complex in a geologically unstable area are just too great.

So we here in New Mexico and the United States could be looking at our own nuclear disaster maybe much worse than Fukushima or Chernobyl. Supposedly the new CMRR building will be able to withstand an earthquake of 7

45-1

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A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

Comment noted.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The types of radiological accidents that occurred at Chernobyl and the Fukushima Daiichi Nuclear Power Plant require a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other

Commentor No. 45 (cont'd): Frank Prideaux

on the Richter scale, but Japan has already had an aftershock from their recent earthquake measuring 7.1.

|| 45-3
|| cont'd

None of this even takes into account whether the nuclear weapons work presently done at LANL and our other nuclear weapons facilities violates the Nuclear NonProliferation Treaty.

|| 45-4

PLEASE STOP!!

Frank Prideaux
xxx-xxx-xxxx

nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. See Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 46: Cathi Rodgers

From: Cathi Rodgers [singsongs@earthlink.net]
Sent: Tuesday, June 14, 2011 8:03 PM
To: nepalaso@doeal.gov
Subject: No NUKES in New Mexico or any place else in the world!

Please cancel the the CMRR project!
Sincerely,
Cathi Rodgers

|| 46-1 46-1

NNSA notes the commentor’s opposition to the CMRR-NF project. A key purpose of the continued operation of LANL is to support NNSA’s core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapon stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort

Commentor No. 47: Mary C. Weeks

From: nepalaso@doeal.gov on behalf of Mary Weeks [mweeks@mchsi.com]
Sent: Tuesday, June 14, 2011 8:16 PM
To: nepalaso@doeal.gov
Subject: Stop the CMRR

Sir:

I understand we have many thousand “pits” in storage in Texas. Can you imagine any foreseeable future where we would have used all of them? What would be left of the world?

47-1

47-1

NNSA notes the commentor’s statement about the plutonium pits in storage at the Pantex Plant. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL’s pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

Please stop this insanity. The cost of this project would be better spent on needed programs for those in need of better health care, education, unemployment benefits or reducing the federal deficit.

47-2

47-2

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Mary C. Weeks
Iowa Falls, IA 50126

Commentor No. 48: Antonia C. Leboffe Tabaku

From: Antonia C Leboffe Tabaku [acleboffe@gmail.com]
Sent: Tuesday, June 14, 2011 8:20 PM
To: nepalaso@doeal.gov
Subject: Re: Replacement Research in New Mexico

Dear Sir,

Why do you wish to destroy this earth? Please noA more Nuclear Disasters!

Sincerely,

Antonia C. Leboffe Tabaku

|| 48-1

48-1

Comment noted.

Commentor No. 49: Ayman Fadel

From: Ayman Fadel [afadel97@gmail.com]
Sent: Tuesday, June 14, 2011 8:26 PM
To: nepalaso@doeal.gov
Subject: Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico

John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office

Dear Mr. Tegtmeir,

The Chemistry and Metallurgy Research Replacement (CMRR) project in Los Alamos, New Mexico should be cancelled.

I oppose all preparations for nuclear weapons, and I ask that the United States begin nuclear disarmament immediately.

I'm also concerned about the tremendous cost of this project. The "Details of Project Cost Estimate" table in the FY2012 budget puts CMRR's current projected cost at \$5.86 billion and a completion date of FY2023 - this is more than ten times the original forecast - and who knows what the final cost might be.

It's also disturbing that this facility is sited near a fault line. This raises important safety concerns and no doubt is responsible for the tremendous cost increase.

Sincerely,

Ayman Fadel
3503 Lost Tree Ln
Augusta, GA 30907
(xxx) xxx-xxxx

49-1

49-1

NNSA notes the commentor's opposition to the CMRR-NF project and concern about nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

49-2

49-2

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

49-3

49-3

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 50: Denis Naeger

From: dnaege02@aol.com
Sent: Tuesday, June 14, 2011 8:31 PM
To: nepalaso@doeal.gov
Subject: CMMR Project

Please cancel the CMMR project in New Mexico or anywhere. We don't need any more nuclear trigger heads at this point in our history.

We are especially concerned about it being so close to a earthquake fault line. Thank you for your consideration.

Denis Naeger
 Sylvan Lake, MI

50-1

50-1

NNSA notes the commentor's opposition to the CMRR-NF project. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 51: Richard Wall

From: Richard Wall [Builder_9@msn.com]
Sent: Tuesday, June 14, 2011 8:44 PM
To: nepalaso@doeal.gov
Subject: Triggers

Ladies and gentlemen:

There is no need of a new building (CMRR) for the security of this country. There are ample triggers for nuclear bombs.

Thank you.

Respectfully submitted,

Richard Wall
Builder_9@msn.com

|| 51-1

51-1

NNSA notes the commentor's opposition to the CMRR-NF project. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 52: Rev. James M. DiLuzio

From: JAMES DILUZIO [jamesdiluziocsp@prodigy.net]
Sent: Tuesday, June 14, 2011 9:09 PM
To: nepalaso@doeal.gov
Subject: CMRR Project in Los Alamos, New Mexico.

To: Mr. John Tegtmeir, U.S. DOE/NNSA Los Alamos Site Office, 3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico 87544

Dear Mr. Tegtmeir,

Inspired by the International Pax Christi movement, and as an American citizen, I urge you to cancel preparations for the Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico. Before anymore advancement is made, you and your team must commission a study of LANL's plutonium infrastructure- including existing and future capability needs, and submit to our government a realistic cost for maintaining and upgrading safety features at the existing CMR.

It has become widespread news that the proposed site for the new CMRR building is some 2/3rds of a mile from a geologic fault line. The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. An updated seismic hazards analysis from May 2007 showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the more than \$3 billion added to cost estimates since 2008 result from efforts to address the heightened seismic hazards. The costs of adding this enormous new facility to LANL's weapons manufacturing complex in a geologically unstable area are just too great. The potential damage to the earth itself and the health of the American people is certainly not worth the benefits of either national security or scientific advancement.

I am writing to my US Senators and Congressional representative as well. I hope that by receiving thousands if not million more letters such as these you and our elected officials will halt imminent plans and discern far more carefully all that is at stake in the CMRR project. Thank you.

Sincerely,

Rev. James M. DiLuzio, New York, NY

Rev. James M. DiLuzio C.S.P.
 Paulist Fathers
 415 West 59TH Street\ New York, NY 10019-1104
 xxx-xxx-xxxx extension xxx
 www.LukeLive.com
 www.Paulist.org

52-1

52-2

52-1 NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

52-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at

Commentor No. 52 (cont'd): Rev. James M. DiLuzio

LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 53: Bill Uebelher

From: mbu11@q.com
Sent: Tuesday, June 14, 2011 9:21 PM
To: nepalaso@doeal.gov
Subject: New Research Building

Dear Mr. Tegtmeir,

I recently learned about plans to build a new Chemistry and Metallurgy Research Building on your campus where you will increase this nation's ability to produce more fissile triggers for nuclear weapons. I believe that the creation and use (whether potential or real) of nuclear arms is immoral and an act against our common humanity, and think it is an unconscionable use of tax dollars to spend the projected almost six billion dollars to construct this new facility.

I say NO! to erecting this building and ask that you please ground this project before it gets going. I believe strongly that both I personally and we as a nation (and world) must "turn our swords into plowshares and our spears into pruning hooks" to effect things that build us up as a people, not bring us down.

What are ways that you think we could use almost six billion dollars on plowing and pruning activities rather than preparations for bombing and destroying?

Thank you very much for your thoughts about what I -- and many others -- feel and believe. I look forward to hearing from you.

Sincerely,

Bill Uebelher
 2766 South Lamar Street
 Denver, Colorado 80227
 mbu11@q.com

53-1

53-1

NNSA notes the commentor's opposition to nuclear weapons and to the CMRR-NF project. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 54: Kelly Epstein

From: Kelly Epstein [kepstein1@earthlink.net]
Sent: Tuesday, June 14, 2011 9:30 PM
To: nepalaso@doeal.gov
Subject: Cancel CMRR project in New Mexico

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico 87544

Dear Mr. Tegtmeir,

We do not need a nuclear disaster on American soil. The CMRR project in New Mexico should be canceled and a study of LANL's plutonium infrastructure should be required - including existing and future capability needs. Also, a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined. Please let's not court disaster with our current nuclear energy policy.

Thank you,

Sincerely,

Kelly Epstein
18319 Champion Forest Dr.
Spring, TX 77379

54-1

54-1

NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed, and their concern for U.S. nuclear energy policy. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. U.S. nuclear energy policy is not within the scope of the *CMRR-NF SEIS*.

Commentor No. 55: Sister Constance Charette

From: connie charette [conniecharette@live.com]
Sent: Tuesday, June 14, 2011 9:37 PM
To: nepalaso@doeal.gov
Cc: Senator Scott P. Brown
Subject: CMRR PROJECT

Mr. John Tegtmeir
 U.S. DOE/NNSA Los Alamos Site Office
 3747 West Jemez Road
 TA-3 Building 1410
 Los Alamos, New Mexico 87544

Dear Sir:

I am writing to urge you to cancel the CMRR project. A study of LANL's plutonium infrastructure should be required - including existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined.

55-1

The cost of this project is absolutely unthinkable and the location near a major fault makes it look too much like Japan's recent catastrophe or Chernobyl's.

55-2

As a concerned citizen I feel the need to urge you to STOP this project!

Sincerely,

Sister Constance Charette
 131 Puritan Ave.
 Worcester MA 01604
 Member of Pax Christi International

55-1 NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed, and concern about proximity to a major fault. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

55-2 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The types of radiological accidents that occurred at Chernobyl and the Fukushima Daiichi Nuclear Power Plant require a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the

Commentor No. 55 (cont'd): Sister Constance Charette

existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. See Section 2.8, Nuclear Accidents, of this CRD for more information.

Commentor No. 56: John E. Glenski

From: Jeglenski@aol.com
Sent: Tuesday, June 14, 2011 9:37 PM
To: nepalaso@doeal.gov
Subject: New CMRR Building @LANL

John; If the new CMRR facility current projected cost is \$5.8 billion to produce 80 pits/yr surely this facility should not be built. If presently we have 15,000 pits already in storage, common sense would says this is a tremendous misuse of government funds being used to produce pits that are not needed. If projected use of pits is 80/yr it will take 15,000\80 or almost 200 years to use up what we have already on hand. Please do not request funding for this project.

Sincerely,

John E. Glenski
 6500 N. Grand Ave.
 Gladstone, MO 64118

56-1

56-1

NNSA notes the commentor's concern about plutonium pit production and the large number of pits in storage. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 57: Tina H. Blackburn

From: NEPALASO@doeal.gov on behalf of Tina Blackburn [tinahb7@yahoo.com]
Sent: Tuesday, June 14, 2011 9:51 PM
To: NEPALASO@doeal.gov
Subject: Plutonium plant

My information may be limited, but having attended a lecture about what is going on at the Los Alamos labs, I want to register my horror at the seemingly senseless and thoughtless continuation of building on a site where an earthquake fault exists, and on a layer of soft volcanic ash which can be compacted by the weight of the building.

The idea of having plutonium stored within a very short distance of Santa Fe, Albuquerque and Los Alamos is upsetting to say the least. I do not know why we even need plutonium if we are going to cut back on nuclear weapons.

STOP IT! You are continuing an outmoded idea and setting up a whole state for disaster.

Tina H.Blackburn
4 Joya Court
Santa Fe, NM 87508

57-1

57-1

NNSA notes the commentor's opposition to the CMRR-NF project, and concerns about the proximity to geologic faults. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. A geotechnical report prepared for the Shallow Excavation Option provides a thorough analysis that focuses on, among other things, the foundation design and performance, taking into account the local seismic setting and the underlying stratigraphy, which includes an unconsolidated tuff layer approximately 15 feet (4.6 meters) below the depth of the proposed foundation (Kleinfelder 2007a). The report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]). The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

57-2

57-2

NNSA notes the commentor's opposition to the production of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 58: John Rash

From: john rash [picapee@gmail.com]
Sent: Tuesday, June 14, 2011 10:23 PM
To: nepalaso@doeal.gov
Subject: Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico.

Please go slowly in light of misjudgment at Fukushima. Mankind stands a chance of being on the losing end of any poor decisions.

John

Sent from my iPad

58-1

58-1

NNSA notes the commentor's concern about a Fukushima-type accident affecting the CMRR. The types of radiological accidents that occurred at Chernobyl and the Fukushima Daiichi Nuclear Power Plant require a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 59: Geri Collecchia

From: gericolle@aol.com
Sent: Tuesday, June 14, 2011 9:54 PM
To: nepalaso@doeal.gov
Subject: Please cancel the CMRR Project

Dear Mr. Tegtmeir,

The CMRR project should be canceled, a study of LANL's plutonium infrastructure should be required - including existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined.

Sincerely,

Geri Collecchia
9709 U.S. Hwy 42
Prospect, KY 40059
(xxx)-xxx-xxxx

59-1

59-1

NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 60: bpizzorno@aol.com

From: bpizzorno@aol.com
Sent: Wednesday, June 15, 2011 12:36 AM
To: nepalaso@doeal.gov
Subject: CMRR

The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. An updated seismic hazards analysis from May 2007 showed a potential huge increase in seismic ground motion and activity. The costs of adding this enormous new facility to LANL's weapons manufacturing complex in a geologically unstable area are just too great. So we could be looking at our own nuclear disaster

None of this even takes into account whether the nuclear weapons work presently done at LANL and our other nuclear weapons facilities violates the Nuclear NonProliferation Treaty.

The CMRR project should be canceled, a study of LANL's plutonium infrastructure should be required - including existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined.

60-1

60-2

60-3

60-1

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

60-2

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. See Section 2.9, Treaty Compliance, of this CRD for more information.

60-3

NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 61: Kenneth A. Lerczak

From: Ken Lerczak [kaler@chartermi.net]
Sent: Tuesday, June 14, 2011 10:04 PM
To: nepalaso@doeal.gov
Subject: CMRR PROJECT SHOULD BE CANCELLED.....

The CMRR project should be canceled,
and a study of LANL's plutonium infrastructure should be required
- including existing and future capability needs, and a realistic cost for maintaining
and upgrading safety features at the existing CMR must be determined.

PLEASE....PLEASE

With hope for a planet free of nuclear weapons.....let us pray and work.....

Kenneth A. Lerczak

61-1

61-1

NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 62: ppattiplcsam@aol.com

From: ppattiplcsam@aol.com
 Sent: Wednesday, June 15, 2011 5:42 AM
 To: nepalaso@doeal.gov
 Subject: ARE YOU KIDDING?

LESS GOVERNMENT UNTIL IT BENEFITS THE CORPORATION? YOUR KIDDING RIGHT? OF COURSE NOT. NOT WITH SUCH CORRUPTION GOING ON IN GOVERNMENT. ITS NOT WE THE CORPORATION, ITS WE THE PEOPLE. GET IT RIGHT. AND STOP THIS VERY KIND OF WASTE. REVOLUTION COMING YOUR WAY.

The original cost of the project: FY2004 Preliminary Full Total Estimated Cost Projection was \$400-550 million with a completion date of 2011.

The current cost: The "Details of Project Cost Estimate" table in the FY2012 budget puts CMRR's current projected cost at \$5.86 billion and a completion date of FY2023 - **this is more than ten times the original forecast** - and who knows what the final cost would be if they are given the green light on this project.

Built near a fault line: The worst part of all is that the proposed site for the new CMRR building is some 2/3rds of a mile from a geologic fault line. The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. An updated seismic hazards analysis from May 2007 showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the more than \$3 billion added to cost estimates since 2008 result from efforts to address the heightened seismic hazards. The costs of adding this enormous new facility to LANL's weapons manufacturing complex in a geologically unstable area are just too great.

62-1

62-1

NNSA notes the commentor's opposition to the CMRR-NF project and concerns about geologic faults and earthquake hazards. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 63: Fred Goddard

From: Fred Goddard [fcgoddard@gmail.com]
Sent: Wednesday, June 15, 2011 6:21 AM
To: nepalaso@doeal.gov
Subject: Chemistry and Metallurgy Research Replacement Project

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico 87544

Dear Mr. Tegtmeir,

I am writing to you with regard to the Chemistry and Metallurgy Research Replacement (CMRR) Project. I understand that the CMRR was designed to replace the existing Chemistry and Metallurgy Research Building and serve as the site for manufacturing "Plutonium Pits", the fissile "triggers" capable of nuclear capability that initiate the destruction of modern thermonuclear weapons.

I have read that the original cost of the project: FY2004 Preliminary Full Total Estimated Cost Projection was \$400-550 million with a completion date of 2011, while the current projected cost is now at \$5.86 billion and a completion date of FY2023. At a time of economic crisis, this is unacceptable.

I also have read that it is built near a fault line. An updated seismic hazards analysis from May 2007 showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the more than \$3 billion added to cost estimates since 2008 result from efforts to address the heightened seismic hazards. The costs of adding this enormous new facility to Los Alamos Nuclear Lab's weapons manufacturing complex in a geologically unstable area are just too great.

So we could be looking at our own nuclear disaster. Supposedly the new CMRR building will be able to withstand an earthquake of 7 on the Richter scale, but Japan has already had an aftershock from their recent earthquake measuring 7.1. None of this even takes into account whether the nuclear weapons work presently done at LANL and our other nuclear weapons facilities violates the Nuclear NonProliferation Treaty.

63-1 NNSA notes the commentor's concern about plutonium pit production, cost, seismic hazards, and nuclear proliferation. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

63-2 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. Regarding funding priorities, decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

63-3 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the

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Commentor No. 63 (cont'd): Fred Goddard

For economic, safety and compliance with the Nuclear NonProliferation Treaty, I believe the CMRR project should be canceled, a study of LANL's plutonium infrastructure should be required—including existing and future capability needs—and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined.

Thank you for your attention to this matter.

Sincerely,

Fred Goddard
499 Fort Washington Ave Apt 3D
New York NY 10033

63-5

public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The types of radiological accidents that occurred at Chernobyl and the Fukushima Daiichi Nuclear Power Plant require a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

63-4

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. See Section 2.9, Treaty Compliance, of this CRD for more information.

63-5

The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 64: Barbara DePue

From: Barbara DePue [democatsx2@att.net]
Sent: Wednesday, June 15, 2011 6:58 AM
To: nepalaso@doeal.gov
Subject: CMRR

I am writing to ask you to reconsider building the proposed Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico. The potential for destruction to humanity and the environment is a price too high to pay.

64-1

64-1

NNSA notes the commentor's opposition to the CMRR-NF project and their concern for humanity and the environment. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapon stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This does not entail adding more nuclear weapons, but rather maintaining the existing stockpile. Chapter 4 of the *CMRR-NF SEIS* presents the potential human health and environmental impacts of the proposed alternatives.

Commentor No. 65: Myrt Rollins

From: Myrt Rollins [mrollins@ezeeweb.com]
Sent: Wednesday, June 15, 2011 8:54 AM
To: nepalaso@doeal.gov
Subject: The Los Alamos Replacement Project

Dear Mr Tegtmeir, Please cancel or postpone the nuclear project. Its costs to the suffering American people of over \$5 Billion dollars is not and may never be needed. And it is to be located on a fault line that could lead to future catastrophic consequences for our country. Moreover, it is not in the interest of humanity as a whole and may even add to consideration of additional nuclear armaments. For the good of our people and the good of humanity, Please stop this project.

Very sincerely, Mr. Myrt Rollins Breese, Illinois

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65-1

NNSA notes the commentor's opposition to the CMRR-NF project and their concerns about cost, proximity to a fault line, and nuclear weapons. See Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology and Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapon stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This does not entail adding more nuclear weapons, but rather maintaining the existing stockpile.

Commentor No. 66: Sister Ella Binz

From: ellabinz@aol.com
Sent: Wednesday, June 15, 2011 9:06 AM
To: nepalaso@doeal.gov
Subject: CMRR Project

Dear Mr. Tegtmeir:
Peace and all good!

Please cancel the CMRR Project.

A study is needed of LANL's plutonium infrastructure should be required, including existing and future capabilities needs.

Determine a realistic cost for maintaining and upgrading safety features at the existing CMR.

We can not continue to build with no regard to the cost in dollars and in life for our planet and all of us.

Please consider my request.

Thank you.

God bless you.

Sr. Ella Binz, OSF

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66-1

NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 67: Sister Mary David

From: Mary.David.Hydro [Mary.David.Hydro@saintleo.edu]
Sent: Wednesday, June 15, 2011 9:12 AM
To: nepalaso@doeal.gov
Subject: CMRR

Mr. John Tegtmeir
 U.S. DOE/NNSA Los Alamos Site Office
 3747 West Jemez Road|
 TA-3 Building 1410
 Los Alamos, New Mexico 87544
 Fax: 505-667-5948
 Email: nepalaso@doeal.gov <mailto:nepalaso@doeal.gov>

Cancel CMRR project! The cost is too great!

The CMRR was designed to replace the existing Chemistry and Metallurgy Research Building and serve as the site where they would manufacture "Plutonium Pits", the fissile "triggers" capable of nuclear capability that initiate the destruction of modern thermonuclear weapons.

As a Catholic nun--I oppose war & uphold the sacredness of life. The following reasons support my plea to Cancel CMRR:

This project is to cost Billions of dollars--a drain on our economy--when there are poor in our own country lacking food, health-care etc.

It is a Brain-drain - taking from jobs in life-enhancing fields.

The proposed building site is on a geologic fault--give me a break--Brain drain, already! This will not only endanger others with threatened use of nuclear weapons, but ourselves with a possible disaster like Fukushima or Chernobyl.

Does work in our nuclear weapons facilities violate the Non-Proliferation Treaty?

I urge you--Reconsider

Cancel CMRR project! The COST is too great!

Peace--to all people!

In Christ,

Sister Mary David, OSB

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67-1 NNSA notes the commentor's opposition to the CMRR-NF project and their concerns about plutonium pit production and nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology and Section 2.4, CMR Mission, of this CRD for more information.

67-2 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

67-3 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The types of radiological accidents that occurred at Chernobyl and the Fukushima Daiichi Nuclear Power Plant require a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF

Commentor No. 67 (cont'd): Sister Mary David

cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

67-4

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. See Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 68: Helen Jacobson

From: Helen Jacobson [hjacobsn@osfphila.org]
Sent: Wednesday, June 15, 2011 9:12 AM
To: nepalaso@doeal.gov
Subject: CMRR--my opinion

Dear Mr. John Tegtmeir:

The CMRR project should be canceled; a study of LANL's plutonium infrastructure should be required - including existing and future capability needs; and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined.

Helen Jacobson

68-1

68-1

NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 69: Jim Noonan

From: Noonan, James [JNoonan@Maryknoll.org]
Sent: Wednesday, June 15, 2011 9:15 AM
To: nepalaso@doeal.gov
Subject: PLEASE

ATTENTION !!! ATTENTION !!!
PLEASE STOP THE ACTIVITIES OF CMRR !!!!!!!
Peace,
Jim Noonan
MARYKNOLL OFFICE FOR GLOBAL CONCERNS

|| 69-1 69-1

NNSA notes the commentor's opposition to the CMRR-NF project. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapon stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This does not entail adding more nuclear weapons, but rather maintaining the existing stockpile.

Commentor No. 70: Kathy Smith

From: Kathy Smith [kathy@ihmwestallis.com]
Sent: Wednesday, June 15, 2011 10:17 AM
To: nepalaso@doeal.gov
Subject: New CMMR Project in New Mexico

Dear Sir (Mr. John Tegtmeir of the US DOE/NNSA Los Alamos Site Office)

I have just learned about a project that is proposed for your State of Mexico. I reside in Wisconsin, far away from your state, but this project caught my attention for a number of reasons, 3 of which I listed below.

1. This project is about "weapons of destruction"
2. The cost of the project is enormous (in the billions)
3. Our government is in a fiscal crisis of a scope that is historic

I don't usually write politicians - I speak with my vote. There are millions of people on this precious earth of ours, that are starving, without the means to obtain relief. In my conscience this issue is far more important and needs to be addressed now. People who have their needs met (food, shelter, education) are happy people and do not want to war against each other. Please think about this before you work to approve this project.

In addition, my understanding is that the project is proposed for an area near a major fault line. Please consider the numerous natural disasters that have occurred in the past 12 months around the world. I'm not a scientist, but this doesn't seem to make sense to me.

Thank you for taking the time to read this.

Kathy Smith

Kathy Smith
kathy@ihmwestallis.com
Young Adult & Adult Ministry Director
Immaculate Heart of Mary Parish
1121 South 116th Street
West Allis, WI 53214
xxx-xxx-xxxx xxxx

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70-1 NNSA notes the commentor's concerns about nuclear weapons and U.S. government funding priorities. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission, (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

70-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 71: Margaret A. Flanagan

From: Ms Margaret Flanagan [margaflan@verizon.net]
Sent: Wednesday, June 15, 2011 10:20 AM
To: nepalaso@doeal.gov
Subject: new plant building and funding

I believe the CMRR project should be canceled, a study of LANL's plutonium infrastructure should be required - including existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined.

You can already produce 20 pits a year at the existing CMR building, the Department of Energy has 15,000 stored in Texas, there is no need for more. We need less nuclear weapons, not the ability to produce more.

The fault lines under the buildings are already a problem, we don't need more!

Please consider all this before continuing.

Sincerely yours,

Ms Margaret A. Flanagan
177 East 3rd St. #4A
New York, NY 10009

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NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed, and concerns about plutonium pit production, and proximity to geologic fault lines. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

71-2

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 72: Linda De Sitter, MD

From: Linda De Sitter [desitter@gorge.net]
Sent: Wednesday, June 15, 2011 10:30 AM
To: nepalaso@doeal.gov
Subject: Don't build expensive new CMRR

Dear Mr. Tegtmeir,

Please don't spend money that we need (for education and health) on building nuclear pits that we don't need. Furthermore, building it near a fault line is just plain irresponsible. As a physician, I can't imagine how anyone with a concern for the public welfare would conceive of this project as being a good idea.

Linda De Sitter MD
 Hood River, Oregon

72-1

72-1

NNSA notes the commentor's concerns about funding choices and building nuclear weapon pits. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 73: Elaine Hagopian, Ph.D.

From: ELAINE HAGOPIAN [echagop@verizon.net]
Sent: Wednesday, June 15, 2011 10:43 AM
To: nepalaso@doeal.gov
Subject: Chemistry and Metallurgy Research Replacement (CMRR) Project

Please be responsible and do not build this plant. Placing it on a fault line, and paying billions of dollars for it equal another Fukushima. Have we learned nothing from the Japanese tragedy? Is there not better social use for all that money?

Listen to the public, listen to conscience.

Elaine Hagopian, Ph.D.
Professor Emeritus of Sociology
Simmons College, Boston

73-1

73-1

NNSA notes the commentor's request that the CMRR-NF not be built, and their concerns about proximity to a fault line, and U.S. Government funding priorities. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The types of radiological accidents that occurred at Chernobyl and the Fukushima Daiichi Nuclear Power Plant require a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 74: Rosemary English

From: rce6770@aol.com
Sent: Wednesday, June 15, 2011 10:44 AM
To: nepalaso@doeal.gov
Subject: Chemistry and Metallurgy Research Replacement Project

Dear Mr. Tegtmeir,

I am concerned about what I have learned about the proposed Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico. The current cost of the project far exceeds the original cost; it is being built near a fault line; and it is questionable whether the work done in this facility adheres to our obligations under the Nuclear NonProliferation Treaty. I believe you should consider these conditions in determining whether or not to go ahead with this project.

Rosemary English

74-1

74-1

NNSA notes the commentor's concerns about the cost of the CMRR-NF, its proximity to a fault line, and its compliance with the Nuclear Nonproliferation Treaty. The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. See Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 75: Ken Fredgren

From: K. Fredgren [fredgren.k@gmail.com]
Sent: Wednesday, June 15, 2011 11:03 AM
To: nepalaso@doeal.gov
Subject: Cancel the CMRR

Please cancel the proposed Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico.

Not only is it a dangerous location, but it is about war and it has a current price tag of 5.86 billion and a completion date of FY2023 - this is more than ten times the original forecast.

Ken Fredgren
Reston, VA

75-1

75-1

NNSA notes the commentor's request that the CMRR-NF project be cancelled, and the concern that it is in a dangerous location. The site location and environmental hazards are factored into and accounted for in the design, construction, and operation of the CMRR-NF. The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. See Section 2.6, Seismic and Geologic Concerns, and Section 2.8, Nuclear Accidents, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. The decision will be announced in a ROD that will appear in the *Federal Register*. In accordance with NEPA regulations, the ROD cannot be issued any earlier than 30 days after publication of the *Final CMRR-NF SEIS*.

Commentor No. 76: Beth Olson

From: Beth Olson [betholson1@hotmail.com]
Sent: Wednesday, June 15, 2011 11:15 AM
To: nepalaso@doeal.gov
Subject: Stop the proposed CMRR Project

The Chemistry and Metallurgy Research Replacement project should be canceled, a study of LANL's plutonium infrastructure should be required - including existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined.

There are better, safer, cheaper alternatives.

Beth Olson
 Sanger, California

76-1

76-1

NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 77: Douglas R. MacDonald

From: Douglas MacDonald [macdonald.dr@gmail.com]
Sent: Wednesday, June 15, 2011 12:50 PM
To: ksmith2@doeal.gov
Cc: NEPALASO@doeal.gov
Subject: Comments RE: CMRR

Kevin,

This correspondence is intended to serve as my public comment concerning the proposed construction of a new CMRR building at LANL. I am Douglas R. MacDonald, residing at 193 Piedra Loop, Whiterock/Los Alamos, New Mexico. I have been in attendance of one "Public Hearing", reviewed numerous technical documents and read several newspaper articles relating to the construction of a new CMRR building proposed to be located within the Pajarito Corridor at LANL. From what I have gathered, most of the comments in support of the CMRR proposal are specific to short-term economic gains for Northern New Mexico, which will be created by the construction project, such as jobs and dollars into the community and surrounding area. The majority of the dissenting comments seem to center around opposition to the weapons program; certainly valid concerns, however, the construction of a new CMRR building really becomes secondary to that point of dissension and frankly, moot.

With respect to the economic gain discussion, building this new CMRR facility will certainly be of tremendous benefit to Northern New Mexico, actually all of New Mexico's labor force as well as the business folks, however, it will be a short-term gain. With respect to the "weapons" philosophy perspective, perhaps our nation does need to re-evaluate our weapons programs. However, by building this new CMRR complex, I suspect that re-evaluation of the weapons program will in fact become one of the prime objectives of this facility.

I see at minimum, two very important and critical areas negatively impacted if this construction project is not built; namely the long-term negative impacts on the future of nuclear science/associated scientific disciplines and secondly, our national security. The mission of "National" security and "World" security could, no, would, be compromised without this new CMRR facility. The multitude of scientific discoveries resulting from the construction of this state of the art research facility will not be limited to nuclear alone, those associated discoveries will without question transcend the intended mission, stimulate and challenge other science research programs and create new cultures of scientific exploration for the future science pathfinders of generations to come.

77-1

77-1

NNSA notes the commentor's support for the proposed CMRR-NF project. NNSA believes that the 60-year-old CMR Building needs to be replaced in order to address safety, reliability, consolidation, and safeguards and security issues related to performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production). Due largely to seismic and safety concerns, the existing CMR Building operates at a reduced level that does not fully support the NNSA plutonium mission. The proposed Modified CMRR-NF would provide the capability to fully meet the mission need in a modern structure that meets all seismic safety and security standards.

The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative and the Modified CMRR-NF Alternative would require a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico, as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

Commentor No. 77 (cont'd): Douglas R. MacDonald

In conclusion, I support the CMRR construction project. I have confidence that the appropriate safety considerations of the workers and citizens of the surrounding communities, along with the environment, will continue to be a DOE and LANS priority, and I truly believe this project is in the best interest of our nation from a security, as well as a scientific perspective.

Thanks,

Douglas R. MacDonald
193 Piedra Loop
Los Alamos, New Mexico
87544
xxx.xxx.xxxx land
xxx.xxx.xxxx air

77-1
cont'd

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Commentor No. 78: Patricia and Hugh Goley

From: HUGH GOLEY [hpgoley@optonline.net]
Sent: Wednesday, June 15, 2011 1:07 PM
To: nepalaso@doeal.gov
Subject: RE: No Fukushima in New Mexico! Take action now!

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico 87544
Fax: 505-667-5948
Email: nepalaso@doeal.gov

Email: nepalaso@doeal.gov

Dear Mr. Tegtmeir: We are residents of New York and are letting you know we are very much against building your CMRR's current buildings 2/3s of a mile from a geologic fault line. Let's learn from the disaster in Japan. Please do not do this. Sincerely, Patricia and Hugh Goley

rie | PA | 16502

78-1

78-1

NNSA notes the commentors' request that the CMRR-NF not be built and their concern about the proximity to a geologic fault. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 79: Lloyd E. Opoka

From: Fr. Lloyd Opoka [leopoka@kc.rr.com]
Sent: Wednesday, June 15, 2011 1:22 PM
To: nepalaso@doeal.gov
Subject: Chemistry and Metallurgy Research Replacement (CMRR)

Please do NOT build this facility. It is not needed, extremely dangerous and too expensive. Sincerely, Lloyd E. Opoka, Kansas City, MO.

79-1

79-1

NNSA notes the commentor’s opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 80: Deacon Jim McFadden

From: Jim McFadden [macfam500@att.net]
Sent: Wednesday, June 15, 2011 2:16 PM
To: nepalaso@doeal.gov
Subject: "Plutonium Pits" & Nuclear stockpiling

Dear Mr. Tegtmeir,

As an American Catholic, I object to the proposed Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, NM.

According to the "Compendium of the Social Doctrine of the Church," the Church's social teaching proposes the goal of "general, balanced and controlled disarmament. The enormous increase in arms represents a grave threat to stability and peace. The principle of sufficiency, by virtue of which each State may possess only the means necessary for its legitimate defense, must be applied both by States that buy arms and by those that produce and furnish them. Any excessive stockpiling...in arms cannot be morally justified" (#508).

The move to build 80+ "Plutonium Pits" is a movement towards stockpiling rather than disarmament and cannot be morally justified.

Peace and good will,
Deacon Jim McFadden

80-1

80-1

NNSA notes the commentor's objection to the CMRR-NF and concerns about excessive stockpiling. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 81: Elizabeth Rogers

From: Elizabeth Rogers [srbetty@cenaclesisters.org]
Sent: Wednesday, June 15, 2011 2:26 PM
To: nepalaso@doeal.gov
Subject: CMRR et al

I am writing to urge you to cancel the CMRR project, LANL's plutonium infrastructure should be required, and a realistic cost for maintaining and upgrading safety features at the existing CMR should be determined.

The CMMR project goes against the official position of the present administration that nuclear weapons should be gradually done away with. In addition, it has become way too costly in a time when our debts are so great that we are asked to raise the debt ceiling even though it will diminish our credit around the world.

A study of the LANL plutonium structure is needed and should include existing and future capability needs.

The main expense that can be justified, in my opinion, is that of upgrading safety features at the existing CMR.

Deliver us and the whole world from the constant threat of a nuclear holocaust or another Fukushima! Now is the time.

Respectfully,

Elizabeth Rogers
 Gainesville, FL 32601

81-1

81-2

81-1 NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed, and concern about nuclear weapons. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

81-2 The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 82: Elizabeth Brockway

From: Beth Brockway [abbrockway@gmail.com]
Sent: Wednesday, June 15, 2011 2:48 PM
To: nepalaso@doeal.gov
Subject: CMRR Project in Los Alamos, New Mexico

Mr. John Tegtmeir,

I would like to share my feelings with you about this project. It is my belief that the CMRR project should be cancelled, a study of LANL's plutonium infrastructure should be required - including existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined. We need to have a high value for human lives and based on the information I have obtained regarding this project, I do not feel that the value of human lives is being considered. Building a nuclear facility close to a geological fault line would be very risky, especially considering the earthquake that occurred in Japan a few months ago. Please reconsider going forward with this project. Thank you for your time.

Elizabeth Brockway
430 W. 5th St.
Perrysburg, OH 43551

82-1

82-2

82-1

NNSA notes the commentor's opposition to the CMRR-NF project and suggestion that a plutonium infrastructure study be performed, and their concerns about human health and proximity to a geologic fault. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

82-2

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 83: Sister Maryann Mueller

From: Sr. Maryann Mueller [MuellerM@felician.edu]
Sent: Wednesday, June 15, 2011 3:21 PM
To: nepalaso@doeal.gov

Please cancel the proposed CMRR project which is against the nuclear nonproliferation treaty.

Sister Maryann Mueller

Justice and Peace Coordinator
Our Lady of Hope Province

"Nowadays, the world does not need words but lives that cannot be explained except through faith and love for Christ's poor."

Pedro Arupe

This outgoing email has been scanned by the MessageLabs Email Security System for Felician College.

83-1

83-1

NNSA notes the commentor's opposition to the CMRR-NF project. Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. See Section 2.1, Opposition to the CMRR-NF Nuclear Weapons, and Nuclear Technology, and Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 84: Sally Chappell

From: Sally & Jon [jschap@localnet.com]
Sent: Wednesday, June 15, 2011 5:26 PM
To: nepalaso@doeal.gov
Subject: CMRR building

Hello,

I have learned about the proposed construction of a new CMRR building at the Los Alamos National Laboratory and would like to register my disapproval of this project because of safety reasons, cost and increased proliferation of nuclear weapons. This project needs to be cancelled.

Sally Chappell
Bridgton, ME

84-1

84-1

NNSA notes the commentor's opposition to the CMRR-NF project and concerns about safety, cost, and nonproliferation. The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapon stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This does not entail adding more nuclear weapons, but rather maintaining the existing stockpile.

Commentor No. 85: Sister Janice Thome

From: Janice Thome [presence@odsgc.net]
Sent: Wednesday, June 15, 2011 8:26 PM
To: nepalaso@doeal.gov
Subject: please STOP

I wish to voice my vote that the CMRR not be built.

The Nuclear NonProliferation Treaty still stands and I want my country to live up to it.

The geographic fault line that is less than a mile away shouts out for caution less we cause another nuclear disaster even worse than that in Japan.

Why would we ever need to make 80 or more pits a year? We already have 15,000 and make 20 more each year. Why pollute our earth with the capability to destroy us many times over?

In our economic crisis, I think it immoral to waste so much time, money and human energy on something that will not feed or give necessities to anyone. Furthermore it is set only to destroy us.

PLEASE STOP THE PLAN ALL TOGETHER AND FOCUS ON THE HEALTH OF OUR EARTH.

Sister Janice Thome
 1002 Gillespie
 Garden City KS. 67846

85-1

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85-1 NNSA notes the commentor's request that the CMRR-NF not be built, and their concerns about nonproliferation, proximity to a geologic fault, pit production, and funding priorities. Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. See Section 2.9, Treaty Compliance, of this CRD for more information.

85-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

85-3 The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in

Commentor No. 85 (cont'd): Sister Janice Thome

Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 86: Paul Helbling

From: KATHLEEN HELBLING [kandpinohio@embarqmail.com]
Sent: Wednesday, June 15, 2011 9:26 PM
To: John Tegtmeir
Subject: Common Sense

June 15, 2011

Mr. John Tegtmeir
 U.S. DOE/NNSA Los Alamos Site Office
 3747 West Jemez Road
 TA-3 Building 1410
 Los Alamos, New Mexico 87544
 Fax: 505-667-5948

Dear Sir:

If the US government has 15,000 Plutonium pits already in storage and the ability to add 20 per year to this inventory, why does the government need a new Chemistry and Metallurgy Research Building (CMRR) to build 80 plus Plutonium pits per year?

Common sense, in my opinion, would suggest that a new CMRR is not needed.

Especially since, the new enemy facing the security of our country is our national debt. Please pray on this issue. Help our country balance our budget with sound financial decisions in order to control the national debt if not for us then our grandchildren and great grandchildren.

Our prayers are with you on this issue.

Paul Helbling
 T606 St. Rt. 109
 Liberty Center, Ohio
 43532-9720

xxx-xxx-xxxx

86-1

86-1

NNSA notes the commentor's concern that the CMRR-NF may not be needed, and concerns about pit production and funding priorities. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 87: Rev. Ronald A. Richardson

From: RONALD RICHARDSON [raidan@prodigy.net]
Sent: Wednesday, June 15, 2011 9:45 PM
To: nepalaso@doeal.gov
Subject: CMRR building

Dear Sir,

I am a member of Pax Christi USA, a Catholic peace group. We have heard from our New Mexico affiliate that the US Government is planning to replace the original CMR building with an updated version costing over five billion dollars.

Sir, I oppose this effort and urge you to enter into dialogue with your superiors in the government in an effort to educate them in the concerns and fears of ordinary citizens as our country moves forward in this direction while giving mixed signals to the world about our peaceful intentions in regard to the control of nuclear weapons.

I'm sure you are in a difficult spot. You'll be in my thoughts and prayers as you deliberate this issue and opposition to it.

Sincerely,

(Rev.) Ronald A. Richardson
Southold, NY

87-1

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NNSA notes the commentor's opposition to the CMRR-NF project and concerns about the United States giving mixed signals regarding nonproliferation. Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. See Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 88: Carolyn Modeen

From: modeen Carolyn [ctmodeen@royaloakslife.net]
Sent: Wednesday, June 15, 2011 10:48 PM
To: nepalaso@doeal.gov
Subject: Replacing the Chemistry and Metallurgy Research Bldg

We need fewer nuclear capability products, rather than more and more. A new and larger building for creating these nuclear products, especially so near a fault zone, is unwise and irresponsible.

Please, rethink what course to take on this. Thank you.

Carolyn Modeen Sun City AZ 85351

88-1

88-1

NNSA notes the commentor's concerns about construction of additional nuclear products capabilities near a fault zone. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapon stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This does not entail adding more nuclear weapons, but rather maintaining the existing stockpile. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 89: Rebecca Marek

From: Rebecca Marek [rsmarek@gmail.com]
Sent: Thursday, June 16, 2011 8:47 AM
To: nepalaso@doeal.gov
Subject: Proposed Chemistry and Metallurgy Research Replacement Project

Hello.

I was recently informed about the Proposed Chemistry and Metallurgy Research Replacement Project in Los Alamos.

The information I have received has been largely negative; I was hoping you could direct me to information that would speak to the benefits of such a project?

Thank you for your time,

Rebecca

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Benefits of the proposed project are described in the *CMRR-NF SEIS* Summary, in the Overview, and Sections S.1, Introduction; S.2, Background; and S.3, Purpose and Need for Agency Action. The CMR is almost 60 years old and near the end of its useful life. Many of its utility systems and structural components are aged, outmoded, and deteriorated. Recent geological studies identified a seismic fault trace located beneath two of the wings of the CMR Building, which raised concerns about the structural integrity of the facility. Over the long term, NNSA cannot continue to operate the mission-critical CMR support capabilities in the existing CMR Building at an acceptable level of risk to worker safety and health. NNSA has already taken steps to minimize the risks associated with continued operations at the CMR Building. To ensure that NNSA can fulfill its national security mission for the next 50 years in a safe, secure, and environmentally sound manner, NNSA has proposed to construct a CMR replacement facility, known as the CMRR, as a necessary step in maintaining critical analytical chemistry and materials characterization capabilities at LANL. For further detail, refer to Chapter 1, Introduction and Purpose and Need for Agency Action, of the *CMRR-NF SEIS*.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapon stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This does not entail adding more nuclear weapons, but rather maintaining the existing stockpile

Commentor No. 90: Patricia and Daniel Driscoll-Shaw

From: Dan Driscoll-Shaw [drishaw@sbcglobal.net]
Sent: Friday, June 17, 2011 10:40 PM
To: nepalaso@doeal.gov
Subject: CMRR PROJECT: LOS ALAMOS

Sir,

Please halt the construction of the Chemistry and Metallurgy Research Building in Los Alamos. I say this for two reasons.

First, we need to move towards nuclear disarmament as President Obama has said. Producing more parts for these weapons makes no sense.

Second, this project is way over budget and as we talk about stopping the deficit bleeding, how can we possibly continue to spend money on this project?

Thank you for taking these ideas into consideration.

Patricia & Daniel Driscoll-Shaw

90-1

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NNSA notes the commentor's opposition to the CMRR-NF project and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 91: Kathleen Bovello

From: JRC20815@aol.com
Sent: Thursday, June 16, 2011 10:14 AM
To: nepalaso@doeal.gov
Subject: CMRR

The current cost: The "Details of Project Cost Estimate" table in the FY2012 budget puts CMRR's current projected cost at \$5.86 billion and a completion date of FY2023 - this is more than ten times the original forecast - and who knows what the final cost would be if they are given the green light on this project.

Built near a fault line: The worst part of all is that the proposed site for the new CMRR building is some 2/3rds of a mile from a geologic fault line. The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. An updated seismic hazards analysis from May 2007 showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the more than \$3 billion added to cost estimates since 2008 result from efforts to address the heightened seismic hazards. The costs of adding this enormous new facility to LANL's weapons manufacturing complex in a geologically unstable area are just too great.

So we here in New Mexico and the United States could be looking at our own nuclear disaster maybe much worse than Fukushima or Chernobyl. Supposedly the new CMRR building will be able to withstand an earthquake of 7 on the Richter scale, but Japan has already had an aftershock from their recent earthquake measuring 7.1.

None of this even takes into account whether the nuclear weapons work presently done at LANL and our other nuclear weapons facilities violates the Nuclear NonProliferation Treaty.

Let's not go ahead with this.

sincerely

Kathleen Bovello
Chevy Chase MD

91-1 NNSA notes the commentor's opposition to building and operating the CMRR-NF and that the commentor is concerned that building in a geologically unstable area or near a fault was a principal factor in the increased cost of the project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage (see Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS*).

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cont'd

Commentor No. 91 (cont'd): Kathleen Bovello

- 91-2** NNSA notes the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.
- 91-3** Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 92: Sue Becker

From: Sue Becker [bobnsuzynaz@cox.net]
Sent: Thursday, June 16, 2011 11:08 AM
To: nepalaso@doeal.gov
Subject: Nuclear Proliferation

Please, for the sake of our children and grandchildren, for all of us, cancel the CMRR project. We do not need weapons of mass destruction in the U.S. andy more than they should have them in Iraq. What a double standard.

Sue Becker
9870 W. Highwood Ct.
Sun City, AZ 85373

92-1

92-1

NNSA notes the commentor's opposition to the CMRR-NF project and addresses such concerns in Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD.

Commentor No. 93: Anne J. Van Lanen

From: AJ [sraj@charter.net]
 Sent: Thursday, June 16, 2011 11:51 AM
 To: nepalaso@doeal.gov

Mr. Tegtmier,

Please, be aware and discontinue the efforts at further nuclear development by the fault line in New Mexico!! Please, let these monies go to feeding and educating the hungry of the world!

Let Japan be an example and warning to us here in the U.S. Thank you.

Anne J. Van Lanen

93-1

93-1

NNSA notes the commentor's opposition to the CMRR-NF project.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA also notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, education and welfare) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The commentor's concerns that an accident (similar to the one that occurred in Japan at the Fukushima Daiichi Nuclear Power Plant) could happen at LANL is addressed in Section 2.8, Nuclear Accidents, of this CRD. There are fundamental differences between the functioning of a nuclear reactor (such as the Fukushima Daiichi Nuclear Power Plant or Chernobyl) and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

Commentor No. 94: Marietta Charbonneau

From: Charreagan@aol.com
Sent: Thursday, June 16, 2011 1:20 PM
To: nepalaso@doeal.gov
Subject: CMRR PROJECT IN NEW MEXICO

To Mr. John Tegtmeir,

I stand with all Americans who protest the proposed Chemical and Metallurgy Replacement Project in Los Alamos. After seeing the Fukushima disaster, I feel that this site is too unstable to support this type of project. Also, I strongly object to the amount of money being spent when so many Americans are out of jobs at this time.

I hope all involved will stop and reconsider LOCATION and COST.

Sincerely,

Marietta Charbonneau, MA, SFO

94-1

94-1

NNSA notes the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant nuclear reactor site could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Lastly, the commentor's concern regarding the funding priorities of the U.S. Government is noted. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 94 (cont'd): Marietta Charbonneau

Commentor No. 95: Joy Aspenall

From: Joy Aspenall [jaea@aol.com]
Sent: Thursday, June 16, 2011 1:41 PM
To: nepalaso@doeal.gov
Subject: CMRR Project

Dear Mr. Tegtmeir,

I am writing to express my most emphatic opposition to the CMRR project.

First, on the grounds that the new CMRR building is 2/3 mile from a fault line.

Secondly, on the grounds the expense is outrageous and unjustifiable.

Third, and most important of all, it is time to be spending our human, financial and material resources finding ways to halt the threat that the nuclear industry in total creates. In summary, this is morally unacceptable.

Thank you for your time and consideration.

Sincerely,

Mrs. Joy Aspenall
San Jose, CA
jaea@aol.com

95-1

95-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Regarding cost and funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. .

Commentor No. 96: Dr. Finian D. Taylor

From: Finian Taylor [fintaylor@hargray.com]
Sent: Thursday, June 16, 2011 2:02 PM
To: nepalaso@doeal.gov
Subject: CMRR

Friends:

I understand from the national press that a new CMRR bulding is being planned.

This is abominable.

1. The CMRR is not needed.
2. The cost is outrageous.
3. The project is a violation of the Non-Proliferation Treaty.

Dr. Finian D. Taylor
412 Marsh Pt.
Hilton Head SC 29926

96-1

96-1

NNSA notes the commentor’s opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Lastly, current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 97: Carol Stenger

From: Carol Stenger [carolstngr@yahoo.com]
Sent: Thursday, June 16, 2011 3:38 PM
To: nepalaso@doeal.gov

To Whom It May Concern,

The proposed Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico should be canceled. First, a study of LANL's plutonium infrastructure should be required - including existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined. The CMRR was designed to replace the existing Chemistry and Metallurgy Research Building and serve as the site where they would manufacture "Plutonium Pits", the fissile "triggers" capable of nuclear capability that initiate the destruction of modern thermonuclear weapons. In other words, they are the heart of every nuclear weapon. The Lab already has the ability to produce 20 pits a year at the CMR building, but if they move ahead and build the new CMRR, they will have the ability to produce 80+ a year. (Currently the Department of Energy has 15,000 pits stored at the Pentax Facility in Texas.)

With the cost astronomical, I believe that this is another reason why it should be cancelled.

Please consider this request as a way to save our planet and protect the environment and our people.

Thank you for your consideration in this matter.

Sincerely,
Sr. Carol

"Do you really need to print this email? Think green!
The Sisters of Divine Providence support the conservation of God's resources."

Carol Stenger, CDP
9000 Babcock Blvd.
Allison Park, PA 15101
412-635-5412
carolstngr@yahoo.com
<http://www.divineprovidencewebsite.org>
Eph 3: 20 "Glory be to God whose power working in us can do infinitely more than we can ask or imagine."

97-1

97-1

NNSA notes the commentor's opposition to the CMRR-NF project. Regarding the commentor's request to perform a plutonium infrastructure study, the proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF.

97-2

97-2

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 98: Mary Smith
Church Women United in New York State

From: Mary Smith [smithmarym@yahoo.com]
Sent: Thursday, June 16, 2011 6:57 PM
To: nepalaso@doeal.gov
Cc: Barbara Williams
Subject: We don't need/want more nuclear plants

The original cost of the project: FY2004 Preliminary Full Total Estimated Cost Projection was \$400-550 million with a completion date of 2011.

The current cost: The "Details of Project Cost Estimate" table in the FY2012 budget puts CMRR's current projected cost at \$5.86 billion and a completion date of FY2023 - this is more than ten times the original forecast - and who knows what the final cost would be if they are given the green light on this project.

Built near a fault line: The worst part of all is that the proposed site for the new CMRR building is some 2/3rds of a mile from a geologic fault line. The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. An updated seismic hazards analysis from May 2007 showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the more than \$3 billion added to cost estimates since 2008 result from efforts to address the heightened seismic hazards. The costs of adding this enormous new facility to LANL's weapons manufacturing complex in a geologically unstable area are just too great.

Sent on behalf of Church Women United in New York State

98-1

98-1

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA notes the commentor's concern about the cost of the new facility. Cost of constructing and operating the CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 99: Daniel Heuer

From: Daniel Heuer [heuerdg@comcast.net]
Sent: Thursday, June 16, 2011 10:42 PM
To: nepalaso@doeal.gov
Subject: Chemistry and Metallurgy Research Replacement

To: Mr. John Tegtmeir

I live in Windsor, Connecticut and am writing regarding the Chemistry and Metallurgy Research Replacement (CMRR) that is proposed for expansion in Los Alamos.

I am writing to urge that the CMRR project be canceled, a study of LANL's plutonium infrastructure should be required - including existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined. The project is slated to cost much more than the original proposal.

The worst part of all, however, is that the proposed site for the new CMRR building is only 2/3rds of a mile from a geologic fault line. The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. An updated seismic hazards analysis from May 2007 showed a potential huge increase in seismic ground motion and activity.

Once again, I urge you to cancel this expansion project. The United States needs to learn from the recent nuclear disaster in Japan. We need to take appropriate measures to avert future disasters. At this time with the extremely depressed economy in our we cannot afford to spend large sums of taxpayer funds to create dangerous new project.

Daniel Heuer.
520 Stillwater
Windsor, CT. 06095

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99-1 NNSA notes the commentor's opposition to the CMRR-NF project. Regarding the commentor's request to perform a plutonium infrastructure study, the proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

99-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground

Commentor No. 99 (cont'd): Daniel Heuer

motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage (see Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS*).

99-3

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Regarding project cost and funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 100: John J. Furlong

From: JJfu@aol.com
Sent: Friday, June 17, 2011 9:02 AM
To: NEPALASO@doeal.gov
Subject: Nuclear plants

Anyone who would create what he/she cannot destroy is a fool. That is the case with those who create nuclear weapons; or power plants. The resulting waste is indestructible and will be poisoning this earth for 10,000 years after we are all dead. Find a better way.

Sincerely

John J. Furlong
jjFU@aol.com

100-1 100-1

NNSA notes the commentor's opposition to the existence of nuclear weapons and nuclear power plants. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 101: Robert Lincoln

From: bob linc [guess7808@yahoo.com]
Sent: Friday, June 17, 2011 9:19 AM
To: nepalaso@doeal.gov
Subject: CMRR

I am writing to urge the DOE that, in these times of budget problems, the CMRR project should be canceled. Also a study of LANL's plutonium infrastructure should be required - including existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined.

Sincerely Robert Lincoln
 194 Columbian Ave.
 Rutland, Vt 05701

101-1

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NNSA notes the commentor's opposition to the CMRR-NF project. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

NNSA notes the commentor's opposition to the CMRR-NF project. Regarding the commentor's request to perform a plutonium infrastructure study, the proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 102: Minga Claggett-Borne

From: Minga Claggett-Borne [minga@thebornes.org]
Sent: Friday, June 17, 2011 11:29 AM
To: nepalaso@doeal.gov
Subject: New energy needed

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico 87544

Dear Mr. Tegtmeir,

I'm writing to you in the beginning of a gorgeous summer. I'm so grateful for the trees, the soft wind, the glory of this green planet.

Please don't blow it!! The current CMRR project in Los Alamos needs to be curtailed and safety mechanisms need to be explained to the public. I live far away in New England and I'm extremely concerned. Do not place your hopes on nuclear weapons. No more building at CMRR plutonium pits and triggers. Please cancel your proposed building project. Please explain to me and other citizens your best practices for safety at the existing site.

Thank you for your good works,

Minga Claggett-Borne, LMFT
xxx xxx-xxxx

www.pedalseeds.net

Donde hay la Verdad y amor , siempre hay libertad.

102-1

102-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission, (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Safety is a high priority for NNSA. NNSA requires its contractors to manage and operate NNSA sites and perform work in accordance with regulations, DOE Orders, and standards that include requirements to ensure protection of workers, the public, and the environment.

Commentor No. 103: Eleanor MacLellan

From: Eleanor MacLellan [elmac185@yahoo.com]
Sent: Friday, June 17, 2011 12:41 PM
To: nepalaso@doeal.gov
Subject: CMRR

Your Lab already has the ability to produce 20 plutonium pits a year at the CMR building, but if you move ahead and build the new CMRR, you will have the ability to produce 80+ a year. The Department of Energy already has 15,000 pits stored at the Pentax Facility in Texas. This is not acceptable. The danger of a U.S. Fukushima or Chernobyl is too great. AND the danger of using the plutonium for nuclear weapons is too great!!

The original cost of the project for FY2004 Preliminary Full Total Estimated Cost Projection was \$400-550 million with a completion date of 2011. The "Details of Project Cost Estimate" table in the FY2012 budget puts CMRR's current projected cost at \$5.86 billion and a completion date of FY2023 - this is more than ten times the original forecast - and who knows what the final cost would be if they are given the green light on this project.

The worst part of all is that the proposed site for the new CMRR building is some 2/3rds of a mile from a geologic fault line. The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. An updated seismic hazards analysis from May 2007 showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the more than \$3 billion added to cost estimates since 2008 result from efforts to address the heightened seismic hazards. The costs of adding this enormous new facility to LANL's weapons manufacturing complex in a geologically unstable area are just too great.

Therefore, I beg you NOT to go ahead with this project. Thank you,
 Eleanor MacLellan, Cambridge, MA.

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103-1 NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons.

103-2 NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10 of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

103-3 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building

Commentor No. 103 (cont'd): Eleanor MacLellan

location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage (see Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS*).

Commentor No. 104: Sister Danat Marie Brysch

From: S Danat Marie Brysch [sdanatmarie@feliciansisters.org]
Sent: Friday, June 17, 2011 1:26 PM
To: nepalaso@doeal.gov
Subject: Los Alamos plutonium pits

The Chemistry and Metallurgy Research (CMRR) project planned for Los Alamos is designed to produce "Plutonium Pits" which is used to trigger nuclear weapons. The chosen site is seismologically unstable. In fact, there is no truly safe place on this active planet to store such materials. As a country we need to be more responsible regarding handling all nuclear materials whether raw material, products, or waste.

Sincerely,

Sr. Danat Marie Brysch
 Felician Sisters

104-1

104-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

All radioactive waste generated as part of activities at the CMRR-NF and elsewhere at LANL will be managed in a manner that is protective of public health and safety and the environment, and in compliance with Federal and state standards. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for additional information.

Commentor No. 105: John August Swanson

From: John A Swanson [johnaswanson@sbcglobal.net]
Sent: Friday, June 17, 2011 1:50 PM
To: nepalaso@doeal.gov
Subject: Note from a citizen

June 17, 2011

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico 87544

Dear Mr. Tegtmeir:

I wanted to write to let you know that I oppose the construction of the CMRR (Chemistry and Metallurgy Research Replacement) Project in Los Alamos, New Mexico. It is ludicrous to believe that the 15,000 stockpiled Plutonium Pits, in addition to your current production capacity, in addition to the fully armed nuclear weapons the US has deployed around the world, are insufficient to the cause of destroying the earth many times over. What possible benefit can Americans, or anyone else, expect to derive from your plan to create even more fissile triggers?

No good can come from this project. Billions of dollars that could be better spent on nearly anything will be turned into more weapons than could ever be used. Please cancel this project.

Yours sincerely,

John August Swanson

The Studio of John August Swanson
8417 Holy Cross Place
Los Angeles, CA 90045
xxx.xxx.xxxx

May God bless us with enough foolishness to believe that we really can make a difference in this world, so that we are able, with God's grace, to do what others claim cannot be done.

- Four-fold Franciscan Blessing

105-1

105-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission, (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Regarding project cost and funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 106: Patrick Grace

From: Patrick Grace [pgrace116@gmail.com]
 Sent: Sunday, June 26, 2011 12:28 AM
 To: NEPALASO@doeal.gov
 Subject: LANL

to whom it may concern,

i am a taos county resident who opposes the expansion of LANL. First of all, the continued production of nuclear armaments defies logic. the cold war is over. nuclear weapons represent all that is wrong with humanity. it is one thing to annihilate human life, and another to annihilate ALL LIFE. This is unacceptable. Nobody wins in a nuclear war.

The continued threat posed by the LANL facility to the residents of northern new mexico is serious. i live downwind from the laboratory, and find the reality of an accident sobering. nuclear material does not go away. it stays in the environment for decades and decades to come. The lab is a great source of income for our otherwise poor region, but i find that the short-term gains are outweighed by the consequences of a simple miscalculation or mistake. do we really need to manufacture nukes? can't we spend our money more wisely? I personally feel that the spirit of the American people is transcendent to our current state of affairs. We do not need nukes. If a conflict arises i believe that we are capable of resistance. But are we the aggressors? If there was a need for physical force, if the situation arose where folks were needed to defend our great country I would gladly answer the call. I believe in our commonwealth, i believe in the good of humanity. i do not believe in the continued production of nuclear weapons.

please see beyond the short-term economic growth, and invest my money in something worthwhile, like a future for america, for example education. if we managed our federal money more wisely we wouldn't be in this state of affairs. thank you for your time, and i hope you do not continue with the proposed expansion

-sincerely, patrick grace

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106-3

106-1 NNSA notes the commentor's opposition to the CMRR-NF project at LANL and the continued production of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the CMRR-NF SEIS, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

106-2 The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF.

The types of radiological accidents that occurred at Chernobyl and the Fukushima Daiichi Nuclear Power Plant require a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

106-3 Regarding the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 107: Sister Aquinas

From: smaquinas@feliciansisters.org
Sent: Friday, June 17, 2011 10:47 PM
To: nepalaso@doeal.gov
Subject: cmmr project

Dear Sir,

I am writing to ask you to cancel the CMMR project in New Mexico for the sake of the common good of humanity. I know little of politics and the nuclear world but I support human life and care for the earth and its inhabitants.

God bless you as you work for the good of all.

Sister Aquinas

107-1

107-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 108: John Witham

From: John Witham [7john3@gmail.com]
Sent: Friday, June 24, 2011 5:32 PM
To: John Tegtmeier
Cc: John Witham
Subject: CMRR-NF SEIS Comments

6/24/2011

Mr. John Tegtmeier, CMRR-NF SEIS Document Manger, USDOE, NNSA, Los Alamos Site Office, 3747 West Jemez Rd., Los Alamos, NM 87544

1. A Complete, New Environmental Impact Statement is Needed, Not A Supplemental Environmental Impact Statement. The original Environmental Impact Statement in 2004 assessed a building designed to withstand only mild seismic events. A 2007 updated seismic hazards analysis showed a potential huge increase in seismic ground motion and activity. Los Alamos National Lab sits between the Rio Grande rift and the volcanic Jemez Mountains in a seismic fault zone. Only a full Environmental Impact Statement can adequately study the full consequences of increased possibility seismic events might have on the proposed bomb plant.

- A new business case is needed. Decisions made in 2004 EIS are outdated. Choice of NF is based on 2007 costs before NF ballooned to \$6B.
- The wrong Question is being asked. Should be – What is the most efficient way to take care of NNSA's stockpile needs? Not - What size and where shall the NF be built?

2. Real Alternatives Must Be Considered in the Supplemental Environmental Impact Statement. DOE must develop and consider new alternatives, including a true "No Action" alternative--not building the Nuclear Facility; and upgrading the existing plutonium production building.

- Two of the Alternatives given in this draft are so bad that they cannot really be considered alternatives
- The current "No Action" Alternative is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 CMRR EIS. But based on new information learned since 2004, the 2004 CMRR-NF would not meet seismic standards to safely conduct mission work. "Therefore, the 2004 CMRR-NF would not be constructed". (Pg. S-8)
- So this is not really an alternative.
- The Continued Use of CMR Building Alternative In this current EIS states: Do not construct a replacement facility to house the capabilities planned for

108-1

108-2

108-3

108-1

As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazard analyses of the LANL region (LANL 2007, 2009). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. These changes are included in the Modified CMRR-NF Alternative (see Chapter 2, Section 2.6.2 of the *CMRR-NF SEIS*). See also Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

108-2

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions, which were based on a number of considerations including cost, in two Records of Decision published in the *Federal Register* on December 19, 2008 (73 FR 77644 and 77656). The first ROD addresses operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and includes the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building. Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault

Commentor No. 108 (cont'd): John Witham

the CMRR-NF, but continue to perform operations in the CMR Building at TA-3, with normal maintenance and component replacements at the level needed to sustain operations for as long as feasible. Certain operations would be restricted. Administrative and radiological laboratory operations would take place in RLUOB at TA-55. But this alternative does not completely satisfy NNSA's stated purpose and need to carry out operations at a level to satisfy the entire range of DOE and NNSA mission support functions. (Pg. S-19)

- So this is not really an alternative, either.
- That leaves only the Modified CMRR-NF Alternative as the only real alternative. Under the Modified CMRR-NF Alternative, which is NNSA's Preferred Alternative, NNSA would construct the new CMRR-NF at TA-55 next to the already constructed RLUOB, with certain construction enhancements and additional associated construction support activities.
- Obviously, two of the alternatives are unworkable, which stacks the deck in favor of the preferred alternative.

3. This draft SEIS should be withdrawn until the details of the Seismic Risks are better understood.

- The cost-saving Shallow Option, in which the foundation would be constructed in a geologic layer above a poorly welded tuff layer, is not a mature concept, and it is not yet known if this option is safe. The draft SEIS fails to accurately analyze how impacts to the environment from this option may be different.
- There are more new seismic investigations currently underway at the Lab. This draft SEIS must be withdrawn and rewritten after the results of these new investigations are known. Proceeding with design before seismic risks are better known will only repeat the process that led to the need for this Supplemental EIS.

4. A New Nuclear Facility Will Detract from Cleanup of the Existing Mess. DOE made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant, which will only add to the pollution.

- Materials Disposal Area C (MDA C), a large chemical waste dump, is located in the middle of the proposed construction support areas. Large pore gas contaminant plumes exist under areas where construction offices and warehouses are planned. Cleanup at MDA C must be completed before any new construction.

108-3
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108-3

trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*.

Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, of the SEIS, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions and issued through the 2008 *Complex Transformation SPEIS* ROD. Although many commentors expressed a preference for a No Action Alternative that would abandon the current CMR Building and not proceed with the CMRR-NF, such an alternative does not meet NNSA's stated purpose and need (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). Thus, an alternative of ceasing CMR operations is not addressed in the *CMRR-NF SEIS*. The No Action Alternative in the *CMRR-NF SEIS* is based on the decision made following preparation of the original *CMRR EIS* in 2003. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

108-4

108-4

NNSA understands the seismic risks of the CMRR-NF construction site sufficiently to proceed with design. See the response to 108-1.

The concerns expressed by the commentor about the Shallow Excavation Option not being a mature alternative appear to refer to statements in Chapter 1 and Chapter 2, Section 2.6.2.1, of the *Draft CMRR-NF SEIS* indicating that there was more uncertainty in the design of the Shallow Excavation Option because that design had not reached the same level of maturity as the Deep Excavation Option. The *CMRR-NF SEIS* has been revised. In 2011, a review of the requirements for the design of the CMRR-NF identified an opportunity to reduce the amount of additional excavation and concrete fill required for the Deep Excavation Option by raising the bottom of the basemat to near the original design elevation. The overall building height would remain the same, but the top of the roof would be higher above ground than it was in the conceptual and preliminary design. At the current level of design maturity, this approach, known as the Shallow Excavation Option, appears to provide some reductions in construction impacts and cost without affecting other building design requirements. Both construction options require the same sets of safety controls and are expected to remain

108-5

Commentor No. 108 (cont'd): John Witham

5. The Costs to Build a Plutonium Pit Production Complex Are Just Too High. The total original estimate for constructing the new nuclear weapons complex at Los Alamos National Laboratory was approximately \$600 million in 2004. The current estimate is \$5.8 billion. DOE must analyze whether this growing price tag is too high and examine simply upgrading the existing facilities to address seismic concerns and worker safety would cost less.

**108-2
cont'd**

6. The US does not need 80 new plutonium pits per year. DOE must conduct a "capacity study" to determine whether the existing facilities can be used instead of building the proposed NF, which would increase pit-manufacturing capacity to at least 80 per year. Existing facilities have sufficed since 1999 when DOE limited plutonium pit manufacturing to 20 per year.

108-6

- So what are these needed new or expanded capabilities, if indeed we are seeking a future world free of nuclear weapons? If these needs exist, NNSA must explain why plutonium pit production must be expanded? If expanded production is not needed, then why is the CMRR-Nuclear Facility needed?

Just as new seismic information has forced a re-evaluation of the construction, new cost information must force a re-evaluation of the cost.

**108-2
cont'd**

The No-build alternative that was offered in the scoping must be reconsidered.

- Do not construct a replacement facility to house the capabilities planned for the CMRR-NF. Continue to perform analytical chemistry, material characterization, and actinide research and development activities in the CMR Building, making the extensive facility upgrades needed to sustain CMR programmatic operations for another 20 to 30 years.

**108-3
cont'd**

John Witham
Santa Fe, NM 87505

close in offsite environmental consequences as shown in the analyses contained in this SEIS. At this time, both construction options are being considered by NNSA. As the design studies continue and more details become available, one option or the other may be judged to have significant advantages in the time and/or cost expected for executing the excavation phase of construction that will facilitate NNSA's selection of a preferred construction option. Whichever alternative or option is selected, the CMRR-NF must meet the design standards for a Performance Category 3 (PC-3) facility. PC-3 structures, systems, and components are those for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials. Design considerations for this category are to limit facility damage as a result of design-basis natural phenomena events (for example, an earthquake) so that hazardous materials can be controlled and confined, occupants are protected, and the functioning of the facility is not interrupted (DOE 2002b). The Deep Excavation Option would have greater impacts from construction than the Shallow Excavation Option, but the operational impacts would be the same for either option.

108-5

NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

108-6

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 109: Nodia Brent-Lux

From: Nodia [Nodia@goldeneyesantafe.com]
Sent: Saturday, June 18, 2011 4:53 PM
To: NEPALASO@doeal.gov
Subject: plutonium production in Los Alamos

To Whom It May Concern,

I am absolutely opposed to plutonium production in Los Alamos and I am appalled that our tax dollars are going towards the creation of new weapons. How many people will have to get sick and die from nuclear accidents before we decide to place people before profits?

Nodia Brent-Lux

109-1

109-1

NNSA acknowledges that there is substantial opposition to the development of nuclear weapons. Plutonium is not produced at LANL and could not be produced there. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 110: Claire Kugelman-Kropp

From: Claire Kugelman-Kropp
To: nepalaso@doeal.gov
Sent: Friday, June 17, 2011 7:27 AM
Subject: Responding to the CMRR SEIS

I recently heard about the proposed new plutonium facility at the Los Alamos National Laboratory, and I have a few concerns.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

The alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include "taking no action" as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.

Money spent on nuclear weapons does not spur economic growth. Investments in education, healthcare, renewable energy, and public transportation would all create more jobs and spur more growth.

Claire Kugelman-Kropp
 15985 41st Avenue
 Clearlake, CA 95422

110-1

110-1

NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

110-2

110-2

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the CMRR-NF SEIS). The No Action Alternative included in the CMRR-NF SEIS is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967).

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 111: Kathryn Albrecht

From: Kathryn Albrecht
[lapaz@zianet.com]
Sent: Saturday, June 18, 2011 11:04 PM
To: nepalaso@doeal.gov
Subject: No Plutonium Lab!

NOT now, not EVER. Stop work on the CMRR and convert the Labs!

Kathryn Albrecht
San Antonio, NM
87832-0422

The cure for anything is salt water -
sweat, tears, or the sea.
~ Isak Dinesen

|| **111-1**

111-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD.

Commentor No. 112: Anne DeMers

From: Anne Demers [Anne.Demers@bhshealth.org]
Sent: Saturday, June 18, 2011 11:25 PM
To: nepalaso@doeal.gov
Subject: CMMR replacement building

Mr. John Tegtmeir
 U.S. DOE/NNSA Los Alamos Site Office
 3747 West Jemez Road
 TA-3 Building 1410
 Los Alamos, New Mexico 87544

I urge you to cancel the replacing the existing Chemistry and Metallurgy Research Building for many reasons:

- 1) We already have the ability to produce 20 pits a year at the CMS building and currently have 15,000 pits stored at the Pentax Facility in Texas.
- 2) This violates the Nuclear NonProliferation Treaty in existence.
- 3) This building is located in a seismic fault zone between a rift valley and a dormant volcano. A recent seismic hazards analysis showed a potential huge increase in seismic ground motion and activity. We seem to be courting our own nuclear disaster -- maybe much word than Fukushima or Chernobyl. Supposedly the new building will be able to withstand an earthquake of 7 on the Richter scale, but Japan has already had an aftershock from their recent earthquake measuring 7.1.

Also, a study of the Los Angeles National Laboratory's plutonium infrastructure needs to happen -- including existing and future capability needs, and it would be good if a realistic cost for maintaining and upgrading safety features at the existing CMR would be determined. I would rather see federal money spent for this purpose.

Again, I urge you to cancel this project.

Sincerely,
 A. DeMers
 Crookston, MN

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112-4

112-1 NNSA notes the commentor's opposition to the CMRR-NF project. A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

112-2 Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

112-3 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated

Commentor No. 112 (cont'd): Anne DeMers

seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The types of radiological accidents that occurred at Chernobyl and the Fukushima Daiichi Nuclear Power Plant require a large source of energy that is produced from the fissioning of nuclear fuel. Plutonium metal and oxide used at the existing CMR Building and that would be used in the proposed CMRR-NF cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems like those used at commercial nuclear reactor plants. For more information on this issue see Section 2.8, Nuclear Accidents, of this CRD.

112-4

The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 113: Emily Sadow

From: Emily Sadow [snowmaven@gmail.com]
Sent: Sunday, June 19, 2011 11:06 AM
To: nepalaso@doeal.gov
Subject: Comments CMRR-NM SEIS

I am writing to oppose the new Chemical and Metallurgical Research Replacement Nuclear Facility building proposed in Los Alamos. Here are some reasons:

1. A SEIS is not sufficient to assess the impacts, only a complete NEW EIS would be sufficient || 113-1
2. Focus on cleaning up the existing mess before building something new || 113-2
3. There must be other alternatives considered || 113-3
4. Increasing the capacity to build nuclear bombs could compromise the US efforts for nuclear arms reduction, for the completion of non-proliferation treaties and for persuading non-nuclear nations to abstain from acquiring their own nuclear weapons. || 113-4
5. Nuclear weapons are obsolete || 113-5
6. Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream || 113-6
7. Money spent on Unusable Nuclear Waste does NOT support economic growth. || 113-7

Thank you for taking comments.

Sincerely,

Emily Sadow
 PO Box 352
 El Prado, NM 87529

- 113-1** NNSA notes the commentor's support for the preparation of a new environmental impact statement to the *CMRR-NF SEIS*. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information regarding the decision to prepare an SEIS.
- 113-2** In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.
- 113-3** Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the CMRR-NF SEIS). The No Action Alternative included in the CMRR-NF SEIS is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967).
- 113-4** Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.
- 113-5** Although a number of commentors expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 113 (cont'd): Emily Sadow

- 113-6** The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.
- 113-7** NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 114: Sheila Croke

From: Sheila Croke [scroke@verizon.net]
Sent: Sunday, June 19, 2011 11:17 AM
To: nepalaso@doeal.gov
Subject: Chemistry and Metallurgy RCMRR Project in Los Alamos, New Mexico

Dear Mr. Tegtmeir,

I am writing to express my deep concern and alarm about the proposed facility in New Mexico.

First, the location is known to be close to a fault line. We know from Japan that the best laid plans are no guarantee for success; the strength of an earthquake can exceed expectations. To build so close to a fault line seems far from prudent.

Second, the cost is out of control. How can our country justify such an expense considering the basic needs such as education, nutrition and health care for our youth? What are our priorities?

What about the effects on the environment? Why do we want to risk damaging the region to say nothing of those who live downwind or downstream from the facility?

I urge you to do all in your power to put a stop to this project for the good of all our citizens.

Sheila Croke
 Greenlawn, NY 11740

114-1

114-1

NNSA notes the commentor's concerns about the proposed CMRR-NF. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

114-2

114-2

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

114-3

114-3

Chapter 4 of the *CMRR-NF SEIS* presents the potential impacts of the proposed alternatives on the environment, including the populations downwind or downstream of the facility. As indicated in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, the estimated human health impacts from normal operations are expected to be small.

114-4

114-4

Comment noted.

Commentor No. 115: Marliss Rogers

From: marjayrog [marjayrog@milwpc.com]
Sent: Monday, June 20, 2011 11:31 AM
To: nepalaso@doeal.gov
Subject: CMRR New Mexico

We don't want New Mexico to turn into a Fukushima! Please cancel the CMRR project. Instead, make a study of LANL's plutonium infrastructure, including existing and future capacity needs. A realistic cost for maintaining and upgrading safety features at the existing CMR should also be determined.

The cost of nuclear power, in terms of radiation illness, pollution, lives and funds is far too dear. We need to make an effort to use renewable energy (non-nuclear) to provide energy needs for our cities.

Thank you for your consideration.

Marliss Rogers

115-1

115-1 NNSA notes the commentor's opposition to the CMRR-NF project and nuclear power. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, for more information.

Regarding the commentor's request to perform a plutonium infrastructure study, the proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 116: Linda Thompson

From: Linda Thompson [lindat@taosnet.com]
Sent: Sunday, June 19, 2011 11:46 PM
To: NEPALASO@doeal.gov
Cc: Senator@tomudall.senate.gov; NM03BLIMA@mail.house.gov
Subject: My Comments about the Draft CMRRNF SEIS

For Mr. John Tegtmeier, CMRRNF SEIS Document Manager, NNSA Los Alamos Site Office, 3747 West Jemez Road, TA3 Building 1410, Los Alamos, New Mexico, 87544; and any others accepting comments from residents of the affected area.

I attended a recent meeting in Taos, NM, about the proposed project.

My family and I are very concerned about the proposed plutonium pit production complex at Los Alamos. We feel that a complete, new EIS should be required for this potentially very harmful expansion. The location is seismically active, and after the horrible environmental disaster affecting nuclear power plants in Japan, we know that our current scientific knowledge about the safety of such a project in a seismic zone is woefully inadequate. The proposed Supplemental EIS is not good enough to support building such a facility in a seismic zone that is not well understood. Furthermore, the building's design is not final, so any environmental studies should not be begun until the design is final.

We need to continue addressing the existing problems of clean-up at LANL, not begin new contamination and highly hazardous activities there. The American people are tired of living under the threat of nuclear warfare, terrorism, facility accidents, transport accidents, and economic downturns caused, in part, by the huge expense of waging several long-lasting wars in a number of countries overseas. We do not need more ramp-ups to war that cost billions of dollars and present unforeseen problems. We do not need 80 new plutonium pits (bomb triggers) a year. We need to respect our nonproliferation treaties and goals.

We do not need (and strongly oppose) more environmental degradation caused by making war weapons, especially nuclear bombs. Los Alamos does not need an economic boost; but other parts of New Mexico do need environmentally friendly industries that aim to put this country and state back into prosperity--a peace-oriented prosperity. Let's stop the war machine and begin to address cleaning up the messes that we have and building self-sustaining energy industries such as wind power and solar power facilities. We live in a beautiful part of a beautiful state with a fascinating history and culture; let's not turn it into a wasteland unfit

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116-1 NNSA notes the commentor's position that a new environmental impact statement is needed, rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information regarding the decision to prepare an SEIS.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

116-2 NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent.

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 116 (cont'd): Linda Thompson

for life--just to keep our military machine expanding. Please listen and respect our point of view. Begin with a brand-new complete EIS that applies the most current knowledge to all of the proposed, final-design features of this project.

Sincerely,

Linda Thompson
HCR 74 Box 22273
El Prado, NM 87529

|| 116-1
cont'd

116-3

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

NNSA acknowledges that there is substantial opposition to nuclear weapons and their components. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 117: Edward J. Thompson

From: 8Edward Thompson [ejthomp2000@yahoo.com]
Sent: Monday, June 20, 2011 9:00 AM
To: nepalaso@doeal.gov
Subject: Stop the CMRR Project

Stop the CMRR project for these reasons.

1. We don't need additional nuclear proliferation.
2. it is a violation of international nuclear agreements.
3. an accident would kill thousands of innocent people.
4. The huge cost of this project is in direct violation of our need to reduce costs of military spending.

Edward J. Thompson

117-1

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NNSA notes the commenter's concerns about nuclear proliferation. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 118: Paul Troyano

From: nepalaso@doeal.gov on behalf of ptroyano [ptroyano@cox.net]
Sent: Sunday, June 19, 2011 10:12 AM
To: nepalaso@doeal.gov
Subject: No nuclear facility near a fault line or anywhere

Mr. John Tegtmeir,

We here in the US do not need a Chemistry and Metallurgy Research Replacement facility anywhere in the US , least of all near a geological fault line.

I hope you will reconsider this project especially in light of Fukushima disaster ,resulting from an earthquake. Accidents happen without earthquakes and why should we put our children in harms way? Why should we make anything so deadly for our world? We have enough weapons now to destroy the world many times over. When I was a teenager I was aware we had enough nuclear weapons to destroy each city over 700 times. There is no reasoning that would convince us this makes sense.

Thank you.

Paul Troyano
New Orleans,LA

118-1

118-1

NNSA notes the commentor’s opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD.

NNSA notes the commentor’s concern about building in a geologically unstable area or near a fault. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA acknowledges the commentor’s concern related to the accident that occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 119: Hope Buechler

From: Hope Buechler [hopeb@taosnet.com]
Sent: Friday, June 24, 2011 6:18 PM
To: NEPALASO@doeal.gov
Subject: Draft CMRR-NF SEIS

Dear John Tegtmeier,

The redesigned CMRR-NF if built, surely fits the definition of a boondoggle, i.e. an unnecessary and expensive piece of work paid for by public funds.

Is the planned facility really necessary? The factory will be used to store plutonium and to process the plutonium into "pits," the softball sized explosive core of nuclear warheads. But the US already has 2468 active nuclear warheads containing pits that are reliable for at least 81 years.

Is this project expensive? The projected cost is \$4.5 billion and rising.

Furthermore, a boondoggle though costly and unnecessary generally does no harm, but this one is very risky. Stored plutonium can ignite spontaneously releasing dangerous radiation. Or the plutonium could ignite after a seismic event - the facility will be set in a seismic fault zone between a rift valley and a volcanic range. In any risk taking there are two considerations: how likely is something to happen, and what are the consequences if something does happen. An earthquake or volcanic eruption may not be very likely, but if it does happen, if the earth shakes at Los Alamos under a facility containing 6 metric tons of stored plutonium, the consequences are dire.

Thank you for considering my comments,

Sincerely,

Hope Buechler
P.O. Box 665, Arroyo Seco,
NM 87514
xxx xxx xxxx

119-1

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119-3

119-1 NNSA notes the commentor's position regarding plutonium pit production. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

119-2 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

119-3 NNSA notes the commentor's concern about building in a geologically unstable area. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that

Commentor No. 119 (cont'd): Hope Buechler

is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 120: Jan Soleau

From: Jan - Joy [janjoyihm@comcast.net]
Sent: Sunday, June 19, 2011 8:37 PM
To: nepalaso@doeal.gov
Subject: CMRR Project

Dear Sir:

Please do all in your power to close the CMRR project--a very scary situation. Also research and study should be done about maintaining the existing CMR and its cost.

Thank you for your consideration.

Jan Soleau

120-1

120-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the proposed CMRR-NF would support this effort.

As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. Funding decisions regarding major Federal programs (for example, energy and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 121: Carol Fox

From: carol fox [cfox7267@sbcglobal.net]
Sent: Sunday, June 19, 2011 5:27 PM
To: nepalaso@doeal.gov
Subject: No Fukushima in New Mexico

Dear Mr. John Tegtmeir,

The CMMR project should be canceled immediately. Before it goes forward again, there must be a study of LANL's plutonium infrastructure including existing and future capability needs as well as a realistic cost for maintaining safety features.

Please see that a possible tragedy is averted.

Sincerely,

Carol Fox
Niles, Illinois

121-1

121-1

NNSA notes the commenter's opposition to building the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding the commenter's request to perform a plutonium infrastructure study, the proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644).

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 122: Katheryn Pate

From: Katheryn Pate [katheryn@highmountainproperty.com]
Sent: Monday, June 20, 2011 1:26 PM
To: NEPALASO@doeal.gov
Subject: JUST WHAT WE NEED

I am so sick & tired of all of this nuclear crap. Look what happened in Japan, look what may happen on the Missouri River here in the US. When will we come to our senses & realize that plutonium & other radioactive elements are DANGEROUS to our environment & our lives? But I guess I'm talking to a brick wall here. I'm sure this thing's a done deal already. The little guy in our society has no clout, no sway. I don't have billions of bucks to throw at some congressman, or some EIS decider. I'm sick & tired of the way things work, or don't, here in this insane world. I'm sick & tired of unending wars that benefit the elite corporations & kill & injure millions of innocent people in far away places. This country is lost. We'll never get back what we thought we had back in the good old days before the blinders came off & we realized that our reality was manufactured by the corp-gov "news." I don't even know why I'm sending this email. It'll just get trashed. I used to be so proud of this country. My ancestors came here in the 1600s. They fought in the Revolutionary War. I was so honored to be part of a family that helped found this nation. And now look where we are. My ancestors are rolling over in their graves. I'm puking in disgust.

I am a mother, a wife & a grandmother. I am an ordinary woman living an ordinary life & I am sick of how this country & this world is changing. God help us all.

Sincerely,
Katheryn Pate
Taos, NM

122-1

122-1

Comment noted.

Commentor No. 123: Carol Averill

From: Carol and Dick Averill [rpaverill@gmail.com]
Sent: Tuesday, June 21, 2011 12:49 PM
To: nepalaso@doeal.gov
Subject: Re: Total Craziness

There is no money to spend on things we do not need and which are totally immoral. When are you going to realize that we must discontinue to fund the Military Industrial Complex which is getting closer and closer to destroying us all. What will we have to do to stop this total nonsense? Please, Please stop the whole nuclear program and watch others do the same.

Carol Averill
Disgusted and peace loving citizen

123-1

123-1

NNSA acknowledges that there is substantial opposition to nuclear weapons and their components. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Funding decisions regarding major Federal programs (for example, defense) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 124: Phoebe Sorgen

From: Phoebe Sorgen [phoebes0@earthlink.net]
Sent: Friday, June 24, 2011 12:47 AM
To: nepalaso@doeal.gov
Subject: CMRR proliferation+pollution is unacceptable!

Plans for a CMRR Nuclear Facility at Los Alamos are unacceptable, as is nuclear proliferation. Want REAL national security? Wake up and become sane. Here's why I oppose the plans:

Manufacturing plutonium pits is extremely dangerous to the health and safety of those living downwind. Plutonium is a very potent carcinogen. My next door neighbor died in the prime of health from lung cancer tho she never smoked nor worked w/ carcinogens. Another dear friend is now dying-ditto, ditto-lung cancer, never smoked. Why? Because 2.1 lbs of plutonium 238 were released into the air from a U.S. navigational satellite in an accident on April 21, 1964. It's been detected on all continents and all latitudes/longitudes. It could be you, if you happen to breathe in one imperceptible speck of it, or your grandchild. Enough!

The United States does not need ANY, let alone 80, new plutonium pits per year. Do you want to re-ignite the nuclear arms race?!

Also, the Supplemental Environmental Impact Statement is totally inadequate. Start over with a new, realistic Environmental Impact Statement. After all, the Los Alamos National Lab is in an earthquake-prone area, LIKE FUKUSHIMA. The original Environmental Impact Statement (2004) looked at a building designed to withstand only mild shaking, but a 2007 study indicated a potential huge increase in ground motion activity.

Chernobyl caused a million cancers, and so will Fukushima. Nuclear weaponry is even more deadly.

Stop this madness NOW!

Phoebe Sorgen
 1053 Cragmont Av
 Berkeley, CA 94708

124-1

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124-3

124-4

124-1 NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

124-2 A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

124-3 As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazard analyses of the LANL region (LANL 2007, 2009). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand

Commentor No. 124 (cont'd): Phoebe Sorgen

a design-basis earthquake without major damage. These changes are included in the Modified CMRR-NF Alternative (see Chapter 2, Section 2.6.2 of the *CMRR-NF SEIS*). See also Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

124-4 NNSA acknowledges the commentor's concern that an accident similar to those that occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant or that occurred at Chernobyl could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 125: Christopher Lish

From: Chris Lish [lishchris@yahoo.com]
Sent: Sunday, June 26, 2011 1:52 AM
To: NEPALASO@doeal.gov
Subject: I oppose the CMRR Nuclear Facility

Saturday, June 25, 2011

NNSA Los Alamos Site Office
 3747 West Jemez Road
 TA-3 Building1410
 Los Alamos, New Mexico, 87544,

Dear CMRR-NF SEIS Document Manager John Tegtmeier,

I am writing to express my deep concern with your plans at Los Alamos National Laboratory for a Chemistry and Metallurgy Research Replacement (CMRR) Nuclear Facility. I am incredibly upset by this new project for a variety of reasons:

* As proposed, the CMRR project will cost close to \$6 billion, a 1,000% increase over initial cost estimates.

|| 125-1

* The Department of Energy now recognizes that there is a greater risk of damage to such a facility from earthquakes. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

|| 125-2

* Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen.

|| 125-3

* Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

|| 125-4

* Nuclear weapons are obsolete. They are useless against a terrorist attack, and building more weapons will only increase proliferation and the chance that a terrorist could acquire nuclear material.

|| 125-5

The draft Supplemental Environmental Impact Statement is premature and I strongly urge the Department of Energy to withdraw it.

|| 125-6

Thank you for your consideration of my comments. Please do NOT add my name to your mailing list. I will learn about future developments on this issue from other sources.

Sincerely,

Christopher Lish
 PO Box 113
 Olema, CA 94950

125-1 NNSA notes the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. Regarding cost concerns, the cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making a decision in the ROD.

125-2 Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

125-3 The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

125-4 As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

Commentor No. 125 (cont'd): Christopher Lish

- 125-5** Although the commentor expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.
- 125-6** NNSA determined, consistent with CEQ regulations and DOE Implementing Procedures, that it was appropriate to prepare an SEIS at this time due to changes that have occurred since the 2003 CMRR EIS was prepared. NNSA maintains that a supplement is appropriate and that there is no reason to withdraw the *CMRR-NF SEIS* at this time.

Commentor No. 126: Patricia Birnie

From: Patricia Birnie [patbirnie@greenbicycle.net]
Sent: Friday, June 24, 2011 1:52 PM
To: nepalaso@doeal.gov
Subject: STOP the CMRR new nuclear weapons facility!

I strongly oppose the NNSA plan to build a new plutonium pits factory at the Los Alamos Labs.

It would be a far more efficient use of money, time, resources, and environmental stewardship to upgrade the old facilities.

The estimated cost of completion of the new complex has become astronomical compared to its original estimate.

In addition, according to a 2007 seismic study, the site is located too close to an earthquake prone area with far more dangerous than originally understood. It is foolish to continue with such a seriously flawed plan.

The Los Alamos site is presently in the middle of toxic waste removal, and needs to have that completed before doing further environmental damage there.

The draft Supplemental Environmental Impact Statement should be withdrawn.

No further work should be done at this site toward a new plutonium pit factory. Use common sense, and utilize taxpayer dollars more wisely, and still provide for our national security.

Thank you,

Patricia Birnie
 5349 W. Bar X Street
 Tucson, AZ 85713
 USA

Patricia Birnie
 5349 W. Bar X Street
 Tucson, AZ 85713-6402

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cont'd

- 126-1** NNSA notes the commentor's opposition to a "new plutonium pits factory" at LANL. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.
- 126-2** Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. Renovations needed to upgrade the existing CMR Building would be extensive. Although this alternative was considered in the *CMRR-NF SEIS*, it was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*.
- 126-3** The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.
- 126-4** The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.
- Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region

Commentor No. 126 (cont'd): Patricia Birnie

were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage (see Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS*). Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for additional information.

- 126-5** Regarding commitment to clean up legacy waste, NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 127: Thomas Heck

From: Thomas Heck [heck.3@osu.edu]
Sent: Friday, June 24, 2011 12:21 AM
To: nepalaso@doeal.gov
Subject: Ouch! What a waste of money

The new plans for a CMRR Nuclear Facility at the Los Alamos Lab are downright insane. As a citizen who is concerned about nuclear proliferation and national security, I would argue that the United States does not need 80 new plutonium pits per year. Without a nuclear arms race, the 20 pit per year production limit implemented by DOE in 1999 should suffice.

If plutonium -- a deadly poison -- were not a curse on generations yet unborn, I would not be so worried.

Thomas Heck
 592 Rosa Linda Way
 592 Rosa Linda Way
 Santa Barbara, CA 93111

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NNSA notes the commentor's opposition to the CMRR-NF project. A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for additional information.

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The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Commentor No. 128: Grant Weherley

From: Grant Weherley [grantweherley@gmail.com]
Sent: Friday, June 24, 2011 9:51 AM
To: nepalaso@doeal.gov
Subject: There are many more beneficial areas to allocate government spending

The idea that the U.S. government is throwing billions of dollars at nuclear weapons, regardless of whether it is in the form of development, production, or maintenance, is both appalling and irresponsible in countless ways. Nuclear weapons are a “deterrent”, yet every time our nuclear capabilities expand, this is clearly a threatening move to other countries, likely causing a corresponding increase in their nuclear abilities, leaving no competitive edge to the U.S. and resulting only in a significant waste of time and capital.

Which leads me to my next point that in the current status of this country economically, as just one example as there are plenty of others, spending this money on R & D of cheaper sources of energy would be much wiser. There are no problems currently or in the near future stemming from a shortage of nuclear weapons or a lack of nuclear weapon maintenance, so it is a waste to allocate billions where there is no need, when there are so many other problems in this country. Don't do this. You are screwing over everybody and everything, even the local environment, and it's completely senseless.

Don't just do your job. Do what you know is right, so when you die you know that you left the world a better place, not worse.

Grant Weherley
1408 Jandymar Court
Lexington, KY 40517

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NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

128-2

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, for alternative energy sources) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for additional information.

128-2

Commentor No. 129: Christine Curry

From: Christine Curry [christinecurry.pna@gmail.com]
Sent: Thursday, June 23, 2011 3:55 PM
To: NEPALASO@doeal.gov
Subject: Stop New Nuclear Weapons Plant, Earthquake Zone by 6/28

Dear Department of Energy,

I'm concerned about the construction of the CMRR plutonium reprocessing and storage facility in New Mexico. It will store six tons of the most highly toxic substance on Earth, plutonium, at the government's facility. Second, the costs have ballooned by 1000%, from \$600 million to \$6 billion.

Finally, this facility can be used to reverse the program, from President Obama's pledge to end nuclear weapons, to produce as many as 80 nukes each year. This is going one step forward, 3 steps back, with plutonium—the most deadly, toxic substance in the world.

Sincerely,

Christine

Christine Curry
 PA 19061

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NNSA acknowledges that President Obama has stated that a long-term goal is a world free of nuclear weapons, although the President has also stated that this goal would not be reached quickly. Even in the post-War world, international dangers remain and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NNSA notes the commentor's concern about the cost of the new facility. Cost of constructing and operating the CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for additional information.

The toxic nature of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Commentor No. 130: Tamara Severns

From: Tamara Severns [redwoodseverns@yahoo.com]
Sent: Thursday, June 23, 2011 2:01 PM
To: nepalaso@doeal.gov
Subject: Registering my opposition to the CMRR Nuclear Facility

I am not a scholar but a working class citizen who wants to live without fear of my own government caring so little about the working class and the environment that DOEE wants to contaminate all of us in the name of security. We have so many suffering from working in these plants. Would you build a Nuclear Weapons plant near the White House or the Pentagon and have the White House staffers work there or your families work there. It is not fair to the environment or the people who can not fight back with these Corporate Controllers. We the People really have lost our voice in America. We have become South Africa where the rich rule the poor....no more democracy here in America. All we have left is our genuiness and love of each other as we watch democracy taken away bit by bit and say thank God we are not those people who live ruled by greed and not compassion of their fellow humanbeings and nature. Sadly Tamara

Tamara Severns
705 W 38th St
Kansas city, MO 64111

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Comment noted.

Commentor No. 131: Ann Suellentrop

From: Ann Suellentrop [annsuelen@gmail.com]
Sent: Thursday, June 23, 2011 1:51 PM
To: nepalaso@doeal.gov
Subject: Stop Building for Nuclear War!!!

I am very upset about the proposed new plutonium facility at the Los Alamos National Laboratory!!! Nothing justifies the preparation for the annihilation of millions of civilians in a single flash of light!!

It is immoral and evil, outrageously wasteful, and threatens the survival of all life on earth! Nuclear weapons must be banned entirely and nuclear waste will have to be guarded FOREVER against poisoning our health and environment! It's time to STOP THIS MADNESS!!!

We do not need any more nuclear bombs!! We have enough already to blow the world up many times over!! The alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include "taking no action" as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.

Even a limited nuclear war, say between India and Pakistan, would send ash from burning cities into the upper atmosphere to circle the earth and block the sun, resulting in a nuclear Ice Age. There would be no growing season or crops, and billions would perish in the resulting famine. See the January, 2010, issue of Scientific American for more information.

It's time to put the genie back in the bottle; there was no plutonium in nature until humans made this deadly material. Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

We are in an economic crisis and can't afford this foolish, extravagant waste of money. Money spent on nuclear weapons does not spur economic growth. Investments in education, healthcare, renewable energy, and public transportation would all create more jobs and spur more growth. Spend money on human needs, not human GREED!

Ann Suellentrop
 1865 S. Pyle St.
 Kansas City, KS 66103

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131-1 NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

All radioactive waste generated as part of activities at the CMRR-NF and elsewhere at LANL will be managed in a manner that is protective of public health and safety and the environment, and in compliance with Federal and state standards. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for additional information.

131-2 Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the CMRR-NF SEIS). The No Action Alternative included in the CMRR-NF SEIS is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967).

131-3 The danger of plutonium has been recognized since its first large-scale production in 1945. Plutonium must be produced, rather than mined, because it occurs in nature in only minute concentrations. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

131-4 As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

131-5 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, health care, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 132: Nancy Enright, Ph.D.

From: Nancy Enright [Nancy.Enright@shu.edu]
Sent: Wednesday, June 22, 2011 8:54 AM
To: nepalaso@doeal.gov
Subject: nuclear site

Dear Mr. Tegtmeir, U.S. DOE/NNSA Los Alamos Site Office:

I am very concerned about the proposed nuclear project in Los Alamos, New Mexico. First, it is frightfully expensive in very difficult economic times. The original cost of the project was estimated at \$400-550 million with a completion date of 2011. The current projected cost at \$5.86 billion and a completion date of FY2023 - more than ten times the original projected cost.

However, the most disturbing thing of all is that the proposed site for the new CMRR building is some 2/3rds of a mile from a geologic fault line.

Please reconsider this ill-advised project, and consider the future of those living in the area and all of us whose taxes will be used to fund it.

Sincerely,

Nancy Enright, Ph.D.
Associate Professor of Writing
Director of First Year Writing
Seton Hall University
xxx xxx xxxx

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NNSA notes the commentor's concern about the cost of the new facility. Cost of constructing and operating the CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

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The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for additional information.

Commentor No. 133: William M. Oberle, Project Manager
Department of the Army, Corps of Engineers



DEPARTMENT OF THE ARMY
ALBUQUERQUE DISTRICT, CORPS OF ENGINEERS
4101 Jefferson Plaza NE
Albuquerque, NM 87109-3435
505-342-3284
FAX 505-342-3498

June 20, 2011

HEAD TO
ATTENTION OF

Regulatory Division
New Mexico/Texas Branch

SUBJECT: Action No. SPA-2011-00257-ABQ, Tegtmeier, LANL, NNSA, CMRR,
CMRR-NF, DSEIS, Los Alamos County, NM

Mr. John Tegtmeier
U.S. DOE/NNSA
Los Alamos Site Office
3747 W. Jemez Road, TA-3 Building 1410
Los Alamos, NM 87544

Dear Mr. Tegtmeier:

The U.S. Army Corps of Engineers (Corps) is in receipt of your letter dated April 21, 2011, concerning the National Nuclear Security Administration, Los Alamos National Laboratory's, proposed Chemical and Metallurgy Research (CMRR) Building, CMRR-NF (nuclear facility portion), located in Los Alamos, Los Alamos County, New Mexico. The activity involves a request for comments on draft supplemental EIS (DSEIS) for new building construction. We have assigned Action No. SPA-2011-00257-ABQ to this activity. To avoid delay, please include this number in all future correspondence concerning this project.

We have reviewed those portions of the DSEIS for the CMRR Building construction pertinent to Section 404 of the Clean Water Act. Based upon the information provided in the DSEIS, Section 4.2.6.1 Surface Water, Section 4.2.7.2 Wetlands, and Section 4.3.6 Surface-Water and Groundwater Quality, there does not appear to be any discharge of dredged or fill materials into a jurisdictional waters of the United States, including wetlands. Furthermore, there do not appear to be any adverse impacts on surface water quality from the construction activities if the Stormwater Pollution Prevention Plans are implemented. However, not enough information is provided on the construction of the CMRR Building to positively determine that a

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Chapter 4, Section 4.3.6, has been revised to include additional information. DOE expects that a permit under Section 404 of the Clean Water Act will not be required for any of the project areas.

Commentor No. 133 (cont'd): William M. Oberle, Project Manager
Department of the Army, Corps of Engineers

- 2 -

Department of the Army permit under Section 404 of the Clean Water would not be required.

A Department of the Army permit is required under Section 404 of the Clean Water Act for the placement of dredged or fill materials into waters of the United States. If your agency or any of your contractors work, or plan to work, in a river, stream, or wetland, you may be required to obtain a Department of the Army permit.

I have enclosed a brochure describing the Corps regulatory program for your information. A series of nationwide permits are available which may be sufficient for some work, if all terms and conditions are met. Many of the nationwide permits require pre-construction notification to the Corps of Engineers and regional conditions may apply. In many cases, a water quality certification is required from the appropriate water quality authority.

We will provide letters of determination of permit requirements on request, provided that we are furnished with information concerning any proposed projects. Summaries of the nationwide permits and information about the regulatory program are available on our web page at www.spa.usace.army.mil/reg/

If you have any questions concerning our regulatory program, please contact me at 505-342-3284 or by e-mail at William.M.Oberle@usace.army.mil. At your convenience, please complete a Customer Service Survey on-line available at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,



William M. Oberle
Project Manager

Enclosure:

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Commentor No. 134: Neil S. Weber, Director
Department of Environmental Cultural Preservation,
Pueblo de San Ildefonso

Office of Governor
Perry Martinez



02 Tunyo Po
Santa Fe, NM 87506

Telephone (505) 455-2273
FAX (505) 455-1120

S111-DECP-473

11 JUN 2011

June 6, 2011

Mr. John Tegtmeier
U.S. DOE/NNSA
Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544

Dear Mr. Tegtmeier:

The Pueblo de San Ildefonso (the Pueblo) Department of Environmental and Cultural Protection (DECP) has completed a review of the U.S. Department of Energy's (DOE's) *Draft Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico*. Our comments, both general and section-specific, are enclosed.

The Pueblo is highly concerned that the Environmental Justice process is not being correctly applied in this EIS, and that the possible effects to the Pueblo from LANL activities are not being properly assessed. In our comments, we provide examples of the deficiencies which should be addressed and remedied.

Thank you for the opportunity to interact on a Government-to-Government basis, and to have our concerns addressed.

Sincerely,

Neil S. Weber, Director
Department of Environmental and
Cultural Preservation
Pueblo de San Ildefonso

Enclosure

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NNSA notes the commentor's concerns regarding how environmental justice issues were addressed in the *Draft CMRR-NF SEIS*. Rather than the EPA's guidance referenced by the commentor, which is for EPA's internal use and is not required to be used by other Federal Agencies, the environmental justice analysis presented in the *CMRR-NF SEIS* is based upon the *Environmental Justice Guidance Under the National Environmental Policy Act (CEQ 1997)*. Language has been added to Appendix B, Section B.10, to further describe the methodology used for the environmental justice analysis. Chapter 3, Section 3.10 of the *Final CMRR-NF SEIS* presents a discussion on the population within the potentially affected 50-mile (80-kilometer) region of influence surrounding LANL. This discussion provides data on the minority and low-income composition within this region of influence. Tables have been added to Section 3.10 that also display the composition of the region of influence at additional radial intervals of 5, 10, and 20 miles (8, 16, and 32 kilometers) to analyze potential impacts specific to populations in closer proximity to LANL.

Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, show the impacts on an average individual of the total minority population, the total Hispanic or Latino population, the American Indian population, and the low-income population; as well as the nonminority and non-low-income populations. In addition, a special pathway analysis was added to Chapter 4, Sections 4.3.11 and 4.4.11 of the *Final CMRR-NF SEIS* to analyze the potential impacts on subsistence consumers. Human health is the focus of the environmental justice analysis because several commentors have expressed concerns about the potential for adverse impacts on human health to offsite populations due to CMRR-NF operations. These sections have been expanded to further elaborate on potential environmental justice impacts due to resource areas other than human health.

Commentor No. 134 (cont'd): Neil S. Weber, Director
Department of Environmental Cultural Preservation,
Pueblo de San Ildefonso

GENERAL COMMENT

There is no systematic Environmental Justice (EJ) process evident in this document. The US EPA provides guidance on what EJ is, and specific procedures for assessing sites. None of these are displayed in the EIS. The EIS simply copies conclusions from various sections and concludes that there are no EJ issues connected to this activity. The Pueblo finds this unacceptable, and requests that the final EIS include a systematic EJ assessment, using EPA or comparable methodologies.

COMMENTS ON SPECIFIC SECTIONS

S.8 Description of the Alternatives

S.8.1 Alternatives Evaluated

Modified CMRR-NF Alternative:

Quote: The Shallow Excavation Option would avoid the poorly welded tuff layer by constructing the basement well above that layer in the overlying stable geologic layer, which would act in a raft-like fashion to allow the building to "float" over the poorly welded tuff layer.

Question: How can this be demonstrated? What is the engineering basis of this?

Quote: At this time there is more uncertainty associated with the Shallow Construction Option. The Shallow Construction Option needs to be subjected to the same level of technical review as the Deep Construction Option so the two options can be evaluated on the same basis.

Comment: This should be done before publishing this Supplemental EIS.

S.11 Comparison of Alternatives

S.11.1 Comparison of Potential Consequences of Alternatives

Human Health Impacts – Facility Accidents

Quote: Under either the Deep Excavation or Shallow Excavation Option, the Modified CMRR-NF would be constructed to survive a design-basis earthquake without significant damage.

Comment: There is insufficient evidence presented that the CMRR-NF built to "float" on top of tuff would survive a design-basis earthquake without significant damage.

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134-2 The concerns expressed by the commentor about the Shallow Excavation Option needing more technical review are noted. In 2011, a review of the requirements for the design of the CMRR-NF identified an opportunity to reduce the amount of additional excavation and concrete fill required for the Deep Excavation Option by raising the bottom of the basemat to near the original design elevation. The overall building height would remain the same, but the top of the roof would be higher above ground than it was in the conceptual and preliminary design. At the current level of design maturity, this approach, known as the Shallow Excavation Option, appears to provide some reductions in construction impacts and cost without affecting other building design requirements. Both construction options require the same sets of safety controls and are expected to remain close in offsite environmental consequences as shown in the analyses contained in this SEIS. At this time, both construction options are being considered by NNSA. As the design studies continue and more details become available, one option or the other may be judged to have significant advantages in the time and/or cost expected for executing the excavation phase of construction that will facilitate NNSA's selection of a preferred construction option.

The conclusions of the initial geotechnical report (Kleinfelder 2007a) recommended a sufficient portion of the overlying stable geologic layer be retained between the building and the poorly welded tuff layer to support the building. This report provides a thorough analysis that focuses on, among other things, the foundation design and performance, taking into account the local seismic setting and the underlying stratigraphy, which includes an unconsolidated tuff layer approximately 15 feet (4.6 meters) below the depth of the proposed foundation. The report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]). This report provided project-specific (CMRR-NF) recommendations regarding seismic design and construction techniques with respect to the Shallow Excavation Option. The final design of the building would be based on additional, more definitive soil structure and slope stability analyses. These final design calculations would be the evidence that the building survives regardless of the Deep or Shallow Excavation Option. Final design analyses are standard protocol subsequent to preparation of NEPA documents and are not considered deferred studies under NEPA.

Commentor No. 134 (cont'd): Neil S. Weber, Director
Department of Environmental Cultural Preservation,
Pueblo de San Ildefonso

Environmental Justice

Comment 1: Does not utilize EPA's Environmental Justice Formula.

Comment 2: Does not address population density.

Comment 3: Does not address percent minority population.

Comment 4: Does not address percent of economically depressed household data.

Comment 5: Does not calculate an EJ Index Ranking. Further, as per US EPA; "The methodology user should realize that even an index ranking of zero can have significant EJ concerns. For example, an unpopulated area will rank a zero, but if owned by minority and/or low income groups, the site may have significant EJ importance."

Comment 6: Does not address proximity of CMRR and TA-55 to the Sacred Area of the Pueblo de San Ildefonso.

Comment 7: Section should perform the following calculations: Degree of Vulnerability, Minority Status Variable, Economic Status Variable, Population Factor, and finally a Calculation of the Potential Environmental Justice Index.

Comment 8: Section addresses only dose. This is not acceptable for a section that attempts to address EJ.

Comment 9: This section addresses only the CMRR-NF. EJ definition addresses cumulative effects, thus this section should address the effects of the CMRR-NF and all LANL facilities as a whole, and not just the CMRR-NF as a single unit.

CHAPTER 4

4.2.11 Environmental Justice

Comment: The comments above apply to this section also.

B.10 Environmental Justice

B.10.2 Description of Impact Assessment

Quote: Therefore, estimates of environmental justice impacts were determined using the impacts analysis presented throughout Chapter 4 for the various resource areas to assess the potential for a minority or low-income population to disproportionately bear any adverse impacts.

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134-6

Whichever alternative or option is selected, the CMRR-NF must meet the design standards for a Performance Category 3 (PC-3) facility. PC-3 structures, systems, and components are those for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials. See Section 2.6, Seismic and Geologic Concerns, of this CRD for additional information.

As discussed in the response to comment 134-1, Chapter 3, Section 3.10 of the *Final CMRR-NF SEIS* presents a discussion on the population within the potentially affected 50-mile (80-kilometer) region of influence. Tables have been added to Section 3.10 that display the composition of the ROI at additional radial intervals of 5, 10, and 20 miles (8, 16, and 32 kilometers) to analyze potential impacts specific to populations in close proximity to LANL. Of these areas, the area with the highest population density is the area within 5 miles (8 kilometers) of LANL. This area has a population density of about 62 persons per square kilometer compared to a population density of about 25 persons per square kilometer for the entire 50-mile (80-kilometer) region of influence. Among the areas analyzed in this *CMRR-NF SEIS*, this area also has the lowest projected percentage of minority individuals living within it, 35 percent compared to 57 percent, and low income individuals 3.2 percent compared to 13 percent over the entire 50-mile (80-kilometer) region of influence.

The Draft *CMRR-NF SEIS* in Chapter 3, Section 3.10 included estimates of the minority and low-income populations but failed to show the percentages associated with these estimates. In response to this comment, the percent minority and low-income populations for the 50-mile (80-kilometer) region of influence and the smaller radial areas has been included in Tables 3-14 and 3-15 added to Chapter 3, Section 3.10 of the *Final CMRR-NF SEIS*.

As discussed in the response to comment 134-1, environmental justice was analyzed in accordance with CEQ guidance, not EPA's internal guidance.

The proposed CMRR-NF is planned to be built in an existing industrial area (TA-55) of LANL and, as such, would not change the visual impact from the Sacred Area of the Pueblo. In addition, as discussed in Chapter 4, none of the projected environmental impacts from operation of the proposed CMRR-NF are expected to have a significant impact on the environment surrounding LANL; this would include the Sacred Area of the Pueblo. For example, the facility would not

*Commentor No. 134 (cont'd): Neil S. Weber, Director
Department of Environmental Cultural Preservation,
Pueblo de San Ildefonso*

Comment: The comments above apply to this section also.

|| *134-10
cont'd*

have any direct liquid discharges to the environment (see Section 4.3.6) and the air quality impacts would be minimal (see Section 4.3.4).

134-7 Human health impacts are of primary concern for the environmental justice analysis due to the potential for disproportionate impacts to offsite minority and low-income populations. However, language has been added to Chapter 4, Sections 4.3.11 and 4.4.11 of the *Final CMRR-NF SEIS* to further elaborate on potential impacts to resource areas other than human health.

134-8 Section 4.6 of the *CMRR-NF SEIS* analyzes cumulative impacts of the proposed CMRR-NF operations and other activities at LANL. As shown in this section, none of these activities are expected to have significant adverse affects on the populations surrounding LANL. This would include minority and low-income populations.

134-9 Comment noted. The above responses apply to Chapter 4.

134-10 Comment noted. Appendix B, Section B.10, was revised to provide additional information on method used to project the minority and low-income populations through 2030 using 2010 census data.

Commentor No. 135: Pete Cerneka

June 15, 2011

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico 87544

Re: Proposed Chemistry and Metallurgy Research Replacement (CMRR) Project

Dear Mr. Tegtmeir:

It has come to my attention that the proposed research facility for making "Plutonium Pits" will increase by fourfold those currently being made yearly at the existing facility and will add to the 15,000 pits stored at Pantex Facility in Texas. In 2004 the projected cost for building the proposed facility, to be completed this year, was approximately \$550M. The new estimate is approximately \$5.86B to be completed in 2023! The proposed facility will be built in a seismically active fault zone with the capability of withstanding an earthquake of a magnitude of 7 on the Richter scale.

What possible need do we have for more than 15,000 "plutonium Pits"? Why do they need to be produced at an even higher yearly rate? Why the tenfold increase in costs? Why build any such facility in a seismically active fault zone? The earthquake damaging the nuclear reactors at Fukushima, Japan was much higher on the Richter scale. As you know there has been at least one 7.1 aftershock!

Please cancel this project. The project appears to be a solution for which there is no problem; a resource for which there is no need. The costs estimates are absurd. The risk is outrageous.

Sincerely,



Pete Cerneka
1105 Belleville St.
Lebanon, IL 62254

CC: Senator Richard Durbin
Senator Mark Kirk
Representative Jerry Costello

135-1

135-2

135-3

135-1
cont'd

135-3
cont'd

135-4

135-1 A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for additional information.

135-2 NNSA notes the commentor's concern about the cost of the new facility. Cost of constructing and operating the CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

135-3 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for additional information.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that

Commentor No. 135 (cont'd): Pete Cerneka

require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

135-4 Comment noted.

Commentor No. 136: Sara Pene

I strongly oppose the CMRR-NF project. It is unnecessary & dangerous. This money could be used for much more needed projects as schools & solar & wind energy. I live downwind from Los Alamos & I feel my health endangered by living here. We do not want to be a party to a project that is designed to kill people. You need to listen to the concerned people who oppose this project. We do not intend to stop the protests.

Sara Pene
Raford N.M

136-1

136-1

NNSA notes the commenter's opposition to the CMRR-NF project. NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, education and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

136-2

136-2

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

136-1
cont'd

Commentor No. 137: Chris Ellis

From: Chris Ellis [chrisellis@taosnet.com]
Sent: Wednesday, June 22, 2011 5:02 PM
To: nepalaso@doeal.gov
Subject: CMRR is a major environmental threat

The CMRR Nuclear Facility proposed at Los Alamos Laboratory poses major environmental and health problems to me and my family, as we live in Taos and are directly downwind from Los Alamos. I am a chemical engineer and understand the toxicity of plutonium. It is a carcinogen in addition to being highly radioactive and has a significant half life.

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

Nuclear weapons are obsolete. They are useless against a terrorist attack, and building more weapons will only increase proliferation and the chance that a terrorist could acquire nuclear material.

Chris Ellis
PO Box 208
Arroyo Seco, NM 87514

137-1

137-2

137-3

137-1 NNSA notes the commentor's concerns about the environmental and health effects posed by the CMRR Facility. The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

137-2 Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

137-3 Although a number of commentors have expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 138: Theo

Comments on CMRR-NF SEIS

I am against the proliferation of nuclear arms, plutonium and the mining of uranium.

I feel that the direction of Los Alamos should be away from nuclear research, development and nuclear arms.

A little known example of a plutonium facility that created severe contamination is the Mayak facility that completely contaminated the Tcha river and hundreds of lakes.

The Russian also had to relocate half a million people due to the severe radiation contamination.

There has been such a trail of severe accidents, irresponsibility and mis-information in the nuclear industry. I am not confident in the nuclear industry in the nuclear industry.

I am an advocate of peace, communication and a world that is not contaminated.

138-1

138-1

NNSA notes the commentor's opposition to the proposed CMRR-NF, and to nuclear research and development and nuclear weapons. Since the 1940s, the President and Congress have directed DOE (including NNSA) and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Since the end of the Cold War, DOE has changed missions and activities consistent with changing national security policies that reflect the new national security posture, including maintaining a smaller enduring stockpile and helping in nonproliferation efforts. However, even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

138-2

138-2

Funding decisions on Federal programs and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

138-2

NNSA acknowledges the commentor's concern that a nuclear accident could happen at LANL. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Nuclear facilities constructed at LANL must meet strict safety criteria set forth in Federal regulations and DOE orders, and criteria imposed as an outcome of safety analyses. Refer to Appendix C for a description of safety analyses performed for this *CMRR-NF SEIS*.

Commentor No. 138 (cont'd): Theo

regarding Supplemental EIS for the Nuclear Facility Portion of the Chemistry & Metallurgy Research Building Replacement Project @ Los Alamos National Laboratory, LA, NM.

Comment: I am against your proposal. I don't think I want my funds/taxpayer used in this manner. So please take into your decision that I am against this.

138-1
cont'd

I listen to the News and the 1^o World Countries are moving away from Nuclear Energy and/or Weapons. This is Old technology that has waste that will last for Years - millions of...

So my Vote is Against...-

138-1
cont'd

Theo Spahr
resident of Planet Earth.

Response side of this page intentionally left blank.

Commentor No. 139: Paula Seaton

Mr. John Tegtmeyer
 CMRR-NF SEIS Document Manager
 U.S. DOE - NNSA
 Los Alamos Site Office, 3747 West Gernez Rd, TA 3
 Los Alamos, NM 87544

Please do not spend the enormous amount of money on the proposed CMRR building at Los Alamos National Laboratory. At a crisis time on the earth with so many needs for positive issues please do not use money for destroying life on our planet.

The EIS was done so long ago - 2003.

There needs to be a new EIS but since we don't need more bombs,

lets use the money for cleaning up

LANL instead.

Sincerely,
 Paula Seaton, PO Box 144, Fortuna NM 87531

139-1

139-1

NNSA notes the commentor's opposition to the proposed CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, health care, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

139-2

139-2

As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action.

139-3

139-3

Regarding commitment to clean up legacy waste, NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Clean up and Waste Management, of this CRD for more information.

Commentor No. 140: Dee Feeny

June 13, 2011

Dear Sir,

As a downwind community member I am adamantly opposed to any further building of the CMRR Building in Los Alamos, NM. It is 20 miles as the crow flies from the laboratory and am very concerned about the continued construction of this new building that will be built at a cost that is so astronomical. And why and for what? Rio Arriba County is one of the poorest counties in the country. Poverty abounds, human health compromised, addiction rampant and we are pouring money into a laboratory and weapons program that will be used for destruction of human life and property and the earth. Where will this end and we are very concerned and worried about the building of this CMRR. Please reconsider the continued building of this complex and consider another environmental impact study for this massive project. I am a farmer and very concerned about the use of this project and the contamination of soil, air, water very concerning. I am a nurse and very, very concerned, please contact me as soon as possible to address me. He further pleas for this complex

Dee Feeny Ed P08327
DWR/min 87527

140-1

140-2

140-3

140-4

140-1 NNSA notes the commentor's opposition to development of the CMRR-NF. Since the 1940s, the President and Congress have directed DOE (including NNSA) and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Since the end of the Cold War, DOE has changed missions and activities consistent with changing national security policies that reflect the new national security posture, including maintaining a smaller enduring stockpile. However, even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

140-2 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority or low-income populations under any of the alternatives.

140-3 There are established programs at LANL that address the monitoring of air, water, and soil contamination in the area surrounding LANL. The results of these surveillance efforts are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). A monitoring program is conducted at LANL (described in the 2008 *LANL SWEIS*, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, and Section 2.5, Cleanup and Waste Management, for more information on cleanup of past contamination.

140-4 The commentor will be mailed a copy of the *Final CMRR-NF SEIS*. NNSA will also publish a notice in the *Federal Register* announcing the availability of the *Final CMRR-NF SEIS*. In accordance with NEPA regulations, a ROD will be issued no earlier than 30 days after publication of the *Final CMRR-NF SEIS*.

Commentor No. 141: Robert Brenden

COMMENTS ON CMRR-NF SEIS

CONSIDERING OUR GREAT NATION IS RAPIDLY BECOMING BANKRUPT, FEARFUL AND XENOPHOBIC, I ASK YOU BROTHER SCIENTISTS AND OVERPAID BUREAUCRATS — WHY SPEND SO MUCH JUST TO KILL US ONE AND ALL? YOUR SCIENTIFIC IMPARTIALITY IS TAKING US ALL TO THE GRAVE, WITH NO INDICATION THAT ANY OF ^{YOU} ARE CONSCIOUS OF YOUR OWN ACTIONS. SHOW THAT YOU HAVE AT LEAST SOME COMPASSION FOR THE MILLIONS WHO WILL DIE BY YOUR UNRELENTING DESIRE TO DESTROY THE PLANET AND ALL LIFE THEREON.

SINCERELY,
A CONCERNED CITIZEN
ROBERT BRENDEN
DIXON NM 87527

141-1

141-1

NNSA notes the commentor's opposition to the proposed project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 142: Maria Chilton

6/14/11

To Whom it may Concern:

Regarding the SEIS for the Nuclear Facility at LANL.

I am strongly opposed to any and all proliferation of nuclear weapons.

Why anyone would think it's a good idea to spend unfathomable amounts of taxpayer money on something to kill people and the planet is beyond comprehension to me.

I am also outraged that so few people are informed about a decision that can potentially ruin us, our children and all generations.

I am a native of New Mexico. I speak for myself and all my relations.

No more Nukes!!

Sincerely,
Maria Chilton
Dixon, NM 87827

142-1

142-1

NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, health care, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

142-2

142-2

Preparation of the *CMRR-NF SEIS*, including procedures for public participation, is compliant with DOE and CEQ regulations for preparation of NEPA documents. Public scoping meetings and public hearing on the draft SEIS were held in numerous locations around LANL. Chapter 1, Section 1.7, of the *CMRR-NF SEIS* discusses the public participation program related to the SEIS. Also, refer to Section 2.2, NEPA Process, of this CRD for more information.

Commentor No. 143: Emmy KoponenJune 14thCOMMENTS on the SEIS + more

I attended the hearing in Espanola, N.M. and honestly feel that there are so many points AGAINST this CM Building. It should not be built.

Why is not the the old TA-55 being made safe and will it be cleaned?

Perhaps some credibility for your past clean ups could be demonstrated.

Your plutonium facilities are outdated, unsafe, unneeded, and egregiously expensive. The dollars suck up all our social and environmental infrastructures. Libraries, schools. . . where could \$ be better spent?

Here in Northern N.M. our ditches crave water. Clean water! The 80 proposed pools would contaminate the groundwater + streams. The birds eat the worms. The precious water will be ruined for ever.

STOP KILLING US!

Fukushima received a short

- 143-1 NNSA notes the commentor's opposition to the proposed CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.
- 143-2 Activities at the TA-55 Plutonium Facility are not within the scope of the *CMRR-NF SEIS* but were discussed extensively in the 2008 *LANL SWEIS* (DOE 2008a). Please refer to this document for a discussion of the activities under way at that facility.
- 143-3 NNSA intends to continue to perform environmental restoration activities at LANL. NNSA does not consider environmental restoration to be optional and progress on implementing those efforts is not linked to decisions on construction of the proposed CMRR-NF. Progress in performing environmental restoration activities at LANL is reported in the annual site environmental reports, which can be accessed at <http://www.lanl.gov/environment/all/esr.shtml>.
- 143-4 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, health care, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.
- 143-5 There are established programs at LANL that address liquid discharges and cleanup of past contamination. Liquid discharges through permitted outfalls are sampled and analyzed to evaluate compliance with permit conditions; results are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). A monitoring program is conducted at LANL (described in the 2008 *LANL SWEIS*, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, and Section 2.5, Cleanup and Waste Management, for more information on cleanup of past contamination.
- 143-6 Various U.S. government agencies, including DOE, are providing technical support and assistance to Japanese officials in addressing the situation at the Fukushima Daiichi Nuclear Power Plant. Additional information can be found at <http://japan.usembassy.gov/e/p/tp-20110414-01.html>.

Commentor No. 143 (cont'd): Emmy Koponen

paragraph. And how is Los Alamos helping clean up Japan or protecting the ocean and our world?

143-6
cont'd

As far as the SEIS:
Supplementally adding \$5,140,000,000 is obscene + the process is illegal. Not addressing a clean up strategy is inspeakable.

143-7

143-3
cont'd

I support NO NEW BUILDING

143-1
cont'd

Sincerely,

Emmy Koponen
(Emmy Koponen)
PO Box 456
Dixie NM 87527

143-7 NNSA notes the commentor's concern about the cost of the new facility. Cost of constructing and operating the CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. The *CMRR-NF SEIS* has been prepared in compliance with DOE and CEQ regulations for preparation of NEPA documents. See Section 2.2, NEPA Process, of this CRD for more information.

Commentor No. 144: Shelley

6/14/11

We've been made aware that there is an 8 billion dollars to build modern nuclear weapons.

I doubt if anyone is ever ~~even~~ going to read this, and its the 1st letter I've ever written to share my thoughts, about a world gone crazy & going crazier.

I just don't understand how ~~see~~ anyone would want to continue this path to creating a more fearful world when it appear to me, we/all are on the brink of actually changing into loving, caring Human Beings.

If you (those who are leaders) who would take these outrageous amts. of money you use for oppression, and use it instead to create wonderful schools + to create an atmosphere of peace everywhere. Peace + goodwill, oh I can just imagine how fast our world would really change. Food & shelter, + respect for all species including our Earth. There

144-1

144-1

NNSA notes the commentor's opposition to the proposed CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 144 (cont'd): Shelley

144-1
cont'd

is enough, more than enough.
You/We have the power
to create a peaceful environment.
It has to catch on with people
like you who have so much power
and you'd have tons of support.

Somehow, we have to change
this course of "power over."
And open to feeling the "Living Love"
that lives in all of us.
What joy! Imagine! A fun,
joyful loving beautiful world.

We can!

We can!

We can!

Sincerely,
Shelby Faarner Home
P.O. Box 514
Penasco, NM 87563

Response side of this page intentionally left blank.

Commentor No. 145: Marie-Louise Jackson-Miller

From: Marie-Louise Jackson-Miller [mariejm1961@yahoo.com]
Sent: Wednesday, June 22, 2011 6:20 PM
To: nepalaso@doeal.gov
Cc: sbrown@scottbrown.senate.gov
Subject: Comments on the CMRR Project

June 22, 2011

Mr. John Tegtmeir
 U.S. DOE/NNSA Los Alamos Site Office
 3747 West Jemez Road
 TA-3 Building 1410
 Los Alamos, New Mexico 87544

Please cancel the CMRR Project. The CMRR was designed to replace the existing Chemistry and Metallurgy Research Building to manufacture "Plutonium Pits", the fissile "triggers" capable of nuclear capability that initiate the destruction of modern thermonuclear weapons, but we really don't need any more plutonium pits. Currently the Department of Energy already has 15,000 plutonium pits stored at the Pentax Facility in Texas and these should be dismantled.

145-1

At the very least, a study of the Los Alamos National Laboratory's (LANL's) plutonium infrastructure should be required.

145-2

The original estimated cost of the CMRR project in 2004 was \$400-550 million with a completion date of 2011. The current cost of the CMRR project is projected at \$5.86 billion with a completion date of FY2023. This is more than ten times the original forecast, and ultimately there really is no way to determine the final cost.

145-3

Not to mention the fact that the proposed site for the new CMRR building is about 2/3rds of a mile from a geologic fault line. The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. Adding this enormous new facility to LANL's weapons manufacturing complex in a geologically unstable area could lead to disastrous consequences on the scale of Fukushima or Chernobyl.

145-4

I also believe that work presently done at LANL and our other nuclear weapons facilities violates the Nuclear NonProliferation Treaty.

145-5

- 145-1** NNSA acknowledges the commentor's opposition to the CMRR-NF project and plutonium pits. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.
- 145-2** The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.
- 145-3** NNSA notes the commentor's concern about the cost of the new facility. Cost of constructing and operating the CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.
- 145-4** The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that

Commentor No. 145 (cont'd): Marie-Louise Jackson-Miller

Additionally, I am quite concerned about the enormous amount of water that would be needed. Residents cannot afford to lose the water they need for day to day survival. I believe that human needs should be prioritized and that water is a basic human right.

I respectfully ask that you consider my concerns and cancel the CMRR Project.

Thank you sincerely,

Marie-Louise Jackson-Miller
63 Gay Street
Quincy, MA 02169-6602

Pc: Senator Scott Brown

145-6

are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for additional information.

NNSA acknowledges the commentor's concern that an accident similar to those that occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant or at the Chernobyl reactor site could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

145-5 Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

145-6 As shown in Chapter 4, Tables 4–15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

Commentor No. 146: Winona Fetherolf

From: winona fetherolf [winonaf@hotmail.com]
Sent: Thursday, June 23, 2011 12:20 PM
To: nepalaso@doeal.gov
Subject: No CMRR at Los Alamos

I am a resident of New Mexico: 13500 Skyline Rd NE G3, Albuquerque 87123.

I am vehemently opposed to the proposed CMRR at Los Alamos. It is within 2/3 mile of a fault line. What is the matter with government planners? Do you not consider the well-being of US citizens and the land itself. How very short-sighted!

It is also being built at a cost of \$6 BILLION dollars, 10 times the projected cost. This, at a time when government is cutting essential services to tax payers and the economy is struggling to recover from a severe recession. This is irresponsible in so many ways.

Please do ALL within your power to stop this atrocity.

winona fetherolf

5/22/2011 . . . we affirm, on this beautiful day, that the Rapture must have occurred, and taken all of us into the Holy Place of Earth and the Blessedness of All That Is Our Lives. Let us live this day as if it were Heaven and, in that way, we will know Heaven, Love and Peace. Christine Robinson

146-1

146-1

NNSA notes the commentor's opposition to the proposed CMRR-NF. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for additional information.

146-2

146-2

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 147: Elizabeth Michalak

John Tegtmeier,
CMRR-NF SEIS Document Mgr.
NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544

Elizabeth Michalak
363 E Copper Ave
Crestone, CO 81131
719-588-0287

June 22, 2010

John Tegtmeier,

Regarding the proposed CMRR-NF, I believe that such a large and risky project as this one must be reviewed with utmost care. I believe that those involved in the decision-making process must look at the whole picture; we must think of this country as united, and view the plight of our neighbor as our own plight. I can only imagine how I would feel if I lived downstream and downwind of this project and my child began having health problems related to plutonium pollution. I can only imagine how I would feel if I was told the facility was safe and then a fire happened—as it did in Rocky Flats in Colorado—and my community became at risk. I can certainly imagine how angry I would be if I lived in one of the many poor counties in New Mexico and had to watch Los Alamos county receive a government windfall due to this facility.

Yes, most forms of progress come with a price, and in each case someone has to pay that price for the benefit of others, but my question in this case is, "What is the benefit?" A commercial break for the nuclear industry? It certainly doesn't seem that an unusable backup of plutonium should be high on our country's priority list.

From the information I have, I believe that this facility is unnecessary. At the very least, I feel that a full new EIS is essential before the project goes any further.

Thank you for considering the potential consequences of the CMRR-NF.

Sincerely,

Elizabeth Michalak

147-1

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147-1 NNSA notes the commentor's concern about the CMRR-NF Project. NNSA's congressionally assigned missions, which are a subset of the missions assigned to DOE, are identified in Chapter 1 of the *CMRR-NF SEIS*. To perform its missions, both DOE and NNSA have developed overarching programs and identified work assignments for various NNSA- and DOE-administered sites across the country. The *Complex Transformation SPEIS* (DOE 2008b), prepared by NNSA in 2008, considered the environmental impacts for managing site requirements related to transforming the nuclear weapons complex into a smaller, more consolidated nuclear enterprise to meet future national security needs. One of the decisions reached by NNSA after the *Complex Transformation SPEIS* was completed was the decision to retain manufacturing and research and development work involving plutonium at LANL. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for additional information.

147-2 The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. The analysis includes the potential impacts from severe accidents at the CMRR-NF, including possible fires.

147-3 The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

NNSA notes the commentor's request for a new EIS. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action.

Commentor No. 147 (cont'd): Elizabeth Michalak

Commentor No. 148: Ron Stathis

From: RonStathis@aol.com
Sent: Friday, June 24, 2011 9:36 AM
To: NEPALASO@doeal.gov
Subject: Want you want to do

For Mr. John Tegtmeier, CMRRNF SEIS Document Manager, NNSA Los Alamos Site Office, 3747 West Jemez Road, TA3 Building 1410, Los Alamos, New Mexico, 87544; and any others accepting comments from residents of the affected area.

I have a home northwest of Taos near the airport. I was told want is planned and I do NOT agree.

I are very concerned about the proposed plutonium pit production complex at Los Alamos. We feel that a complete, new EIS should be required for this potentially very harmful expansion. The location is seismically active, and after the horrible environmental disaster affecting nuclear power plants in Japan, we know that our current scientific knowledge about the safety of such a project in a seismic zone is woefully inadequate. The proposed Supplemental EIS is not good enough to support building such a facility in a seismic zone that is not well understood. Furthermore, the building's design is not final, so any environmental studies should not be begun until the design is final.

Ron Stathis

148-1

148-1

NNSA notes the commentor's request for a new EIS after the design is complete. NEPA documentation is typically performed while the design of a project is still underway. There is enough design information available to perform a NEPA analysis for the CMRR-NF project. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazard analyses of the LANL region (LANL 2007, 2009). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. These changes are included in the Modified CMRR-NF Alternative (see Chapter 2, Section 2.6.2 of the *CMRR-NF SEIS*). See also Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 149: R. Addison

From: R Addison [r_addison_apeco@yahoo.com]
Sent: Friday, June 24, 2011 1:40 PM
To: NEPALASO@doeal.gov
Cc: R apeco peace keeper Addison; Chico Peace Justice; discuss group; Nevada County Peace & Justice
Subject: Comments on the Draft CMRR–NF SEIS

tO Committee members:

As the sidelight to life living near a federal-pentagons facility (military bases, complexes of any military relegation) the need for “radiation-Monitoring” has been casitigated and excuse-Madeover, and negligence has set to a harshness of total pblic and humanity disparagement, one that far-far-far outstrips any necessity to or in maintaining “pit” production levels of any kinds for several reasons.

- a) since the first atomic-Implosion in May 1945, there has been no “continuous” radiation-Monitoring contiguous with ‘defensive measure’ of protecting humans...
- b) any nuclear “depleted-Uranium-238” and thermo-Nuclear munitions manufacturing is an aggression-Act not analogous with treaties, nor “defense” as that is offense...

Six billion dollars does not have to be budgeted for Defense that is offense. Billions should be spendt training monitors, maintaining Radiation monitored-Records, and implaced around all cities, counties, NPP’s, military and other government buildings in and of the whole once-Waz: republic!

in Justice, thank you for change to pertinence

“R” Addison

149-1

149-1

NNSA notes the commentor’s concerns about radiation monitoring. Establishing radiation monitoring networks in communities is not within the scope of this SEIS. However, LANL does monitor air and water emissions for radiation, and worker exposures.

Commentor No. 150: April Mondragon

From: April Mondragon [etasinum@gmail.com]
Sent: Wednesday, June 22, 2011 11:56 AM
To: nepalaso@doeal.gov
Subject: I oppose the CMRR-NF

I am writing to inform you of my deep concern with your plans at Los Alamos National Laboratory. I have summarized some of my concerns below.

The Supplemental Environmental Impact Statement is inadequate – a complete, new Environmental Impact Statement is needed. Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains. The original Environmental Impact Statement (2004) looked at a building designed to withstand only mild seismic events, but a 2007 study indicated a potential huge increase in ground motion activity, requiring major changes to the building design.Building on a seismic zone is foolish and ill conceived and puts lives in danger - it is gambling with past seismic records to predict the future. In a recent presentation from LANL employees, that stated that the new CMRR design would withstand from 5-7 seismic quakes, there is nothing that I have found in the EIS that states this. Again building on a known seismic zone can only be considered lethally foolish, unless the decisions to do such is really based on greed, and egomaniacs that think man can build things stronger than the earth.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution. MAKING MORE TOXIC WASTE IS CONTRARY TO CLEAN UP !

Nuclear waste is known to be lethal to all life. It causes birth defects, cancer and makes water, earth and air un fit for human and life. To continue to fund activities disguised as being for the benefit of protecting the public, or for research, when in fact the continued mining, manufacturing and use of plutonium, and uranium for "energy", weapons production, and research is in fact one of the greatest threats to all humanity and the eco-system (all life forms). The recent LANL presentation was void of medical expertise on this issue of health hazards. Because of this lack of information, I can only surmise that the presentation was geared to avoid this crucial issue through silence. The presentation avoided the health hazards that plutonium and uranium and waste impose on the earth, air, water, human and ecosystem with misleading, non descript, ad campaign jargon, about increased and improved safety measures. This is at best, false and misleading and at worst criminally negligent. New Mexican's are not stupid.

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- 150-1 NNSA notes the commentor's concerns regarding plans at LANL. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazard analyses of the LANL region (LANL 2007, 2009). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.
- 150-2 NNSA intends to continue to perform environmental restoration activities at LANL. NNSA does not consider environmental restoration to be optional and progress on implementing those efforts is not linked to decisions on construction of the proposed CMRR-NF. Progress in performing environmental restoration activities at LANL is reported in the annual site environmental reports, which can be accessed at <http://www.lanl.gov/environment/all/esr.shtml>.
- 150-3 All radioactive waste generated as part of activities at the CMRR-NF and elsewhere at LANL will be managed in a manner that is protective of public health and safety and the environment, and in compliance with Federal and state standards. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for additional information.

Commentor No. 150 (cont'd): April Mondragon

The costs to build a plutonium pit production complex are too high. I can only support funding for clean-up. It is time to change the mission of LANL from weapons production to sustainable energy.

April Mondragon
HC 74
El Prado, NM 87529

150-4

150-4

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 151: Martha Eichler

From: Martha Eichler [martha_gunn@comcast.net]
Sent: Monday, June 27, 2011 9:53 AM
To: nepalaso@doeal.gov
Subject: Quadrupling Plutonium Production: Wasteful & Dangerous

Spending \$6 billion on a huge increase in plutonium production at this time of economic peril for so many in the U.S. is wasteful and dangerous. The U.S. is so strapped that many believe its debt ceiling must be raised; how can this expense be justified at this time?

President Obama has stated a goal of a world free of nuclear weapons. Increasing plutonium production only exacerbates the fear of other countries, which will want to react in kind, potentially accelerating an international arms race. With the building of a new plutonium pit facility, the US could possibly spur nuclear weapons development elsewhere.

The proposed nuclear facility will compromise cleanup of existing waste. The Department of Energy (DOE) has pledged to clean up the legacy waste at Los Alamos Lab by 2015. We should be cleaning up existing waste before creating more deadly nuclear materials. DOE must devote taxpayer funds to cleanup, not proliferating more plutonium that would only increase nuclear pollution.

The alternatives considered in the Supplemental Environmental Impact Statement do not offer legitimate choice. "Taking no action" should be one of the alternatives offered by DOE to the CMRR project. All of the alternatives currently listed recommend building the Nuclear Facility. This is not a balanced offer for the welfare of the American people and jeopardizes the peace and safety of the planet.

Martha Eichler
73 Hunter Farm Road
Peterborough, NH 03458

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151 1 NNSA notes the commentor's concern regarding the cost to build and operate the CMRR- NF. The cost to build and operate the proposed CMRR- NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

151-2 NNSA acknowledges that there is substantial opposition to nuclear weapons and their components and that President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF, nor does plutonium production occur at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and 2.4, CMR Mission, of this CRD for more information.

151-3 NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

151-4 Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967).

Commentor No. 152: Diane D'Arrigo
Nuclear Information and Resource Service

From: Diane D'Arrigo NIRS-Nuclear Information&Resource Service [dianed@nirs.org]
Sent: Tuesday, June 21, 2011 5:10 PM
To: nepalaso@doeal.gov
Subject: NIRS opposes the CMRR-NF

Nuclear Information and Resource Service opposes plans to build a plutonium pit production complex at Los Alamos National Laboratory.

Before ANY new nuclear projects are built, old ones MUST be cleaned up. Because there is really no way to "clean up," nuclear waste and contaminated resources, efforts must be undertaken to isolate the radioactivity from the public and environment.

If we are learning anything from the ongoing tragedy in Japan at Fukushima it is that earthquakes can be bigger than expected and do much more damage than projected. Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains. The Supplemental and the original Environmental Impact Statement (2004) did not consider the potential huge increase in ground motion activity (indicated in a 2007 study), requiring major changes to the building design.

At a point in time when cleanup money is being cut at many DOE facilities, threatening committed cleanups, it is a waste of resources to build a new nuclear facility. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities physically and financially. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

As usual, DOE has no guaranteed method or location to isolate the many categories of nuclear waste from existing or future nuclear facilities, thus is not justified in proceeding with the Chemistry and Metallurgy Research Replacement Nuclear Facility

Diane D'Arrigo NIRS-Nuclear Information&Resource Service 6930 Carroll Ave #340 Takoma Park, MD 20912

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152-4

152-1 NNSA notes the commentor's opposition to building a plutonium pit production complex at LANL.

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

152-2 The commentor's concerns that an accident (similar to the one that occurred in Japan at the Fukushima Daiichi Nuclear Power Plant) could happen at LANL is addressed in Section 2.8, Nuclear Accidents, of this CRD. There are fundamental differences between the functioning of a nuclear reactor (such as the Fukushima Daiichi Nuclear Power Plant or Chernobyl) and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a,

Commentor No. 152 (cont'd): Diane D'Arrigo
Nuclear Information and Resource Service

2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

- 152-3** NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.
- 152-4** Sufficient capacity exists at LANL or at offsite facilities to manage all of the projected waste associated with any of the alternatives included in the *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 153: Jeanne Green

From: Jeanne Green [innerlight52@hotmail.com]
Sent: Sunday, June 26, 2011 8:38 PM
To: SEIS for CMRR-NF 10-10; Senator JeffBingaman; Representative Ben Lujan
Subject: comments on CMRR-NF

Here are my additional comments regarding the SEIS for the CMRR-Nuclear Facility:

1. We need a new EIS because there is **no demonstrated need** for a new CMRR-NF. We do not need more nuclear weapons when we have over 9000 that will each last a century and 20,000 plutonium pits in storage. We need to begin dismantling what we already have. Making more nuclear bombs does not make us safer and thus violates the missions of DOE and NNSA

153-1

2. LANL **has not cleaned up it's mess** of chemicals and radionuclides on site, that are spilling down the canyons into our soil and water. LANL must fulfill it's Consent Order responsibilities before beginning new projects with taxpayer money.

153-2

3. The SEIS offers **no realistic alternatives** other than building the new facility. This is a violation of the NEPA process which requires reasonable alternatives and a true No Option alternative.

153-3

4. An option which spends over \$5.8 billion and offers **not a single permanent job** is a travesty in these economic times during which unemployment is at a record high, teachers are being laid off, infants are being cut off of food coupons (WIC), and food stamps are being cut. This is immoral, unconscionable and insane. Profits to Bechtel is not a justifiable reason to build more nuclear bombs on the backs of taxpayers.

153-4

5. The **exorbitant amount of water** to be used for this project in a desert state with continuing drought conditions under the real threat of global warming is unjustifiable. The exorbitant amount of electricity to be used for this project under the real threat of global warming and the desperate need for carbon reductions is unjustifiable.

153-5

6. The idea of using money to build a new supposedly earthquake-proof building to facilitate making more nuclear bombs, even while the **currently used CMR is not earthquake-safe** is insane. Stop production now and make the current facility safe. As Fukushima portends we are all at great risk at this very moment. We cannot predict what mother nature will hand us and when. Building this facility on 4 earthquake faults between a rift zone and a volcano does not make sense to begin with. Wake up. Money is not all that matters.

153-6

153-1 NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons.

153-2 NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

153-3 Although many commentors expressed a preference for a No Action Alternative that would abandon the current CMR Building and not proceed with the CMRR-NF, such an alternative is not consistent with meeting NNSA's mission need nor does it reflect the status quo at LANL. The No Action Alternative in this *CMRR-NF SEIS* is based on the decision announced in the 2004 ROD for the original *CMRR EIS*. This is consistent with CEQ recommendations that, for proposed changes to an ongoing activity, "no action" can mean continuing with present plans (51 FR 15618). The *2003 CMRR EIS* offered a number of alternatives including different sites at LANL. NNSA determined that a supplement to the *2003 CMRR EIS* is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in design and construction of the CMRR-NF and has addressed alternatives consistent with previous analyses and decisions. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

153-4 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 153 (cont'd): Jeanne Green

7. The people of San Ildefonso and Santa Clara and Espanola are minorities who have suffered greatly from the effects of radiation releases in the soil, water and air, especially during the Cerro Grande fire. The Environmental Justice portion of the SEIS does not address environmental justice to populations living near LANL. Rather, it lists charts measuring minorities based on a 2030 projection. Los Alamos is primarily Caucasian. The charts assume that any accident in the area will only affect local residents. This is faulty assumption, as we see residents at Fukushima still being evacuated within 100 miles. If the LAHDRA report were to be followed-up with dose reconstruction or if local natives were inventoried for cancer rates, you would get a much more accurate picture. These charts are irrelevant and **Environmental Justice is not addressed in the SEIS**. We need a new and comprehensive EIS, not a slap in the face.

153-7

8. Cultural and Paleontological Resources. The SEIS states, "In all cases there would be no effect through avoidance." The SEIS says that sacred cultural areas will be marked off and fenced and that anything that has to be moved will be done in consultation with the NM State Historic Preservation Office. This does not address Sacred Cultural Resources. The local tribes should be consulted on this. To put an orange plastic fence around these artifacts or to dig them up and send them to some museum is disrespectful and hurtful to local cultures. **The SEIS does not address Cultural and Paleontological impacts effectively.**

153-8

9. The authors of the SEIS, regardless of the one signature waiver on the final page, have vested interests in approval of the building of the CMRR-NF. Science Applications International Corporation (SAIC) has contracts with Boeing in the weapons industry and contracts with the Department of Defense and Homeland Security and sells products to them. **This is a conflict of interest. This fact invalidates the entire document.** This is not science. It is corporate favors and financial interest in the outcome of the decision to be made.

153-9

10. New Mexican citizens are not sacrificial lambs to the PRIVATIZED nuclear weapons industry. LANL has a sordid history of neglect and flagrant mismanagement. Citizens of New Mexico have been exposed without their knowledge to numerous leaks into our environment that have resulted in phenomenal cancer rates and illnesses and deaths. The significant numbers of safety violations and accidents at LANL are well documented. The LAHDRA report unveiled the enormous radiological exposures New Mexicans have experienced. To give a \$6 billion check to these negligent corporate criminals who have literally poisoned our environment so that they can continue on a grand scale is insanity. And the **SEIS document with its false assumptions and parameters and ridiculous computer models is insufficient to say the least.**

153-10

Truly, Jeanne Green, 11 Los Padillas Rd, B, El Prado, NM 87529. 575-751-4130

153-5 As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL. The comment regarding electricity usage is noted.

153-6 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The commentor's concerns that an accident (similar to the one that occurred in Japan at the Fukushima Daiichi Nuclear Power Plant) could happen at LANL is addressed in Section 2.8, Nuclear Accidents, of this CRD. There are fundamental differences between the functioning of a nuclear reactor (such as the Fukushima Daiichi Nuclear Power Plant or Chernobyl) and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems.

153-7 The *CMRR-NF SEIS* addresses possible impacts from releases to the air due to normal operations and activities to populations within a radius of 50 miles (80 kilometers). Chapter 3, Section 3.10, presents a discussion on the composition of the population within the potentially affected 50-mile (80-kilometer) region of influence. The figures referenced by the commentor display the cumulative minority populations as a function of distance from LANL. Both the distance and

Commentor No. 153 (cont'd): Jeanne Green

direction of populations surrounding the site are relevant factors to be considered when calculating potential impacts on human health. Data representing the cumulative total population have been added to these figures to clearly display the proportion of the population that is minority. In response to public comments, analysis of specific impacts to populations in close proximity of LANL at additional radial intervals of 5, 10, and 20 miles (8, 16, and 32 kilometers) has been added to the *Final CMRR-NF SEIS* in Chapter 3, Section 3.10, and Chapter 4, Sections 4.3.11 and 4.4.11. Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, show the impacts on an average individual of the total minority population, the total Hispanic or Latino population, the American Indian population, and the low-income population; as well as the nonminority and non-low-income populations.

A 50-mile (80-kilometer) radius is accepted by regulatory agencies such as the U.S. Nuclear Regulatory Commission and DOE because, at this distance, the concentration of airborne radionuclides is very small. A sensitivity analysis was performed for the preparation of the 2008 *LANL SWEIS* to determine how much of a difference there would be if an accident analysis was performed using a 100-mile (160-kilometer) radius instead of a 50-mile (80-kilometer) radius. The results showed that the population dose increased only 3 percent despite a 194 percent population increase, demonstrating the conservative nature of the methodology used in calculating the population dose (DOE 2008a).

- 153-8** As discussed in Chapter 3, Section 3.8.3, Traditional Cultural Properties, Native American tribes may request permission for visits to sacred sites within LANL boundaries for ceremonies or other purposes. When a project is proposed, NNSA arranges site visits with tribal representatives to solicit their concerns and to comply with applicable requirements and agreements. No paleontological resources have been identified within any of the technical areas at LANL that are addressed in the SEIS that would need to be removed.
- 153-9** Before DOE awards a contract to prepare an EIS, or in this case an SEIS, it reviews the contractor's proposal and makes a determination that there is no conflict of interest. The simple fact that SAIC does work for agencies or companies involved in defense work does not constitute a conflict of interest.
- 153-10** Releases of radioactive and other material into the environment from LANL activities are reported annually in documents such as annual site environmental reports, which may be accessed at <http://www.lanl.gov/environment/all/esr.shtml>.

Commentor No. 153 (cont'd): Jeanne Green

These annual site reports also estimate the radiological and nonradiological impacts that could result from these releases. In addition to an estimate of the impacts on public health that could result from implementing the actions proposed in the *CMRR-NF SEIS* (for example, see Chapter 4, Section 4.3.10), the *CMRR-NF SEIS* summarizes the existing affected human health environment in Chapter 3, Section 3.11. Section 3.11 summarizes current worker and public radiological doses from LANL activities and background sources, chemical exposures, worker industrial safety, public epidemiological studies, the CMR accident history, and emergency planning. Public and worker radiation doses have been in compliance with regulatory limits, and, as discussed in Section 3.11.3, worker-related accident rates have been well below industry averages. Section 3.11.4, Health Effects Studies, was updated for the *Final CMRR-NF SEIS*.

Commentor No. 154: Peter Wemyss-Gorman

From: Peter Wemyss-Gorman [peter.gorman@matmosonline.co.uk]
Sent: Tuesday, June 21, 2011 9:28 AM
To: nepalaso@doeal.gov
Subject: New Plutonium Facility in New Mexico

I write to express my dismay at the NNSA's plan to construct new plutonium pits at the Los Alamos Labs.

Rather than devoting funds to cleanup of existing waste to satisfy its commitment to attend to this, and improve safety, the Department of Energy has apparently decided to spend huge funds on a new bomb plant that would not only add to the dangers of building such a plant prior to satisfactory analysis of seismic risk, but contribute to the development of nuclear weapons at a time when the priority of ridding the world of them is more and more widely accepted.

Peter Wemyss-Gorman
 Hickmans Lane
 Hickmans Lane
 Lindfield, ot RH16 2PX

154-1

154-1

NNSA notes the commentor's dismay regarding the construction of new plutonium pits and opposition to nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NNSA intends to continue to perform environmental restoration activities at LANL. NNSA does not consider environmental restoration to be optional and progress on implementing those efforts is not linked to decisions on construction of the proposed CMRR-NF. Progress in performing environmental restoration activities at LANL is reported in the annual site environmental reports, which can be accessed at <http://www.lanl.gov/environment/all/esr.shtml>.

Commentor No. 155: Nicole Morgan

From: Nicole Morgan [EccentricSage@yahoo.com]
Sent: Tuesday, June 21, 2011 12:04 AM
To: nepalaso@doeal.gov
Subject: CMRR Nuclear Facility is dangerous and wasteful!

We have enough weapons and enough dangerous nuclear facilities in America as it is! We don't need more! THIS IS THE LAST THING OUR GOVERNMENT SHOULD BE SPENDING OUR MONEY AND RESOURCES ON DURING A DEPRESSION.

Nicole Morgan
1015 N. Raynor Ave.
Joliet, IL 60435

155-1

155-1

NNSA notes the commentor's opposition to the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 156: Carol De Marinis

From: Carol De Marinis [demarinis@taosnet.com]
Sent: Monday, June 20, 2011 5:32 PM
To: nepalaso@doeal.gov
Subject: Please stop the planned CMRR-NF

When is enough enough with the nuclear weapons?

Must we become an extinct species before we get it that we are all One and we need to give up this bad guy/enemy nonsense and the War is Wonderful mindset with its attendant business that is so profitable to a handful of Halliburtons, Blackwaters and Carlyles, while so many are devastated, wounded or ruined, or take the path of suicide to find peace, as so many American soldiers have done since America's longest war began.

My town, Taos, is downwind from the Los Alamos plutonium playpen, where the makers of fiendish weapons pull in wonderful salaries that you and I give to them in appreciation for their twisted scientific brilliance. We did not really need the first weapon Los Alamos gave the world. Germany had been defeated and Japan had been thoroughly bombed before August 1945. Hiroshima and Nagasaki began our change from Helper to the World to Biggest Bully on the Block.

A fire that nearly wiped out the little town of Los Alamos on the rim of the Jemez caldera in 2000 sent thick awful smoke to the northeast for probably a month. I was diagnosed with bladder cancer the following year. A coincidence?

When the trees burned that had grown in the canyons surrounding Los Alamos it was discovered that these were places where barrels of waste from Los Alamos work done long ago had been tossed off the rim. We had to wonder what was in the particles that caused the coughing and two weeks of red eyes.

We now spend half our annual budget on war and related items such as the fear-mongering TSA that rummages through our underwear before we can board a commercial plane and the "Homeland Security" that wastes enormous amounts of money posturing and other more nefarious groups all under the name of national security.

Meanwhile, our bridges fall in the rivers they once spanned, our levees collapse, cities drown, jobs disappear and the buck is worth less every day, especially since it started going into circulation as debt.

The young and uneducated with few prospects join the military. Social Security and Medicare become burdens in the face of keeping the Department of Defense

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156-1 NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

156-2 A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande fire. As noted in Chapter 4, Section 4.6.1.3, of the *CMRR-NF SEIS*, an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by Risk Assessment Corporation at the request of the NMED (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential release sites and concluded that exposure to LANL-derived chemicals and radionuclides released to the air during the Cerro Grande fire did not result in a significant increase in health risk over the risk from the fire itself. Additional information is provided in the 2008 *LANL SWEIS* (DOE 2008a).

156-3 Smoke from all forest fires contains hundreds of organic and inorganic combustion products. As noted in Chapter 4, Section 4.6.1.3, the risk assessment study concluded that there was some evidence of adverse health effects from breathing high concentrations of particulate matter in the smoke, but that "Such exposures are associated with any forest fire" (RAC 2002). It is estimated that nearly 7,500 tons of particulate matter were released to the atmosphere by the Cerro Grande fire, only 10 percent of which came from LANL sources. Many studies have correlated exposure to fine particles with respiratory-related emergency room visits and hospital admissions, work and school absences, premature death, asthma, emphysema, heart disease, chronic bronchitis, and acute respiratory symptoms. Children, the elderly, and people with heart or lung disease or respiratory infections are more sensitive to particulate matter. The Risk Assessment Corporation report stated that "It is probable that the calculated risk from PM₁₀ is greater than the risk from all chemicals and radionuclides combined" (RAC 2002).

156-4 The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take

Commentor No. 156 (cont'd): Carol De Marinis

afoat. They cannot even account for billions of their waste and fraud. Remember the suitcases of paper money our "representatives" were spreading around Baghdad buying friends in the fine old democratic way.

The numbers of lives lost or ruined thanks to the USA's mighty forces of fear at work these past dozen years have added up to some horrific crimes against humanity. We owe the world an apology and a promise to make war no more.

We can begin by giving up nuclear weapons and eventually, when we finally make friends with ourselves, perhaps we will exchange paranoia for love and give up weapons altogether.

The National Nuclear Security Administration's plan to make a space for building new plutonium pits in Los Alamos is a terrible idea. I have listed a few different reasons I think this needs to be stopped.

Expanding the United States' nuclear weapons production capabilities further undermines President Obama's stated goal of a world free of nuclear weapons. This type of contradictory message will only breed distrust of US intentions. With such actions, the US could potentially spur nuclear weapons development elsewhere.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

The Alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include "taking no action" as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.

Carol De Marinis
27 El Tros Road
Ranchos de Taos, NM 87557

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place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

President Obama stated that the goal of a world free of nuclear weapons would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF.

Chapter 3, Section 3.10, of the *CMRR-NF SEIS* has been updated to include additional information on the minority and low-income populations surrounding LANL. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority or low-income populations, including Native Americans and Hispanics, under any of the alternatives.

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967).

Commentor No. 157: Beth Enson

From: Beth Enson [wildmushroomsoup@gmail.com]
Sent: Monday, June 20, 2011 1:00 PM
To: nepalaso@doeal.gov
Subject: Comments on CMRR SEIS

Have we leaned NOTHING from the horror of Fukushima? The nuclear industry is extremely vulnerable to acts of nature, like tidal waves and earthquakes. The danger to all life far outweighs the benefits of nuclear power, and there is NO REASON to produce more costly nuclear weapons-- the ones we have already serve their purpose of mutual assured destruction. We cannot afford to waste precious resources on harmful nuclear projects.

Please see reason and put an end to this outrageous waste of our money and our planet.

Beth Enson
 PO Box 503
 a, NM 87514

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NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 158: Janet Kinniry

From: Janet Kinniry [kinniryaw@comcast.net]
Sent: Sunday, June 19, 2011 8:35 PM
To: nepalaso@doeal.gov
Subject: I oppose the CMRR-NF

It is time for Los Alamos to change its mission. We do not need any more nuclear weapons that cause toxic nuclear waste. We have to stop making radioactive waste. The people of New Mexico do not want this and the world does not want it.

The Supplemental Environmental Impact Statement is inadequate – a complete, new Environmental Impact Statement is needed. It is time to stop whitewashing the facts. Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains.

Stop the insanity.

Janet Kinniry
POB 154
Gardner CO 81040

Janet Kinniry
PO Box 154
Gardner, CO 81040

158-1

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158-1

NNSA notes the commentor's opposition to LANL's mission and nuclear weapons. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. Also refer to Section 2.5, Cleanup and Waste Management, of this CRD for information about management of radioactive waste from CMRR-NF construction and operation.

158-2

As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 159: KC Coburn

From: KC Coburn [kc.coburn1@gmail.com]
Sent: Friday, June 24, 2011 10:04 PM
To: nepalaso@doeal.gov
Subject: This idea is the pits :) Please don't...

Do we HAVE to have a new plutonium facility at the Los Alamos National Laboratory? Here is what worries me:

President Obama said he would work for a world free from Nuclear weapons - building this facility says the opposite of what he promised us and the world. If the world suspects we will continue doing the opposite of what we promise, won't THEY build nuclear weapons in defense?

Also, the Department of Energy made a commitment to clean up legacy waste at Los Alamos Lab by 2015. Is that done? (no). Couldn't we spend the \$6B on finishing that nasty business first? The public is counting on you to keep us safe, this feels like the wrong direction?

I really don't have any political clout and I don't even know if this will be read, but it worries me that we say we are aware of the dangers of burning down the house, but we keep playing with matches any way. Thanks for reading this and anything you could do to stop the development of the new facility would please me greatly.

KC Coburn
 500 University Ave #738
 Honolulu, HI 96826

159-1**159-1**

NNSA acknowledges that there is substantial opposition to nuclear weapons and their components and that President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

159-2**159-2**

NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

159-3**159-3**

Comment noted.

Commentor No. 160: Etta Smith

From: Etta Smith [essmith@cybermesa.com]
Sent: Saturday, June 25, 2011 9:21 AM
To: nepalaso@doeal.gov
Subject: Oppose nuclear facility at LANL

To: Mr. John Tegtmeier, CMRR-NF
SEIS Document Manager
NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544

Re: CMRR-NF SEIS Comment

Date: June 24, 2011

Dear Mr. Tegtmeier:

I oppose the construction of the CMRR Nuclear Facility at the Los Alamos National (LANL) for the following reasons:

ENVIRONMENT

The Nuclear Facility is designed to have the capacity to prepare plutonium for up to 80 new pits (triggers for nuclear weapons) per year. It would store six metric tons (about 13,200 pounds) of plutonium, a very potent carcinogen.

LANL sits on a windswept mountain top, in a seismic area, where wildfires and contaminated run-off continue to threaten the health of all who live downwind and downstream from LANL. Plutonium and other radionuclides were found in organic gardens downwind from Los Alamos after the 2000 Cerro Grande fire. There is increasing evidence of groundwater pollution from the Lab, with more "expected over a period of decades to centuries as more of the contaminant inventory reaches the water table," according to a 2005 LANL report. Radionuclides have been detected in the Rio Grande, the source of drinking water for many citizens living downstream from the Lab.

Plutonium has a half-life of 24,000 years (meaning it is half as potent by then). So any pollution will continue for many, many thousands of years. In addition to cancer, radioactive materials can cause serious birth defects. This disproportionately impacts New Mexico's minority populations, especially Native and Hispanic, making it an issue of environmental injustice.

The Department of Energy (DOE) estimates that the maximum amount of water needed for construction would be 4.6 million gallons per year. However, an independent analysis figured that 6.75 million gallons of water would be used in

160-1 NNSA notes the commentor's opposition to construction of the CMRR-NF at LANL.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

160-1

NNSA agrees with the commentor's concern about plutonium being a potent carcinogen; the danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

160-2 NNSA acknowledges the commentor's concerns regarding impacts on the environment and people living in the LANL region. Chapter 4 of the *CMRR-NF SEIS* provides the environmental impacts analysis, which evaluates potentially affected resource areas in a manner commensurate with the importance of the potential effects on each area.

160-2

The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *SEIS*.

160-3

Commentor No. 160 (cont'd): Etta Smith

mixing 225,000 cubic yards of concrete planned under the structure to meet safety requirements due to potential seismic hazards (and we are not convinced that will protect against a major earthquake). Another 3.9 million gallons of water would be needed for the additional 130,000 cubic yards of structural concrete.

For each year of operation after construction, DOE estimates that the Nuclear Facility would use 16 million gallons per year. We live in a dry semi-desert climate getting ever more dry with global warming, and we cannot afford to waste such a huge amount of water. Better not to put a nuclear facility in an earthquake prone zone.

Taos citizens, along with Senator Udall and Representative Lujan, requested a hearing for public comment in their town so they wouldn't have to travel through the canyon to get to a hearing in other locales, but the National Nuclear Security Administration told Sen. Udall that the NNSA expected no safety consequences for Taos from operating the CMRR Nuclear Facility. Yet the smoke carrying plutonium and other radionuclides reached Taos during the 2000 Cerro Grande Fire at LANL. And they received smoke from the current Wallow Fire in AZ 200 miles away.

Producing more plutonium pits will create more waste. We already have 700,000 metric tons of depleted uranium waste from weapons production. Depleted uranium has a half-life of 4.5 billion years. So far, there is no viable plan for storing this waste. Because LANL did not keep good records in the early years of operation, an unknown amount of tons of radioactive waste is stored in Area G at LANL, and tritium is releasing into the air. Our environment and our health cannot tolerate any more radioactive waste.

The existing waste at LANL needs to be cleaned up before any new radioactive or toxic waste is generated there. DOE made a commitment to clean up certain legacy waste sites at LANL by 2016 when it signed the Consent Order with the New Mexico Environment Dept. on March 1, 2005. Yet the House Appropriations Committee has recommended cutting the cleanup budget for LANL by \$175 million (almost half of the request to meet the need). Taxpayer funds needs to go first for cleanup, instead of cutting domestic services to fund a \$6 billion project when most U.S. citizens don't want to fund any more nuclear weapons.

Thank you for your consideration. I would like to receive only the summary of the final EIS, not the full report.

**160-3
cont'd**

160-4

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Regarding water quality concerns, there are established programs at LANL that address liquid discharges and cleanup of past contamination. Liquid discharges through permitted outfalls are sampled and analyzed to evaluate compliance with permit conditions; results are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). A monitoring program is conducted at LANL (described in the 2008 LANL SWEIS, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. Refer to Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, and Section 2.5, Cleanup and Waste Management, of this CRD, for more information on cleanup of past contamination.

NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF. LANL staff manages stormwater runoff from both industrial and construction activities, such as the proposed construction of the CMRR-NF, under Storm Water Pollution Prevention Plans. These plans require the cleanup of any spills or leaks, monitoring of surface-water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. Implementation of Storm Water Pollution Prevention Plans includes a number of temporary and permanent detention ponds that are included in the description of the Modified CMRR-NF Alternative. Under all three alternatives, there would be no operational discharges directly to the environment. All radioactive liquids would be transferred to RLWTF. At RLWTF, the liquids would be treated to meet discharge criteria and released through a permitted outfall or to a zero liquid discharge facility. Other liquids would be routed to the Sanitary Wastewater Systems Plant, where they would be treated prior to discharge through a permitted outfall.

The potential impacts on environmental justice due to construction (except for the Continued Use of CMR Building Alternative) and operations are addressed in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11. These analyses show that the total minority, Native American, Hispanic, and low-income populations would not be subjected to disproportionately high and adverse impacts during implementation of any of the alternatives.

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. Tables S-2 and 2-3 indicate that the

Commentor No. 160 (cont'd): Etta Smith

shallow and deep excavation options would average approximately 4 to 5 million gallons of water usage each year. Over the 9-year construction period this would amount to about 36 to 45 million gallons of water used to support construction. The commentor is correct that the biggest difference in water usage between the 2 options would be the water needed to mix the low slump concrete needed for the deep excavation options. As shown in Chapter 4, Tables 4–15 through 4–17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

160-4 After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

160-5 As previously noted, pit production activities would not occur in the CMRR-NF. The depleted uranium mentioned by the commentor is not stored at LANL and is not within the scope of the *CMRR-NF SEIS*. Cleanup of Material Disposal Area G is being performed in accordance with the Consent Order. NNSA does not consider compliance with the Consent Order to be optional and progress on

Commentor No. 160 (cont'd): Etta Smith

implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, defense and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 161: Delores Kincaide

From: Delores Kincaide [dorieksl@yahoo.com]
Sent: Saturday, June 25, 2011 12:48 PM
To: nepalaso@doeal.gov
Subject: Responding to the CMRR SEIS

I recently heard about the proposed new plutonium facility at the Los Alamos National Laboratory, and I have a few concerns.

First, we live in tragic times of huge national debt and do not need to create further debt in "defense" of our country. We need to do only what is absolutely necessary to reduce waste in areas that could be set aside for now (and perhaps forever).

Secondly, we have thousands of pits already in storage which will last for at least 100 years. Therefore, more pits NOW are not necessary.

"Beware of the military-industrial complex" were wise words and this building project should be viewed with great suspicion.

Delores Kincaide
3 Cebolla Loop
Jemez Springs, NM 87025-9043

161-1

161-1

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 162: Ian Ford

From: Ian Ford [ilf@ianford.com]
Sent: Saturday, June 25, 2011 3:03 PM
To: nepalaso@doeal.gov
Subject: public comments on CMRR

I'm asking you to stop the CMRR on the grounds that (1) I understand it has not been proven to withstand likely earthquakes, and (2) the construction of materials that will be (or can be) used for new nuclear weapons will cause other nations to pursue more nuclear weapons, resulting a world that is more dangerous for everyone, not safer.

Ian Ford
 3110 Ninth NW
 Albuquerque, NM 87107

162-1

162-1

NNSA notes the commentor's opposition to the CMRR-NF project. Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage (see Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS*). Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 163: Clifton Bain

From: Clifton Bain [bain@newmex.com]
Sent: Sunday, June 26, 2011 9:28 PM
To: NEPALASO@doeal.gov
Subject: CMRR comment
Attachments: CMRR comment

Clifton Bain
PO Box 297 Arroyo Hondo, NM 87513
June 26, 2011

By email to: NEPALASO@doeal.gov

John Tegtmeier, CMRR-NF
SEIS Document Manager
Department of Energy – Los Alamos Site Office
3747 West Jemez Road
Los Alamos, NM 87544

Re: Need for the Department of Energy (DOE) to Withdraw the draft Supplemental Environmental Impact Statement (draft SEIS) for the Proposed Nuclear Facility of the Chemistry and Metallurgy Research Replacement (CMRR) Project at the Los Alamos National Laboratory (LANL)

Dear Mr. Tegtmeier:

The draft SEIS is inadequate and technically indefensible for analysis of the risks of constructing and operating the proposed CMRR-Nuclear Facility with a capacity of quadrupling the current production of 20 plutonium triggers for nuclear weapons to up to 80 per year. I respectfully request that the DOE withdraw the draft CMRR-NF SEIS.

* **The National Environmental Policy Act (NEPA) requires a federal agency to provide a range of alternatives.** DOE has not provided workable alternatives. The “Modified CMRR-NF” Alternative would allow construction with enhancements to address the growing number of seismic issues. There are two construction options: the “Deep Construction Option” and an inadequately analyzed “Shallow Construction Option”, which do not meet NEPA requirements. Assumptions were made for key parameters in the analyses of the Shallow Option. The draft SEIS fails to offer and analyze realistic alternatives and therefore must be withdrawn.

* **The draft SEIS misrepresents the seismic hazard at the location of the proposed CMRR-Nuclear Facility.** For example, a table in the 2007 Probabilistic Seismic Hazard Analysis reports a vertical peak ground motion acceleration of 0.6

163-1 NNSA determined that a SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions issued through the 2008 *Complex Transformation SPEIS* ROD. Refer to Section 2.2, NEPA Process, of this CRD for more information.

163-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The commenter also raises some issues that are addressed in detail in the response to comment 241.

163-1

163-2

Commentor No. 163 (cont'd): Clifton Bain

g [gravity], but the draft SEIS reports a lower g-force of 0.3 g. It is uncertain how this error impacts the overall NEPA analyses.

Further, both surface-rupturing synchronous and simultaneous earthquakes have occurred along the Pajarito Fault System. For these types of earthquakes, multiple synchronous earthquakes produce a greater seismic hazard than the simultaneous earthquakes. But the draft SEIS states the contrary that simultaneous ground-rupturing earthquakes produce a greater seismic risk. This error will have a tremendous impact on the overall NEPA analyses and must be corrected. The draft SEIS must be withdrawn.

These errors will ultimately result in the underestimation of the seismic hazard risk and the impacts to public health and the environment from releases from the proposed Nuclear Facility. The LANL scientists recommended that comprehensive field studies must be done to gather the necessary information about the seismic hazard. This must be done before a new EIS is submitted for public review and comment.

* The draft SEIS demonstrates that DOE will continue to waste water for manufacturing nuclear weapons, create more radioactive, hazardous and toxic waste, spew pollution into the air, and exceed its existing electric power needs.

* Further, I am in solidarity with Santa Clara Pueblo Tribal Resolution No. 08-16 in which the Pueblo opposes the expansion of plutonium pit production at LANL and making that production capacity permanent.

Sincerely,

163-2
cont'd

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The response to comment 241-2 addresses the concern raised with respect to surface-rupturing and synchronous and simultaneous earthquakes. Briefly, the 2007 PSHA included both simultaneous and synchronous earthquake models in calculating design ground motions for TA-55. The PSHA did not calculate higher hazard for the simultaneous rupture, but the PSHA did estimate slightly higher maximum magnitudes for the simultaneous rupture model. Preferred maximum magnitudes for both simultaneous and synchronous ruptures were estimated using the same general approach, which has a sound technical basis. It is somewhat counterintuitive that the slightly bigger simultaneous earthquake can result in a lower ground motion hazard, but the two synchronous earthquakes result in higher ground motions for nearby sites, particularly when the site is located between the rupturing fault segments, because energy is coming from two sources.

Based on an apparent typographical error in the 2007 PSHA Executive Summary, the vertical peak ground acceleration for the CMRR-NF was incorrectly cited as 0.3 g instead of 0.6 g in the SEIS. This error has been corrected. This typographical error in the Executive Summary of the PSHA is not reflective of information presented elsewhere in the PSHA and was not used in the design of the proposed CMRR-NF.

Regarding additional field studies, it may be noted that potential seismic hazards at LANL have been the subject of numerous studies performed in the past 30 years. Additional studies are expected in the future based on priority and funding. As addressed in the response to comment 241-8, while the PSHA study acknowledges that additional data in these areas would provide a more complete understanding of the seismic hazard at LANL, NNSA believes there was sufficient information to complete the study. The uncertainties associated with these areas have been adequately captured and bounded by the results of the study.

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water

Commentor No. 163 (cont'd): Clifton Bain

Resources and Usage, of this CRD for more information on water resources at LANL.

Sufficient capacity exists at LANL or at offsite facilities to manage all of the projected waste associated with any of the alternatives included in the *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. As summarized in Chapter 2, Table 2-3, no air quality standards would be exceeded. As discussed in Chapters 2 and 4, options for adding to or modifying the existing electrical distribution infrastructure at LANL to support the requirements of the proposed CMRR-NF are analyzed in the SEIS (for example, adding an electrical substation to TA-50).

163-4 Comment noted.

Commentor No. 164: Elsie Sandford

From: Elsie Sandford [lcsandford@earthlink.net]
Sent: Saturday, June 25, 2011 5:32 PM
To: NEPALASO@doeal.gov
Subject: CMRR Supplemental Environmental Impact Statement

The Supplemental Environmental Impact Statement (SEIS) for the CMR replacement facility (CMRR) at Los Alamos National Laboratory (LANL) appears to be complete and comprehensive, given the current knowledge of the local seismic geology. One thing that does not seem to have been considered in the public comment is the environmental impact that would occur if the CMRR is not completed. What would be the impact of an earthquake on the old CMR building, and the subsequent environmental damage? It's clear that LANL not only needs the new facility to continue work currently under way, but also as a safer alternative to the existing CMR building, which has virtually no earthquake resistance.

I live in Los Alamos, and I also work at LANL. I personally would appreciate a more robust facility than the old CMR building in which to continue work which is necessary for the security of the United States.

The SEIS for the new CMRR facility clearly addresses concerns about seismic vulnerability that the old CMR building lacks. New scientific work will also be done there that cannot be accomplished in the old facility.

Thank you for your consideration of my opinions.

Sincerely,
 Elsie Sandford
 Los Alamos, NM

164-1

164-1

NNSA notes the commentor's support for the new CMRR Facility. The *CMRR-NF SEIS* addresses the potential impacts of continued use of the CMR Building. Chapter 4, Section 4.4, of the SEIS presents the overall environmental impacts of continued use of the CMR Building. Section 4.4.10.2 addresses the potential health impacts on members of the public and workers from postulated accidents at the CMR Building. The potential impacts are also discussed in more detail in Appendix C. An earthquake that is severe enough to cause spills and perhaps fires and cause structural damage to the facility is evaluated and Table 4-43 of the SEIS presents the radiological impacts of a severe earthquake. With the operational and inventory constraints that are imposed on the facility by NNSA due to its age and construction, the radiological impacts of a severe earthquake on the public are not expected to cause short-term fatalities due to radiation and few, if any, latent cancers due to the radiation released. An earthquake this severe is expected to cause fatalities both at LANL and in Los Alamos due to injuries from falling debris and other direct earthquake effects.

Commentor No. 165: Ann-Nicole Cain

From: Nikki Cain [nikkicain09@gmail.com]
Sent: Saturday, June 25, 2011 6:38 PM
To: NEPALASO@doeal.gov
Subject: public comment for the proposed CMRR-NF SEIS at LANL

Dear Mr. John Tegtmeier, CMRR-NF SEIS Document Manager,

I am writing to express my disapproval of the DOE's plan to construct a site at Los Alamos National Laboratory in Los Alamos, N.M. to dump GTCC Waste and GTCC-like waste.

First of all, a complete new environmental impact statement (EIS) is needed, a SEIS can not adequately assess the impacts of a CMRR-NF at LANL. This is vital since the plan is to construct a site in a seismic fault zone. This is completely irresponsible to the local neighboring communities, to future generations, and to the world community. We should be looking at the events in Japan and realizing that not only do accidents naturally occur but that they can effect the entire world. The cost of trying to build a plutonium pit production complex in a geologically unstable area are just too high, financially and physically. People who live in the surrounding areas feel the seismic activity on a regular basis. People talk about the seismic tremors that they feel in the area. Although we are not a local that is known for earthquakes, the locals know that small ones happen and they happen regularly. Just a looking around at the local landscape from, Jemez Mountain to the Rio Grande Gorge, one can tell that the earth is active here. To build any waste site here is irresponsible and reckless.

A new nuclear facility will detract from the cleanup of the existing mess in Los Alamos. Again, the locals know. We know that there are 50 - 60 year old sites at LANL that have never been cleaned up. We know that waste leeches out of the arroyos and down into the Rio Grande river. I even believe that there is Congressional evidence of this fact. All of that mess should be cleaned up and no new facilities should be allowed to operate and potentially further pollute the fragile ecosystem of the arid southwest. I personally live up stream from Los Alamos and feel grateful that I can take my family, my children, my pets to play in the waters of the Rio Grande. I won't touch the river after it passes Los Alamos. I was raised in Las Cruces, down stream of LANL. The river is damaged enough by dams, agriculture, the northern cities to make what was once a bountiful life force of the region into a ditch. All that waste goes into the agriculture in the south as the farmers pull the water out of the Rio Grande and into their fields. We'll have nuclear chili next. Why should we continue to poison ourselves further? The DOE has a responsibility to the people it serves not to pollute our children, our food, and our land.

165-1

NNSA notes the commentor's opposition to disposal of GTCC waste at LANL, but this is beyond the scope of this CMRR-NF SEIS and is the subject of another DOE EIS (DOE/EIS-0375D).

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

165-1

165-2

Commentor No. 165 (cont'd): Ann-Nicole Cain

The best alternative is for the DOE to develop others means of protecting and energizing our nation besides the use of nuclear devices. Poisoning the land for countless generations to come is what the DOE is really talking about when discussing plans to create anything related to nuclear energy or weapons. Despite popular ideas that nuclear anything can be clean and safe, we know that nuclear waste does not go away for thousands of years. So what if in 2099 we have an earthquake that is 5.0 or higher? What happens to the "safe" nuclear waste then? (Nuclear chili, for sure.) There are too many possibilities that can play out in the future to ever make nuclear waste "safe". It is a major sell-out to believe otherwise. Unforgivably, too many of the officials who are meant to protect us are on or have been on the payrolls of the industries that they are suppose to be protecting us from. It is the DOE's responsibly to put the public and future public's safety first. Zero nuclear activity is the only acceptable alternative. LANL could be turned into a facility that can create solutions for renewable energy needs, solutions for water shortages, solutions for climate control and change, solutions for the cultural devices that create terrorism. It's should be brain factory for the common good of all the peoples of the earth not the dump site for the destruction of lives through the pollution and derogation of our environment. All we really have is the future, we know it's coming and that nothing can stop it. What do we want it to look like? I, for one, would like to see the future is a place where all are welcome and safe. I would love nothing better than a nuclear free world because then I would know that no matter what my great-great-great granddaughter has to face in her life time that it wouldn't include cancers in her children and neighbors or mutations of food and wildlife. That she too can wake in the morning and breathe the clean air; grow her own food if she wishes, and live a life free of the stress and fear of what nuclear waste, energy and weapons can do. That she can trust in the physical world around her to provide and enliven her and not to poison her.

Thank you for creating time for public comment. More time should be given for the public to educate themselves and create comments before action is taken . My personal information may be used to support my comment, so that it can be entered into the public comment record.

Thank You,

Ann-Nicole Cain
6275 NDCBU
Taos, NM
87571
xxx-xxx-xxxx
nikkicain09@gmail.com

165-3

165-4

165-5

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NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF. NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

There are established programs at LANL that address liquid discharges and cleanup of past contamination. Liquid discharges through permitted outfalls are sampled and analyzed to evaluate compliance with permit conditions; results are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). A monitoring program is conducted at LANL (described in the 2008 *LANL SWEIS*, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, and Section 2.5, Cleanup and Waste Management, for more information on cleanup of past contamination.

165-3

NNSA notes the commentor's opposition to the existence of nuclear weapons and nuclear power plants. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

165-4

Funding decisions regarding major Federal programs (for example, defense and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

NNSA acknowledges the commentor's concern that a nuclear accident could happen at LANL. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Nuclear facilities constructed at LANL must meet strict safety criteria set forth in Federal regulations and DOE orders, and criteria imposed as an outcome of safety

Commentor No. 165 (cont'd): Ann-Nicole Cain

analyses. Refer to Appendix C for a description of safety analyses performed for this *CMRR-NF SEIS*.

165-5 Comment noted.

Commentor No. 166: Kaiiba Mountain

From: Kaiiba Mountain [kaiibamountain@yahoo.com]
Sent: Saturday, June 25, 2011 7:15 PM
To: NEPALASO@doeal.gov
Subject: draft cmrr-nf seis

As a grandmother who cares deeply about our future generations..i strongly urge you to rethink this dangerous and insane project. Now is the time to end these instant gratification endeavors..there is a better way and im sure that with the so called genioues running things out there you can come up with a better and safer and cleaner way. please think about the future of our planet and future generations..thank you.

166-1**166-1**

NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. See Section 2.3, Programmatic Direction and Decisions, and Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 167: Marta Harrison

From: Marta Harrison [sunnysandals4@comcast.net]
Sent: Saturday, June 25, 2011 11:16 PM
To: nepalaso@doeal.gov
Subject: Please do more research on the CMRR Nuclear Facility

I am writing to tell you how concerned I am with your plans at Los Alamos National Laboratory for a CMRR Nuclear Facility. After what happened in Japan a few months ago, I consider it a warning to conduct thorough research before building any new facility.

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. Since a new seismic analysis is underway at Los Alamos Lab which will impact the results regarding the design of the building, the Supplemental Environmental Impact Statement should be withdrawn until further studies are made.

3.9 million gallons of water would be needed for the additional 130,000 cubic yards of structural concrete. For each year of operation after construction, DOE estimates that the Nuclear Facility would use 16 million gallons per year. Global warming and the wildfires with the current drought means that we cannot afford to waste water: it is a precious commodity here in the Southwest.

The current draft Supplemental EIS (SEIS) was conducted to deal with the more dangerous seismic issues revealed in 2007. But now, 5 years later, new seismic analyses are being conducted indicating even more serious potential consequences. So, it seems to me that the 2003 EIS and the Supplemental EIS are outdated and a new full EIS written only after the results of the new current seismic investigations are known!

Think about the children and adults living in the nearby area. Our environment and our health cannot tolerate any more radioactive waste. Please take the time to do the research needed! thank you.

Marta Harrison

Marta Harrison
103 Camino Santiago
Santa Fe, NM 87501

167-1

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167-1 NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

167-2 As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF

Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

Commentor No. 167 (cont'd): Marta Harrison

Commentor No. 168: Cynthia Piatt

To: Mr. John Tegtmeier, CMRR-NF
SEIS Document Manager
NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544
Re: CMRR-NF SEIS Comment
Date: June 24, 2011

Dear Mr. Tegtmeier:

I oppose the construction of the CMRR Nuclear Facility at the Los Alamos National (LANL) for the following reasons:

ITS IMPACT ON OUR PRECIOUS ENVIRONMENT:

I, sure that you realize the Nuclear Facility is designed to have the capacity to prepare plutonium for up to 80 new pits (triggers for nuclear weapons) per year. It would store six metric tons (about 13,200 pounds) of plutonium, a very potent carcinogen.

LANL sits on a windswept mountain top, in a seismic area, where wildfires and contaminated run-off continue to threaten the health of all who live downwind and downstream from LANL. Plutonium and other radionuclides were found in organic gardens downwind from Los Alamos after the 2000 Cerro Grande fire. There is increasing evidence of groundwater pollution from the Lab, with more "expected over a period of decades to centuries as more of the contaminant inventory reaches the water table," according to a 2005 LANL report. Radionuclides have been detected in the Rio Grande, the source of drinking water for many citizens living downstream from the Lab. One oncologist in Albuquerque stated that 90% of his thyroid and brain cancer patients live in Los Alamos or the downwind Espanola Valley.

Plutonium has a half-life of 24,000 years (meaning it is half as potent by then). So any pollution will continue for many, many thousands of years. In addition to cancer, radioactive materials can cause serious birth defects. This disproportionately impacts New Mexico's minority populations, especially Native and Hispanic, making it an issue of environmental injustice.

The Department of Energy (DOE) estimates that the maximum amount of water needed for construction would be 4.6 million gallons per year. However, an independent analysis figured that 6.75 million gallons of water would be used in mixing 225,000 cubic yards of concrete planned under the structure to meet safety requirements due to potential seismic hazards (and we are not convinced

168-1 NNSA notes the commentor's opposition to construction of the CMRR-NF at LANL.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

NNSA agrees with the commentor's concern about plutonium being a potent carcinogen; the danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

168-1

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168-2 NNSA acknowledges the commentor's concerns regarding impacts on the environment and people living in the LANL region. Chapter 4 of the *CMRR-NF SEIS* provides the environmental impacts analysis, which evaluates potentially affected resource areas in a manner commensurate with the importance of the potential effects on each area.

The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *SEIS*.

168-3

Commentor No. 168 (cont'd): Cynthia Piatt

that will protect against a major earthquake). Another 3.9 million gallons of water would be needed for the additional 130,000 cubic yards of structural concrete.

For each year of operation after construction, DOE estimates that the Nuclear Facility would use 16 million gallons per year. We live in a dry semi-desert climate getting ever more dry with global warming, and we cannot afford to waste such a huge amount of water. We are living in the driest year since 2004 and we continually ask the citizens to use less water (as we should be doing). As the residents of Santa Fe are using less water this year than years previously, isn't it imperative that LANL do the same?

Taos citizens, along with Senator Udall and Representative Lujan, requested a hearing for public comment in their town so they wouldn't have to travel through the canyon to get to a hearing in other locales, but the National Nuclear Security Administration told Sen. Udall that the NNSA expected no safety consequences for Taos from operating the CMRR Nuclear Facility. Yet the smoke carrying plutonium and other radionuclides reached Taos during the 2000 Cerro Grande Fire at LANL. And they received smoke from the current Wallow Fire in AZ 200 miles away.

Producing more plutonium pits will create more waste. We already have 700,000 metric tons of depleted uranium waste from weapons production. Depleted uranium has a half-life of 4.5 billion years. So far, there is no viable plan for storing this waste. Because LANL did not keep good records in the early years of operation, an unknown amount of tons of radioactive waste is stored in Area G at LANL, and tritium is releasing into the air. Our environment and our health cannot tolerate any more radioactive waste.

The existing waste at LANL needs to be cleaned up before any new radioactive or toxic waste is generated there. DOE made a commitment to clean up certain legacy waste sites at LANL by 2016 when it signed the Consent Order with the New Mexico Environment Dept. on March 1, 2005. Yet the House Appropriations Committee has recommended cutting the cleanup budget for LANL by \$175 million (almost half of the request to meet the need). Taxpayer funds needs to go first for cleanup, instead of cutting domestic services to fund a \$6 billion project when most U.S. citizens don't want to fund any more nuclear weapons.

THE IMPACT ON JOBS:

The few supporters of the Nuclear Facility who spoke at the hearings claimed that the construction will add jobs to New Mexicans. But those jobs are temporary, and only for a few hundred workers. After the facility is built, almost all the workers will be transferred from other buildings. Even the Environmental Impact Statement admits that the socioeconomic impact on New Mexico is minimal. At this point, we should be investing in long-term jobs that encourage

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Regarding water quality concerns, there are established programs at LANL that address liquid discharges and cleanup of past contamination. Liquid discharges through permitted outfalls are sampled and analyzed to evaluate compliance with permit conditions; results are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). A monitoring program is conducted at LANL (described in the 2008 LANL SWEIS, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. Refer to Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, and Section 2.5, Cleanup and Waste Management, of this CRD, for more information on cleanup of past contamination.

NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF. LANL staff manages stormwater runoff from both industrial and construction activities, such as the proposed construction of the CMRR-NF, under Storm Water Pollution Prevention Plans. These plans require the cleanup of any spills or leaks, monitoring of surface-water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. Implementation of Storm Water Pollution Prevention Plans includes a number of temporary and permanent detention ponds that are included in the description of the Modified CMRR-NF Alternative. Under all three alternatives, there would be no operational discharges directly to the environment. All radioactive liquids would be transferred to RLWTF. At RLWTF, the liquids would be treated to meet discharge criteria and released through a permitted outfall or to a zero liquid discharge facility. Other liquids would be routed to the Sanitary Wastewater Systems Plant, where they would be treated prior to discharge through a permitted outfall.

The potential impacts on environmental justice due to construction (except for the Continued Use of CMR Building Alternative) and operations are addressed in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11. These analyses show that the total minority, Native American, Hispanic, and low-income populations would not be subjected to disproportionately high and adverse impacts during implementation of any of the alternatives.

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would

Commentor No. 168 (cont'd): Cynthia Piatt

the development and use of renewable energies rather than more nuclear facilities' construction!

The total cost of nuclear weapons complex across the country is estimated to be \$180 billion over the next ten years. This is just too high in our failing economy. Money spent on unusable nuclear weapons do not spur economic growth. Rather than cutting domestic services to the poorest and most disadvantaged in our society in order to balance the federal budget, the \$6 billion (and growing) could be used to create jobs for education, health care, mass transit, affordable housing, renewable energy, bridge upgrades, and better food distribution.

Thank you for your consideration to this important matter. I would like to receive only the summary of the final EIS, not the full report.

Sincerely,
Cynthia Piatt
109 Camino Santiago
Santa Fe, NM 87501

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exceed that of the other two alternatives. As shown in Chapter 4, Tables 4–15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

168-4 After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

168-5 As previously noted, pit production activities would not occur in the CMRR-NF. The depleted uranium mentioned by the commentor is not stored at LANL and is not within the scope of the *CMRR-NF SEIS*. Cleanup of Material Disposal Area G is being performed in accordance with the Consent Order. NNSA does not consider compliance with the Consent Order to be optional and progress on

Commentor No. 168 (cont'd): Cynthia Piatt

implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

168-6 The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. Refer to Section 2.7, Economic Impacts, of this CRD for more information.

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, defense and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

168-7 Comment noted.

Commentor No. 169: Kenneth Jacks

From: Kenneth Jacks [kennethjacks@hotmail.com]
Sent: Sunday, June 26, 2011 9:30 AM
To: nepalaso@doeal.gov
Subject: Registering my opposition to the CMRR Nuclear Facility

Stop wasting our money on wasteful weapons projects. There are many,many better ways to use these funds to ensure national security.

DO NOT FUND the CMRR Nuclear Facility at Los Alamos!!!

Sincerely,

Kenneth Jacks
Santa Fe, NM

Kenneth Jacks
P.O. Box 8754
Santa Fe, NM 87504

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NNSA notes the commentor's opposition to the CMRR-NF project. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort.

Regarding the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 170: Beverly Busching

From: Beverly Busching [bbusching@mindspring.com]
Sent: Sunday, June 26, 2011 1:05 PM
To: nepalaso@doeal.gov
Subject: against the Nuclear Facility

Let's stop the new plutonium facility at the Los Alamos National Laboratory. Even though the first phase has been completed it is not too late to stop this facility which is a danger to us all.

The US should cease being hypocritical about nuclear weapons. If we ask other nations to cease development, we should lead the way by ppublically doing the same. I dont want my taxes funding such activities that contradict our commitment to humanity.

Give government attention to cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE should devote my taxpayer funds to cleanup.

With hope for the future,

Beverly Busching

Beverly Busching
 133 W Berger St
 Santa Fe, NM 87505

170-1

170-1

NNSA notes the commentor's opposition to the CMRR-NF project and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

As addressed in Section 2.5, Cleanup and Waste Management, of this CRD, NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress in implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF.

Commentor No. 171: Therese MacKenzie

From: Therese MacKenzie [terrishcj@aol.com]
Sent: Sunday, June 26, 2011 2:26 PM
To: nepalaso@doeal.gov
Subject: building nuclear facilities

I am totally opposed to any nuclear construction, and certainly not for anything related to nuclear weapons.

No one with the slightest accurate information would ever use one. So why build more?

I realize that the industries involved had big money and much power. Is that a reason to threaten our land, our water, our security?

The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

Therese MacKenzie
7040 N. Sheridan Rd. Apt. 503
7040 N. Sheridan Road
Chicago, IL 60626

171-1

171-1

NNSA notes the commentor's opposition to the CMRR-NF project and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

171-2

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A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons. See Section 2.3, Programmatic Direction and Decisions, and Section 2.4, CMR Mission, of this CRD for more information.

The commentor's concern regarding impacts on the environment and people (land, water, and security) is noted. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Chapter 4 of the *CMRR-NF SEIS* provides the environmental impacts analysis, which evaluates potentially affected resource areas in a manner commensurate with the importance of the potential effects on each area.

Regarding commitment to clean up legacy waste, NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 172: Alicia Ramirez

From: alicia Ramirez [alicia477@comcast.net]
Sent: Sunday, June 26, 2011 8:22 PM
To: nepalaso@doeal.gov
Subject: Stop the proposed Nuclear Facility

Where will the nuclear waste be dumped??

Why don't we use solar energy or other natural sources and not have to depend on nuclear energy which is so dangerous?

I have family in Nevada and they do not want the nuclear waste dumped in the Yucca area.

Please consider other options,

Sincerely,

Alicia Ramirez
Denver, CO

alicia Ramirez
3145 W. Clyde Place
Denver, CO 80211

172-1

172-1

NNSA notes the commentor's opposition to nuclear energy. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF project. Chapter 1, Section 1.5, identifies the decisions to be supported by the *CMRR-NF SEIS*. This does not include decisions on long-term storage of nuclear waste. Waste from the CMRR-NF would not be "dumped"; wastes would be managed in accordance with Federal and state laws and regulations. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 173: Anu Joshi

From: Anu Joshi [joshi.anu@gmail.com]
Sent: Monday, June 27, 2011 10:16 AM
To: nepalaso@doeal.gov
Subject: Are more Nuclear Weapons really what we need?

I am incredibly concerned by the CMRR project that is going to cost #6 billion!

The costs to build a plutonium pit production complex are too high. The Department of Energy should consider simply upgrading old facilities for safety rather than spending \$5.8 billion on a project that was estimated to cost \$600 million at the start.

Thank you,

Anu Joshi
732 6th Street #307 SW
Washington, DC 20024

173-1

173-1

NNSA notes the commentor's concern about the CMRR-NF project and nuclear weapons. Activities that would be conducted at the proposed CMRR-NF include analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

Commentor No. 174: Patricia Herron

From: Patricia Herron [patriciaherron@cableone.net]
Sent: Monday, June 27, 2011 10:22 AM
To: nepalaso@doeal.gov
Subject: responding to making more "pits"

I have a few concerns about your making more nuclear triggers.

One--we have more than enough nuclear "deterrent" weapons.

Two--the money should be spent on more life-giving expenditures, like clean water for all, solar ovens, etc.

Three--let's clean up the nuclear mess we have already created.

Four--teachers and schools are under "attack" because of lack of money. Money to make more nuclear triggers should obviously be spent better to help our true treasure, our true security--our children.

Thank you for your consideration,

Patricia Herron

Patricia Herron
 380 Vancouver Rd SE
 Rio Rancho, NM 87124

174-1

174-1

NNSA notes the commentor's concern about the CMRR-NF project and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Regarding commitment to clean up legacy waste, NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 175: Lucy R. Lippard

From: Lucy R. Lippard [flip14@wildblue.net]
Sent: Monday, June 27, 2011 11:03 AM
To: NEPALASO@doeal.gov
Subject: to john tegtmeier

In respect for Santa Clara Pueblo (and our own safety as the Galisteo Basin is filled with smoke from the Conchas fire), I want to register my passionate opposition to the expansion of plutonium pit production at LANL. Lucy R. Lippard

14 Avenida Vieja, Galisteo NM 87540

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NNSA notes the commentor's opposition to pit production and the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

**Commentor No. 176: Mary Alice Trujillo/Andrea Guajardo
Conejos County Clean Water, Inc.**



June 28, 2011

By email to: NEPALASO@doedl.gov

John Tegtmeier, CMRR-NF
SEIS Document Manager
Department of Energy – Los Alamos Site Office
3747 West Jemez Road
Los Alamos, NM 87544

Re: Need for the Department of Energy (DOE) to Withdraw the draft Supplemental Environmental Impact Statement (draft SEIS) for the Proposed Nuclear Facility of the Chemistry and Metallurgy Research Replacement (CMRR) Project at the Los Alamos National Laboratory (LANL)

Dear Mr. Tegtmeier:

Please accept this as a formal public comment from Conejos County Clean Water, Inc. ("CCCW") related to the draft Supplemental Environmental Impact Statement (draft SEIS) for the Proposed Nuclear Facility of the Chemistry and Metallurgy Research Replacement (CMRR) Project at the Los Alamos National Laboratory (LANL) .

CCCW is a 501(c)(3) non-profit citizens' group, based in Antonito, Colorado, that is incorporated under the laws in the State of Colorado.

Background of CCCW and relationship to the Affected Environment

In June of 2010, concerned citizens incorporated into a Colorado non-profit organization, called CCCW. CCCW incorporated to promote awareness around health and environmental issues that affect residents in Conejos County. In particular, to build awareness surrounding the transfer from truck to rail of radioactive, hazardous and

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Commentor No. 176 (cont'd): Mary Alice Trujillo/Andrea Guajardo
Conejos County Clean Water, Inc.

toxic waste from LANL within 250 feet of the Rio San Antonio (River), a headwaters tributary to the Rio Grande (River).

CCCW is comprised of ranchers, teachers, small business owners, and concerned citizens. CCCW has a thirteen board member steering committee, and 402 general members.

The San Luis Valley (SLV) in south central Colorado is one of the largest sub-alpine Valleys in the world, encompassing over 8,100 square miles. Hemmed in on the west by the San Juan Mountains, and on the east by the Sangre de Cristo Mountains, the SLV ranges in elevation from 7,000 to over 14,000 feet, and contains the headwaters of the Rio Grande. The Rio Grande rises in the San Juan Mountains to the west of the SLV, flows south into New Mexico and Texas and empties into the Gulf of Mexico.

The SLV has many unique biological features, including areas identified as Natural Heritage areas, and is home to six endemic insect species.

The SLV is 122 miles long and 74 miles wide. This largely agrarian and ranching community is a relatively stable population. Many of the residents are eighth-generation. The oldest parish in Colorado, Nuestra Señora de Guadalupe, Our Lady of Guadalupe, lies at the southern end of Conejos County. Conejos County is part of the Sangre de Cristo National Heritage Area. About sixty percent (60%) of Conejos County's population is minority, and pride in the Hispanic heritage is evident in everything from the names of the rivers, mountains, and towns, to the local Spanish/English radio station. The median household income is less than half the national average at \$24,744, and 38 percent of the children live in poverty (US Census 2000).

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Commentor No. 176 (cont'd): Mary Alice Trujillo/Andrea Guajardo
Conejos County Clean Water, Inc.

The SLV is known for its potatoes and alfalfa, and also grows barley, lettuce, wheat, peas, and spring grains. It has been a farm and ranching community for over 150 years, and many of the residents work in agriculture, following in the footsteps of their parents and grandparents. Many of the farmers and ranchers still practice traditional methods. It is the highest irrigated mountain plateau in the world, with about 7000 high-capacity wells – over half of which are irrigation wells.

The SLV contains over 5 million acres, of which 3.1 million acres – about 59 percent -- are publicly owned (Forest Service, BLM, Fish & Wildlife Service, National Park Service, or state). Conejos County contains over 825,000 acres, of which 528,000 acres - about 64 percent – are publicly owned (Forest Service, BLM, Fish & Wildlife Service, National Park Service, or state). This creates an important relationship between the public and private sectors in dealing with air and water quality issues in the SLV and Conejos County.

There are 18 incorporated towns in the SLV, many of which are located along the Rio Grande or its many tributaries. Six counties lie within this large geographical boundary. They are Alamosa, Rio Grande, Saguache, Mineral, Costilla, and Conejos. There are 21 villages and five incorporated towns in Conejos County. Conejos County is among the poorest counties in the country, and unemployment levels run above the state and national averages (Conejos County 10.5%; as of 2008-not including the chronically unemployed).

Conejos County is a populated area within the SLV affected by the proposed actions in the draft SEIS for the Proposed Nuclear Facility of the CMRR Project at LANL.

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Commentor No. 176 (cont'd): Mary Alice Trujillo/Andrea Guajardo
Conejos County Clean Water, Inc.

Draft SEIS Document

CCCW would like to respectfully request a complete, new Environmental Impact Statement (EIS) be completed, *versus* a Supplemental Environmental Impact Statement (SEIS) for the reasons described below.

CCCW understands that a draft SEIS cannot adequately assess the impacts of a completely redesigned Chemical and Metallurgical Research Replacement-Nuclear Facility (CMRR-NF) building for processing of plutonium and nuclear materials at LANL. The original Environmental Impact Statement (EIS) of 2004, now supplemented by the draft SEIS, assessed a building designed to withstand only mild seismic events. LANL sits between the Rio Grande rift and the volcanic Jemez Mountains in a seismic fault zone (the Pajarito Plateau). A May 2007, updated seismic hazards analysis showed a potential huge increase in seismic ground motion and activity. Given the instability of its building site, the most recent vastly fortified design for this building is still in flux. It is uncertain if the building's fire suppressant systems will be designed to address the extreme combustibility of plutonium. Not only is a SEIS inadequate to the new scope of the project, it is premature, because the building's design is not finalized. Only an EIS can adequately study the full impact of this much-altered building and until the design is finalized, even an EIS would be premature.

The costs of trying to build a plutonium pit production complex in a geologically unstable area are extremely high. The total original estimate for the CMRR Complex Project; including, the recently completed \$363 million Radiological Laboratory Utility and Office Building (RLUOB), was around \$600 million in 2004. The current estimate for

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176-1 NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Per DOE Order 413.3, *Program and Project Management for the Acquisition of Capital Assets*, an EIS, or in this case an SEIS, must be completed prior to the start of the final or detailed design.

Commentor No. 176 (cont'd): Mary Alice Trujillo/Andrea Guajardo
Conejos County Clean Water, Inc.

the Nuclear Facility alone is \$45 billion and rising. Will DOE include a risk analysis as to whether this growing price tag is too high a premium to pay for a new Nuclear Facility (NF) in a geologically unstable area?

Will the draft SEIS study whether the unstable geological strata can support the weight of the redesigned building? To address these increased seismic hazards, DOE is considering plans to excavate 225,000 cubic yards of earth under the proposed NF and fill the hole with concrete. DOE must question: Can the surrounding geology support all that concrete? Would a seismic event cause the concrete "slab" to sink or shift? The draft SEIS also suggests a "Shallow Option" (floating the building's foundation above the geologically unstable tephra layer), an option whose feasibility is unknown, needing the further study from a complete EIS.

Purpose and Need

Does the US need eighty new plutonium pits per year? Will DOE conduct a "capacity study" to determine whether the existing facilities can be used instead of building the proposed NF, which would increase pit manufacturing capacity to at least eighty per year? Existing facilities have sufficed since 1999 when DOE limited plutonium pit manufacturing to twenty per year. Since US treaty obligations forbid both new nuclear designs and increased numbers of nuclear weapons in the US arsenal, the pits to be manufactured are touted as "stockpile stewardship" for maintaining existing nuclear weapons through replacement of old pits. However, a Jason study of aging plutonium argues against the need for pit replacement within the next hundred years.

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176-2 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. The correct cost estimate for the Modified CMRR-NF is about \$6 billion not \$45 billion as stated by the commentor. The decision will be announced in a ROD that will appear in the *Federal Register*. In accordance with NEPA regulations, the ROD cannot be issued any earlier than 30 days after publication of the *Final CMRR-NF SEIS*.

176-3 The Kleinfelder report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square kilometer]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]) for the Shallow Excavation Option (Kleinfelder 2007a). Under the Deep Excavation Option, the addition of 60 feet (18 meters) of low-slump concrete would increase the weight of the building by about 980 million pounds (440 million kilograms). The weight of the soil that would be removed for this deeper excavation is estimated to be about 740 million pounds (340 million kilograms). Under the Deep Excavation Option, the building would sit on rock and there are not similar concerns related to allowable bearing pressure of the soil under this option as opposed to the Shallow Excavation Option. A draft slope stability analysis has been prepared and determined that indicated that global slope stability is not an issue for the Deep Excavation Option (LANL 2011a:LANL site, 028). If the Deep Excavation Option were selected, as part of the ongoing design and evaluation process, studies would be completed to verify that all geotechnical stability issues had been addressed.

The concerns expressed by the commentor about the Shallow Excavation Option not being a mature alternative appear to refer to statements in Chapter 1 and Chapter 2, Section 2.6.2.1, of the *Draft CMRR-NF SEIS* indicating that there was more uncertainty in the design of the Shallow Excavation Option because that design had not reached the same level of maturity as the Deep Excavation Option. In 2011, a review of the requirements for the design of the CMRR-NF identified an opportunity to reduce the amount of additional excavation and concrete fill required for the Deep Excavation Option by raising the bottom of the basemat to near the original design elevation. The overall building height would remain the same, but the top of the roof would be higher above ground than it was in the conceptual and preliminary design. At the current level of design maturity, this approach, known as the Shallow Excavation Option, appears

Commentor No. 176 (cont'd): Mary Alice Trujillo/Andrea Guajardo
Conejos County Clean Water, Inc.

Boosting US capacity to build nuclear bombs could compromise US efforts for nuclear arms reduction, for the completion of non-proliferation treaties, and for persuading non-nuclear nations to abstain from acquiring their own nuclear weapons.

President Obama's call for a "world free of nuclear weapons" rings hollow, as he also proposes a windfall to the call for a "world free of nuclear weapons". Will this double message increase worldwide distrust of US intentions and thus ratchet up the world's nuclear tensions?

Array of Alternatives

Will DOE develop more alternatives, including (a) a true "No Action" alternative of not building the Nuclear Facility; and (b) upgrading the existent old CMR building? CCCW understands the National Environmental Policy Act (NEPA) requires a federal agency to provide a range of alternatives. DOE has not provided workable alternatives. The "Modified CMRR-NF" Alternative would allow construction with enhancements to address the growing number of seismic issues. There are two construction options: the "Deep Construction Option" and an inadequately analyzed "Shallow Construction Option," which do not meet NEPA requirements. Assumptions were made for key parameters in the analyses of the Shallow Option.

The draft SEIS briefly considered and dismissed these alternatives as insufficient to "satisfy the entire range of DOE and NNSA mission support functions." The so-called "No Action" alternative featured in the current draft SEIS is to build a new CMRR building as projected in 2003 (a design failing to meet new seismic standards). The other featured draft SEIS alternative is to continue operations at the old, unsafe CMR

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to provide some reductions in construction impacts and cost without affecting other building design requirements. Both construction options require the same sets of safety controls and are expected to remain close in offsite environmental consequences as shown in the analyses contained in this SEIS. At this time, both construction options are being considered by NNSA. As the design studies continue and more details become available, one option or the other may be judged to have significant advantages in the time and/or cost expected for executing the excavation phase of construction that will facilitate NNSA's selection of a preferred construction option. Whichever alternative or option is selected, the CMRR-NF must meet the design standards for a Performance Category 3 (PC-3) facility. PC-3 structures, systems, and components are those for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials. Design considerations for this category are to limit facility damage as a result of design-basis natural phenomena events (for example, an earthquake) so that hazardous materials can be controlled and confined, occupants are protected, and the functioning of the facility is not interrupted (DOE 2002b). The Deep Excavation Option would have greater impacts from construction than the Shallow Excavation Option, but the operational impacts would be the same for either option.

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NNSA acknowledges the commentors' position regarding plutonium pit production levels and notes that decisions on the level of pit production are not within the scope of the *CMRR-NF SEIS*. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of stockpile stewardship and other functions performed at LANL. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Chapter 2, Section 2.9, Treaty Compliance, of this CRD for more information.

NNSA reviewed pit lifetime studies and has concluded that degradation of plutonium in a majority of nuclear weapons will not affect warhead reliability

Commentor No. 176 (cont'd): Mary Alice Trujillo/Andrea Guajardo
Conejos County Clean Water, Inc.

Building, without upgrades. Both “alternatives” appear undesirable to the DOE. The draft SEIS fails to offer and analyze realistic alternatives.

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Socio-Economics

How does money spent on unusable nuclear weapons spur economic growth? Los Alamos, the richest county per capita in the US does not need US budgetary charity, but it consumes a majority of federal funds coming to New Mexico. The rest of New Mexico, one of the nation’s poorest states, needs the fulfillment of real human needs. Money for education, health care, green jobs, renewable energy, public transportation, all would keep circulating and foster sustainable economic growth.

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Natural Resources

The draft SEIS demonstrates that DOE will continue to waste water for manufacturing nuclear weapons, create more radioactive, hazardous and toxic waste, continue to pollute the air, and exceed its existing electric power needs. Furthermore, a new nuclear facility will detract from cleanup of the existing waste. DOE made a commitment to clean up the legacy waste sites at LANL when it signed the Consent Order with the New Mexico Environment Department of March 1, 2005. The Order requires cleanup of certain sites by December 31, 2015; including, the Area G dump site at Technical Area 54. Construction activities for a new NF will interfere with cleanup activities.

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Public Health

CCCW understands from the draft SEIS that manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and

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for a minimum of 85 years. NNSA plans to continue studying plutonium aging through surveillance and scientific evaluation. NNSA will annually reassess the status of plutonium in nuclear weapons as the weapons laboratories continue to evaluate new data and observations (NNSA 2006e). It should be noted that plutonium aging is only one of the variables affecting nuclear weapon system reliability; other variables can control overall life expectancy of nuclear weapon systems.

NNSA acknowledges that there is substantial opposition to the nuclear weapons mission and that President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation’s nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to CMRR-NF and Nuclear Weapons and Technology, of this CRD for more information.

NNSA acknowledges the commentor’s concern regarding the No Action Alternative (2004 CMRR-NF) and Continued Use of CMR Building Alternative (i.e., the “true” No Action Alternative is continued use of the existing CMR Building at TA-3, rather than the construction and use of a new building at TA-55 based on the 2004 ROD). Refer to Section 2.2, NEPA Process, of this CRD for more information.

Chapter 2, Section 2.6, of the *CMRR-NF SEIS* provides a description of the alternatives. The Continued Use of CMR Building Alternative includes not constructing a replacement facility to house the capabilities planned for the CMRR-NF, but continuing to perform operations in the CMR Building at TA-3, with normal maintenance and component replacements at the level needed to sustain programmatic operations for as long as feasible.

The CMR Building would continue to be operated as a Hazard Category 2, Security Category III nuclear facility for as long as it could continue to be operated safely; this designation limits the amount of special nuclear material that can be used and the level of operations. These limitations do not currently support the missions that NNSA has assigned to LANL through the *SSM PEIS*, *LANL SWEIS*, and *Complex Transformation SPEIS* RODs. This alternative does

Commentor No. 176 (cont'd): Mary Alice Trujillo/Andrea Guajardo
Conejos County Clean Water, Inc.

downstream. LANL inherited the US pit manufacturing function from Rocky Flats in Colorado. Rocky Flats became so polluted and unsafe that it had to be shut down. Rocky Flats had repeated plutonium fires, two of which came perilously close to breaching containment and spreading vaporized plutonium to the environment and likely rendering Denver uninhabitable. Plutonium is a killer carcinogen. LANL's discharges disproportionately sicken Native peoples and Hispanic New Mexicans.

Recommendations

The draft SEIS is inadequate and technically indefensible for analysis of the risks of constructing and operating the proposed CMRR-NF with a capacity of quadrupling the current production of twenty plutonium triggers for nuclear weapons to up to eighty per year. CCCW respectfully requests that the DOE withdraw the draft CMRR-NF SEIS.

Further, we are **in solidarity** with Santa Clara Pueblo Tribal Resolution No. 08-16 in which the Pueblo opposes the expansion of plutonium pit production at LANL and making that production capacity permanent.

Thank you for your careful consideration of CCCW's comments. Please keep us informed of any upcoming public meetings. We can be reached via email at info@conejoscountycleanwater.org.

Respectfully submitted,

Mary Alice Trujillo, Chair

Andrea Guajardo, Board Member

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not completely satisfy NNSA's stated purpose and need to carry out AC and MC operations at a level to satisfy the entire range of DOE and NNSA mission support functions. However, this alternative is analyzed in this *CMRR-NF SEIS* as a prudent measure in light of possible future fiscal budgetary constraints. For more information, refer to Chapter 2, Section 2.6.2, of the SEIS.

In addition, Chapter 2, Section 2.7 of this *Final CMRR-NF SEIS*, was revised to better describe alternatives considered but dismissed from detailed analysis. These alternatives are: 1) alternative locations outside LANL; 2) Extensive Upgrades to the Existing CMR Building; and 3) moving capabilities to other LANL facilities. For the reasons described in Section 2.7, these alternatives are not being revisited in this *Final CMRR-NF SEIS*.

NNSA notes the commentor's concern regarding sustainable economic growth for the area and the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, defense, education, and health care) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF.

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Chapter 4 of the *CMRR-NF SEIS* presents the potential environmental impacts of the proposed alternatives including impacts to waste management, air quality, and infrastructure (including water and electrical supply).

NNSA intends to continue implementing those actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Chapter 2, Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

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The existing human health and environmental conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human

Commentor No. 176 (cont'd): Mary Alice Trujillo/Andrea Guajardo
Conejos County Clean Water, Inc.

Cc:

Gail Schwartz – State Senator
 Ed Vigil – State Representative
 Erin Minks – Representative for U.S. Senator Mark Udall
 Brenda Felmler – Representative for U.S. Congressman Scott Tipton
 Charlotte Bobicki – Representative for U.S. Senator Michael Bennet
 Steve McCarol – Conejos County Commissioner Board President
 Mike Trujillo – Antonito Town Mayor

Conejos County Clean Water Inc.
 P.O. Box 133
 Antonito, CO 81120
www.conejoscountycleanwater.org

health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the SEIS.

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect the workers and public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10 of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

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NNSA notes the commentor's opposition to the CMRR-NF project and opinion that the *CMRR-NF SEIS* is inadequate and technically indefensible for analysis of the risks of constructing and operating the proposed CMRR-NF, thus requesting DOE to withdraw the draft SEIS. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. The need for CMRR-NF is not connected to a specific level of pit production.

Commentor No. 177: Jeanne Bahnson

From: jeanne [jeannebahnson@yahoo.com]
Sent: Tuesday, June 28, 2011 11:48 AM
To: NEPALASO@doeal.gov
Subject: Environmental Impact Statement Needed, Not a Supplemental

6/28/2011

To Whom it May Concern:

I would like to go on record in expressing the following comments regarding the proposed construction of the CMRR facility at Los Alamos National Laboratories.

A Complete, New Environmental Impact Statement is Needed, Not A Supplemental Environmental Impact Statement. The original Environmental Impact Statement in 2004 assessed a building designed to withstand only mild seismic events. A 2007 updated seismic hazards analysis showed a potential huge increase in seismic ground motion and activity. I understand that even Lab scientists have expressed grave concerns regarding this matter. Only a full Environmental Impact Statement can adequately study the full consequences of increased possibility seismic events might have on the proposed bomb plant.

This draft SEIS should be withdrawn until the details of the Seismic Risks are better understood and no more funds used for planning at this time.

Valid Alternatives Must Be Considered in the Supplemental Environmental Impact Statement. DOE must develop and consider new alternatives, including a true "No Action" alternative--not building the Nuclear Facility and upgrading the existing plutonium production building.

The Costs to Build a Plutonium Pit Production Complex Are Just Too High. The total original estimate for constructing the new nuclear weapons complex at Los Alamos National Laboratory was approximately \$600 million in 2004. The current estimate is \$5.8 billion.

The US does not need 80 new plutonium pits per year. Just as new seismic information has forced a re-evaluation of the construction, new cost information must force a re-evaluation of the cost.

Thank you for your consideration of the foregoing comments.

Jeanne Bahnson
111 East Lupita Rd.
Santa Fe, NM 87505

- 177-1 NNSA notes the commentor's request for a new environmental impact statement. The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements. CEQ and DOE NEPA regulations and implementing procedures (40 CFR 1502.9(c) and 10 CFR 1021.341(a) – (b), respectively) require preparation of an SEIS if there are substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or its impacts. The regulations state that an agency may also prepare a supplement when the agency determines that the purposes of NEPA will be furthered by doing so. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Please refer to Section 2.2, NEPA Process, of this CRD.
- 177-2 NNSA notes the commentor's concerns regarding our understanding of the seismic risks. Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD.
- 177-3 Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SPEIS* ROD (73 FR 77644). Although many commentors expressed a preference for a No Action Alternative

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Commentor No. 177 (cont'd): Jeanne Bahnson

such as not proceeding with CMRR-NF, and upgrading the existing CMR Building, such an alternative does not meet NNSA's stated purpose and need (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative in the *CMRR-NF SEIS* is based on the decision made following preparation of the original *CMRR EIS* in 2003.

In addition to an alternative involving constructing and modifying a Modified CMRR-NF, NNSA considers an alternative (described in Chapter 2, Section 2.6.3) in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This alternative, however, would not satisfy NNSA's stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. In response to public comments, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* was revised to add more information regarding alternatives that were considered but dismissed from further analysis. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

177-4 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 178: Roger Eaton

From: Roger Eaton [rogerweaton@gmail.com]
Sent: Tuesday, June 21, 2011 5:27 PM
To: nepalaso@doeal.gov
Subject: I oppose construction of the Nuclear Facility

I was just recently told about your possible new plutonium facility at the Los Alamos National Laboratory. I am very much against this new project.

The alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include "taking no action" as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.

Manufacturing plutonium pits are a danger in construction and God help us if they are ever used.

Roger Eaton
355 Serrano Dr Apt 4F
Apt 4F
San Francisco, CA 94132

178-1

178-1

NNSA acknowledges the commentor's opposition to the construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the CMRR-NF SEIS). The No Action Alternative included in the CMRR-NF SEIS is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967).

Commentor No. 179: Gordon Burghardt

From: gburghar@comcast.net
Sent: Monday, June 27, 2011 10:31 PM
To: NEPALASO@doeal.gov
Subject: Stop the bomb business

People,

I just heard about the proposed new plutonium facility at the Los Alamos National Laboratory. As a citizen who has been concerned about the wasteful and dysfunctional preoccupation with nuclear proliferation and misguided national security, I think the line must finally be drawn. Money spent on nuclear weapons does not spur economic growth and only encourages other countries to build bombs. Then we need to spend billions studying, spying, and countering them. Investments in education, healthcare, renewable energy, and public transportation would all create more jobs and spur more growth.

Manufacturing plutonium pits is also dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans. The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

Gordon Burghardt
 Knoxville, TN 37920

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- 179-1** NNSA acknowledges the commentor's concern with the money spent on nuclear weapons. NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.
- 179-2** The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.
- 179-3** As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.
- 179-4** Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 180: Jack Hastert

From: Jack Hastert [jhastert@Bosco.org]
Sent: Tuesday, June 28, 2011 3:00 PM
To: nepalaso@doeal.gov
Subject: CMRR

Hello,

This email is to protest the building of a new Chemistry and Metallurgy Research Building in New Mexico.

I have 3 primary reasons for opposing this.

#1 – The cost is too much and already much higher than projected in 2004.

#2 – We have enough plutonium pits.

#3 – The proposed new site is too near a fault line.

Thank you very much for your consideration.

Jack Hastert
9th/10th grade counselor and Golf Coach
(xxx) xxx-xxxx ext. xxx

Celebrating a 70 Year Legacy of Salesian Excellence.

See Don Bosco...Be Don Bosco.

||| 180-1

180-1 NNSA recognizes the commentor's opposition to construction of the CMRR-NF due to the cost. The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

|| 180-2

180-2 The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

|| 180-3

180-3 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

**Commentor No. 181: Marylia Kelley, Executive Director, and
Scott Yundt, Staff Attorney, Tri-Valley CAREs**

Tri-Valley CAREs

Communities Against a Radioactive Environment

2582 Old First Street, Livermore, CA 94551 • (925) 443-7148 • www.trivalleycares.org



*Peace Justice Environment
since 1983*

June 29, 2011

Sent Via Email to: NEPALASO@doeal.gov and postal mail. Please provide confirmation of receipt.

Mr. John Tegtmeier
CMRR-NF SEIS Document Manager
USDOE, NNSA, Los Alamos Site Office
3747 West Jemez Rd., Los Alamos, NM 87544

Re: Tri-Valley CAREs' Public SEIS Comment on the Dept. of Energy (DOE) National Nuclear Security Administration's "Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at the Los Alamos National Laboratory" (the CMRR-NF).

Tri-Valley CAREs submits these comments on the Supplemental Environmental Impact Statement (SEIS) for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory (LANL) (DOE/EIS-0375-D). As explained herein, the SEIS fails to provide an accurate, complete or legally adequate analysis as is required by the National Environmental Policy Act (NEPA).

Tri-Valley CAREs was founded in 1983 in Livermore, California by concerned neighbors living around the Lawrence Livermore National Laboratory. Tri-Valley CAREs monitors nuclear weapons and environmental clean-up activities throughout the US nuclear weapons complex on behalf of its 5,600 members. Tri-Valley CAREs also seeks to eliminate waste, fraud and abuse from the oversight and management of facilities that make up the nuclear weapons complex. Due to concerns among our community about the negative environmental, health, cost, non-proliferation, and security implications of constructing and operating the CMRR-NF as planned in this SEIS' "preferred alternative," Tri-Valley CAREs submits this comment on the draft document.

The purpose of NEPA is to ensure that every federal agency prepares a full Environmental Impact Statement (EIS) for major federal actions significantly affecting the quality of the human environment.¹ An EIS must provide a "full and fair discussion of significant environmental impacts and shall inform the decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment."²

¹ 42 U.S.C. 4332; 40 CFR 1501.

² 40 CFR 1502.1.

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**Commentor No. 181 (cont'd): Marylia Kelley, Executive Director, and
Scott Yundt, Staff Attorney, Tri-Valley CAREs**

As described below, the SEIS is inadequate to provide a full NEPA analysis. The SEIS fails to include an adequate analysis of reasonable alternatives, fails to provide an adequate purpose and need statement, improperly segments the proposed action from other connected actions, and fails to include terrorism risk analysis. Additionally, the SEIS neglected to address many of Tri-Valley CAREs' (TVC) comments that were provided during the scoping period and only minimally addressed the comments that earned a reply in the SEIS. For these reasons, a new EIS is required and should be re-circulated for public review and comment.

I. A New, Full Environmental Impact Statement ("EIS") is Necessary.

A. Further Analysis of the Expected Costs of the Facility Must be Included.

The costs to build this new plutonium pit production complex are just too high – and estimates are still continuing to rise. The total original estimate for constructing the new nuclear weapons complex at Los Alamos National Laboratory was reported to be approximately \$600 million in 2004. The current estimate is around \$5.8 billion. What percent of the additional billions in recent cost estimates are due to efforts to address the increased seismic hazard? DOE must analyze whether this premium is too high and examine other options, including the alternative highlighted below and outlined in Tri-Valley CAREs' scoping comment (yet ignored in the SEIS).

The SEIS fails to address the underlying rationale for the CMRR-NF, i.e., that its construction and operation would enable the technical capability at LANL to expand plutonium pit (bomb core) production from the current allowable limit of 20 pits per year to up to 80 pits per year. The US does not need 80 new plutonium pits per year. DOE must conduct a "capacity study" to determine whether the existing facilities can be used instead of building the proposed CMRR-NF, which would increase pit-manufacturing capacity to at least 80 per year. Existing facilities have sufficed since the 1990s when DOE made the decision to allow plutonium pit manufacturing at LANL at up to 20 per year. Given that the US now has fewer deployed weapons and an articulated policy not to produce new design nuclear weapons, it is a notable deficiency that the SEIS would put LANL on the path to enabling expanded pit production with no new or updated analysis to explain why (see also purpose and need, below).

And, finally, just as new seismic information has forced a re-evaluation of the construction, new cost information must force a re-evaluation of the cost/value/need that DOE perceives. Yet, the SEIS provides none.

B. Existing Analysis of the Seismic Hazards Must be Updated.

The original Environmental Impact Statement in 2004 assessed a building designed to withstand only mild seismic events. A 2007 updated seismic hazards analysis showed a potential, major increase in seismic ground motion and activity. Los Alamos National Lab sits between the Rio Grande rift and the volcanic Jemez Mountains in a seismic fault zone. Only a full EIS can adequately study the full consequences of increased seismic events and what effect they might have on the proposed plant.

The SEIS should be withdrawn until the details of the Seismic Risks are better understood. For example, the cost-saving (comparatively speaking) Shallow Option, in which the foundation would be constructed in a geologic layer above a poorly welded tuff layer, is not a mature concept, and it is not yet fully known if this option will be safe. The SEIS fails to

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NNSA notes the commentor's opposition to the construction and operation of the CMRR-NF. The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

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Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

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**Commentor No. 181 (cont'd): Marylia Kelley, Executive Director, and
Scott Yundt, Staff Attorney, Tri-Valley CAREs**

accurately analyze how impacts to the environment from the Shallow Option construction may be different from other options, and under what circumstances.

There are more new seismic investigations currently underway at LANL. This SEIS must be withdrawn and a new EIS undertaken after the results of these new investigations are known. Proceeding with a design before seismic risks are better known will only repeat the process that led to the DOE admission of need for this Supplemental EIS.

C. Current Conditions Require Further Analysis on the Threat of Wildfires.

In the past 11 years two wildfires have come dangerously close to causing and/or caused serious problems at LANL. The Cerro Grande (2000) and the still raging Las Conchas (2011) wildfires demonstrate that fires are a real, and possibly increasing, threat to the security of radioactive materials and wastes at LANL. Current analysis of wildfires at LANL is inadequate and must be reevaluated, given the recurrent incidence of wildfires in the surrounding areas.

II. The SEIS Fails to Include an Adequate Analysis of Reasonable Alternatives.

The twin functions of the Environmental Impact Statement (EIS) are to "require that agencies take a 'hard look' at environmental consequences, and provide for broad dissemination of relevant environmental information." See *Robertson v. Methow Valley*, 490 US 332, 350 (1989). The discussion of alternatives is the legally required heart of any EIS. 40 CFR § 1502.14. The legally adequate EIS must "[r]igorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated." 40 CFR § 1502.14(a). "The existence of a viable but unexamined alternative renders an environmental impact statement inadequate..." *Southeast Alaska Conservation Council v. FHA*, 2011 U.S. App. LEXIS 9097, 16-17 (9th Cir. 2011) "Informed and meaningful consideration of alternatives — including the no action alternative — is thus an integral part of the statutory scheme." *Id.*

A. Space that can be Made Available in PF-4 is a Reasonable Alternative that Must be Rigorously Explored and Objectively Evaluated in a New/Revised EIS

In Tri-Valley CAREs scoping comments on the SEIS, we provided a reasonable alternative to the construction of the CMRR-NF. We wrote, "... Given that the CMRR Radiological Laboratory Utility and Office Building (RLUOB) is build and is slated to become operational within 2 years, its capabilities must be taken into account. Further, given that the CMRR-NF is not slated to be completed until about 2020, other relevant LANL activities between the present and 2020 must be included in the analysis. (In other words, the issue is not merely what LANL could do differently today, it is what LANL could do differently by 2020 that must be considered in the NEPA analysis. In this context, LANL's PF-4 must be considered in conjunction with the CMRR RLUOB.

"That analysis must take into account that PF-4 presently holds equipment that need not stay until 2020, such as the ARIES "pilot project," which was never supposed to be permanent there. Additionally, PF-4, we were told by LANL management, has other space that could be available in the future but which presently holds contaminated plutonium wastes in acid, a waste management issue waiting to be dealt with.

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Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources). For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

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NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SPEIS* ROD (73 FR 77644). Refer to Section 2.2, NEPA Process, of this CRD for more information.

NNSA disagrees with the commentor regarding its failure to analyze all reasonable alternatives. As discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*, use of the TA-55 Plutonium Facility was also considered by NNSA to determine if that proposed combination, together with the planned future use of RLUOB would provide adequate space for analytical chemistry and materials characterization operations over the long term. However, augmenting the existing TA-55 Plutonium Facility with only additional vault storage space would not alleviate the need for additional work space for analytical chemistry and materials characterization laboratory operations. Space does not exist, and would not be expected to exist later, in the TA-55 Plutonium Facility to support this work and these operations cannot be accomplished within RLUOB because RLUOB is not able to support the level of radiological operations

**Commentor No. 181 (cont'd): Marylia Kelley, Executive Director, and
Scott Yundt, Staff Attorney, Tri-Valley CAREs**

“Therefore, a reasonable alternative could be to devote a small portion of the massive resources that would have been used to construct the CMRR-NF to clean out the areas in PF-4 that could be made available and pair that capability [in PF-4] for “heavy lab” activities with the “light lab” capabilities of the already-built CMRR-RLUOB.”

Since we wrote that scoping comment excerpted above, the schedule for the CMRR-NF has slipped again, to 2035. And, the CMRR-NF costs have risen yet again. And, estimates of the considerable seismic uncertainties associated with its construction have also risen. And, the RLUOB has proceeded to completion. And, there has been no NEPA decision changing the current LANL production limit of 20 pits per year. Thus, the detailed alternative we submitted, which was completely reasonable at scoping, has changed only in that it has become even more so. Yet, DOE failed to analyze this alternative in the SEIS, in violation of NEPA.

B. The SEIS Failed to Include a No Build Alternative

Instead of evaluating a no-build alternative, the SEIS included a “no-action” alternative that entailed construction and operation of a new CMRR-NF at TA-55 adjacent to RLUOB, as analyzed in the 2003 CMRR EIS. **This is not a true no-action alternative.** NEPA requires that DOE study an alternative that involves not going forward with the proposed project. A more reasonable no-action alternative that should be studied in a future EIS is not building any CMRR Nuclear Facility and maintaining the pit production at current levels. DOE failed to study meaningfully consider a true no action alternative in violation of NEPA. This deprived the public and decisionmakers of the opportunity to “make an informed comparison of the alternatives.” *Animal Def. Council v. Hodel*, 840 F.2d 1432, 1439 (9th Cir. 1988)

C. The SEIS’ Purported “No Action” Alternative is Not a Reasonable Alternative and Should Have Been Eliminated from Further Study

The SEIS’ “no-action” alternative is not a true no action alternative but is a sham alternative. The SEIS immediately eliminates the alternative from analysis because it “would not meet the standards for a Performance Category 3(PC-3) structure as required to safely conduct the full suite of NNSA AC and MC mission work.” The SEIS summary states “the 2004 CMRR-NF would not be constructed.” Therefore the SEIS does not provide this alternative for public review or comparison rendering it a sham alternative.

In fact, the entire alternatives analysis fails to provide a suite of options for an informed comparison of alternatives. The *only* “alternative” that DOE does not summarily rule out is the agency’s “preferred alternative” (see, for example, pp S-8-9 and S-20.)

III. The Purpose and Need Statement Omits Critical Reasons for the Proposed Action.

An EIS must explain the underlying purpose and need to which the lead agency is responding with the proposed action. 40 CFR § 1502.13. NNSA made the decision to draft a supplement to the CMRR EIS due to significant new circumstances and information that is relevant to the environmental impacts of the facility. (CEQ NEPA Regulations 40 CFR 15029[c][1]). The CEQ advises that an EIS more than five years old should be carefully scrutinized to determine whether a supplement is required. As part of this scrutiny, the agency should determine whether the purpose and need for the project remains the same. Thus, in drafting the CMRR-NF SEIS, NNSA should have re-examined the purpose and need for the proposed project.

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required to support the work needed. As discussed in Section 2.5, RLUOB contains a radiological laboratory capable of handling less than Hazard Category 3 radioactive materials per DOE-STD-1027. As a result, RLUOB is only authorized to use gram quantities up to 8.4 grams (0.3 ounces) of plutonium-239 equivalent, while the CMRR-NF is being designed as a Hazard Category 2 facility capable of using kilogram quantities of plutonium-239 equivalent. This alternative was, therefore, not analyzed further in the *CMRR-NF SEIS*.

Although many commentors expressed a preference for a No Action Alternative that would abandon the current CMR Building and/or not proceed with CMRR-NF, or would abandon pit production at LANL, such an alternative does not meet NNSA’s stated purpose and need (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). Thus, an alternative of ceasing CMR operations is not addressed in the *CMRR-NF SEIS*. The No Action Alternative in the *CMRR-NF SEIS* is based on the decision made following preparation of the original *CMRR EIS* in 2003. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

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As discussed in Chapter 1, Section 1.5, of the *CMRR-NF SEIS*, NNSA is not planning at this time to revisit either the need for the CMRR-NF or relocating the CMR capabilities at another site. NNSA has addressed the CMRR-NF in a series of NEPA documents since the 2004 ROD for the *CMRR EIS* that announced its decision to locate a two-building CMRR Facility at TA-55. The *Complex Transformation SPEIS* (DOE 2008b), which addressed transforming the nuclear weapons complex into a smaller, more efficient enterprise, also addressed the location for manufacturing and research and development involving plutonium. In the ROD for that document (73 FR 77644), NNSA announced its decision that the mission would remain at LANL and its decision to construct and operate the CMRR Facility at LANL. Based on these decisions and the authorization for the project and appropriation of funding, NNSA intends to proceed with the CMRR-NF planning process. The need for the CMRR-NF is not connected to a specific pit production rate. As described in Chapter 1, Section 1.2, of the *CMRR-NF SEIS*, NNSA has been required to suspend some types of materials characterization work because of limitations in the CMR Building.

President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation’s nuclear weapons and to ensure the

**Commentor No. 181 (cont'd): Marylia Kelley, Executive Director, and
Scott Yundt, Staff Attorney, Tri-Valley CAREs**

Because there have been significant changes in the circumstances surrounding the purpose and need of the CMRR-NF, the stated purpose and need should have been revised. The CMRR-EIS was completed in 2004, but "project planning and design for the CMRR-NF...has progressed along a slower timeline than projected in the *CMRR EIS*." (CMRR-NF SEIS at S-2). NNSA acknowledges that "over the past 7 years, the CMRR-NF planning process has identified several design considerations that were not envisioned in 2003," and that the LANL SWEIS and the Complex Transformation SPEIS and their RODs, which included decisions on the size, scope, purpose and mission of the CMRR-NF, were issued in 2008 and 2009. Additionally, many relevant events took place over the past seven years, including President Obama's Nuclear Posture Review (2008) and The New Strategic Arms Reduction Treaty with Russia (2010), that also have direct relevance to the size, scope, purpose and mission of the CMRR-NF (CMRR-NF SEIS at S-2). However, the CMRR-NF SEIS claims that "[t]he purpose and need for the NNSA action has not changed since the issuance of the 2003 CMRR EIS and makes no assertion that it examined the purpose and need for the facility in light of the passage of time and these intervening events.

The CMRR-NF cites the Final Complex Transformation SPEIS of 2008. It analyzed the "50/80 alternative," and found that "completion of the CMRR Facility would be needed to support production of up to 80 pits per year." (FCTS PEIS at S-39). However, no Record of Decision (ROD) was ever published determining that the agency or LANL required up to 80 plutonium pits per year to support its mission. Despite the lack of decision, the CMRR-NF SEIS proposes an expanded CMRR-NF that enables this 50/80 plutonium pit per year capacity. Yet, LANL still operates pursuant to its 2009 LANL SWEIS ROD, which only allows a production capacity of 20 pits per year.

In evaluating whether the purpose and need for the CMRR-NF remains the same as stated in the 2003 EIS, the NNSA should have examined the "needed" level of production capacity the CMRR-NF. In doing so, it must consider that LANL is currently only authorized to produce 20 pits per year despite visiting that issue in 4 NEPA documents (the SSM PEIS, the 2008 and 2009 SWEISs and the Complex Transformation PEIS). By rushing toward a CMRR-NF Record of Decision in this SEIS to meet a need - and provide the technical capability - to produce up to 80 plutonium pits per year without any underlying pit production ROD, has the agency "putting the cart before the horse."

This is a situation akin to the movie "Field of Dreams." If the DOE builds it (the CMRR-NF), they will come (increased production of pits). And, without the integrated and full NEPA review required by law.

The SEIS also should take into consideration relevant external circumstances. For example, the US is reported to have a total of approximately 40,000 plutonium pits in storage and on weapons under US control. Approximately 5,000 of those pits are deployable as nuclear weapons. In total, the US has constructed approximately 70,000 nuclear weapons and used two of the weapons more than 60 years ago.

None of the US invasions of at least 18 foreign nations, including Iraq and Afghanistan, has required the use of nuclear weapons (nor should they have). The current President's Nuclear Posture Review does not state or determine (or change) the number of plutonium pits the US requires, but does purport to reduce the nation's reliance on nuclear weapons in future military strategy and forego the production of new design nuclear weapons.

**181-5
cont'd**

safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

See the response to comment 181-1 for a discussion regarding the production of plutonium pits.

**Commentor No. 181 (cont'd): Marylia Kelley, Executive Director, and
Scott Yundt, Staff Attorney, Tri-Valley CAREs**

Additionally, the New Strategic Arms Reduction Treaty between the U.S. and Russia (ratified since the scoping period closed) calls for reductions in deployed, strategic nuclear weapon stockpiles. In considering the circumstances above, and others, how can the agency claim that the "purpose and need" for the CMRR-NF should not be scaled back greatly? (And, again, how can the agency ignore that its "preferred option" can enable a production rate of up to 80 new plutonium pits per year, which is undeniably scaling up while the arsenal scales down?)

IV. The SEIS Fails to Include Analysis of Risks Associated with a Terrorist Attack.

There needs to be a thorough analysis of the risks of a terrorist attack at the CMRR-NF in the SEIS. The analysis should include the risk of both "outsider" and "insider" attacks in compliance with the DOE's Office of NEPA Policy and Compliance 2006 Guidance Memorandum, "Need to Consider Intentional Destructive Acts in NEPA Documents." While general terrorism analyses have been made that cover LANL in other NEPA documents, the changes in size and scope of the CMRR-NF detailed in the SEIS propose new and unanalyzed potential threats if a terrorist act were to occur at the facility. This analysis, to the maximum extent possible, should be made public in an unclassified document for public comment during the NEPA process. This point was also raised in Tri-Valley CAREs public comment period during Scoping and was not responded to in the SEIS in violation of NEPA.

V. The SEIS Failed to Respond to Tri-Valley CAREs' Comments Provided During Scoping.

The SEIS failed to adequately respond to Tri-Valley CAREs' comments provided during the scoping period. Many of the comments were given a cursory reply and some were altogether disregarded. Our comments regarding a reevaluation of the purpose and need of the CMRR-NF were not addressed in the SEIS. Additionally, there was no analysis concerning the risks associated with terrorist attacks at the new facility. Furthermore, our comment regarding the impact on the nation's nuclear Non-Proliferation Treaty obligations should have yielded a response. All of these comments provided by TVC discussed significant impacts that the CMRR-NF will have on the natural and human environment, and as such, they should be addressed in a new EIS or, at a minimum, a properly completed and re-circulated new draft Supplemental EIS.

We did receive confirmation of your office's receipt of our scoping comments. Moreover, they have been publicly available on our website at www.trivalleycares.org under "technical letters and comments," should you have misplaced them during the production of the SEIS. And, we have not moved our office or changed our phone, fax or other contact numbers. Therefore, we can only conclude that you failed to analyze them properly in violation of NEPA.

For Tri-Valley CAREs,
/s/
Marylia Kelley, Executive Director
/s/
Scott Yundt, Staff Attorney
2582 Old First Street
Livermore, CA 94550

**181-5
cont'd**

181-6

As stated in NNSA's response to the scoping comment summary in Chapter 1, Section 1.7, in the *Draft CMRR-NF SEIS*, a classified appendix was prepared to address the impact of intentional destructive acts, which include terrorism. Substantive details are not released to the public because disclosure of this information could be exploited by terrorists to plan attacks. The appendix was prepared in accordance with DOE's Office of NEPA Policy and Compliance 2006 Guidance Memorandum, "Need to Consider Intentional Destructive Acts in NEPA Documents." Refer to Chapter 4, Section 4.2.10.3, Intentional Destructive Acts, of the *CMRR-NF SEIS* for a discussion of the appendix.

181-6

181-7

As stated in Chapter 1, Section 1.7, of the *Draft CMRR-NF SEIS*, although scoping is optional for an SEIS under DOE's NEPA implementing procedures (10 CFR 1021.314(d)), public citizens, civic leaders, and other interested parties were invited to comment on these issues and to suggest additional issues that should be considered in the *CMRR-NF SEIS*. NNSA considered all scoping comments in the preparation of the *CMRR-NF SEIS*. Issues found to be relevant to the SEIS are addressed in the appropriate chapters or appendices of the *CMRR-NF SEIS*.

181-7

The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements. As stated in Chapter 1, Section 1.1, of the *CMRR-NF SEIS*, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. The purpose and need for NNSA action, as stated in Section 1.3 of the *CMRR-NF SEIS*, has not changed since the issuance of the 2003 *CMRR EIS*; that is, to provide the physical means for accommodating the continuation of mission-critical analytical chemistry and materials characterization, and plutonium research capabilities at LANL beyond the present time in a safe, secure and environmentally sound manner. NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SPEIS* ROD (73 FR 77644).

Regarding the comment on the analysis concerning risks associated with terrorist attacks at the new facility, please see the response to Comment 181-6. Regarding the impact on the Nation's nonproliferation treaty obligations, please see Section 2.9, Treaty Compliance, of this CRD.

Commentor No. 182: Eleanor Krebs

From: Eleanor Krebs [elena_475@hotmail.com]
Sent: Tuesday, June 28, 2011 2:51 PM
To: nepalaso@doeal.gov
Subject: Nuclear threat from CMRR project near faultline in New Mexico

I am very upset about the chemistry and metallurgy project where you will build plutonium pits. This represents a grave nuclear threat to the United States as you can see from the forest fires which made it necessary to evacuate Los Alamos this week. There is also a nearby fault line which could cause a Fukushima like catastrophe.

Another aspect to be considered is the enormous expense. Originally the cost was supposed to be \$400-550 million back in 2004 with completion by 2011. I understand the cost is now estimated at 5.86 billion with a completion date of 2023. With our infrastructure falling apart and our schools losing teachers and our children doing without adequate care and citizens on Long Island and other areas of the country losing their homes and going without enough food, we can not afford these billions for plutonium pits.

Eleanor Krebs, 25 Cheryl Lane North, Farmingdale, New York 11735

182-1

182-1

NNSA notes the commentor's concern regarding the CMRR-NF project. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

182-2

182-2

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 183: Sylvan Grey

From: Sylvan Grey [lenrivers@hotmail.com]
Sent: Tuesday, June 28, 2011 9:18 PM
To: John Tegtmeier
Cc: Sylvan Grey
Subject: CMRR-NF SEIS Comments

June 28, 2011

Mr. John Tegtmeier, CMRR-NF SEIS Document Manager, USDOE, NNSA, Los Alamos Site Office, 3747 West Jemez Rd., Los Alamos, NM 87544

NO NUCLEAR EXPANSION.

NO MORE NUCLEAR WEAPONS DEVELOPMENT OR TESTING.

TRANSITION TO SUSTAINABLE TECHNOLOGIES AND LIFE-PROMOTING TECHNOLOGIES. PROTECT WILDLIFE AND HUMAN LIFE. THIS IS LONG OVERDUE.

Sylvan Grey
Portland, OR 97206

183-1

183-1

NNSA notes the commentor's opposition to nuclear weapons development or testing. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding the commentor's concern about the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, conservation or sustainability) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 184: Uomi S. Brog

From: Uomi Brog [uomibrog@gmail.com]
Sent: Wednesday, June 29, 2011 3:07 PM
To: nepalaso@doeal.gov
Subject: Opposition to new nuclear weapons facility and power

As a voting citizen who cares about the next generation of Americans, I feel obligated to voice my discontent in the continued development of nuclear power, for energy or war fare. The CMRR Nuclear Facility proposed at Los Alamos Laboratory is wrong, dangerous and unsustainable in so many ways.

I abhor the manufacturing of plutonium pits, they are dangerous and a threat to the environment and our health and safety. Plutonium is a very potent carcinogen. I am afraid that Los Alamos Lab's discharges affect disproportionately Native peoples and Hispanic New Mexicans.

I strongly believe that nuclear weapons are obsolete. They are useless against a terrorist attack. Building more weapons will only increase proliferation and the chance that a terrorist could acquire nuclear material.

I applaud Germany in its measures to abolish nuclear power in favor of more sustainable green energy measures in response to the meltdown of the Japanese plants.

I believe it is high time that we reverse our course and reach seriously for sustainable means of energy production and replace war fare with fair economic development support in critical countries.

Sincerely,

Uomi S. Brog

Uomi Brog
 132 Romero Street #2
 Santa Fe, NM 87501

184-1

184-2

184-1
 cont'd

184-1 NNSA notes the commentor's opposition to the proposed CMRR-NF and nuclear power. Although a number of commentors expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

184-2 The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

Regarding the commentor's concern about the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, foreign aid and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 185: Daniel Gibson

From: nepalaso@doeal.gov on behalf of Dan Gibson [dbgibson@newmexico.com]
Sent: Tuesday, June 28, 2011 6:50 PM
To: nepalaso@doeal.gov
Subject: CMRR SEIS Comments
Attachments: CMRR LANL SEIS Comments 6-11.doc

See attachment or read below....

June 28, 2011

Mr. John Tegtmeier, CMRR-NF SEIS Document Manager
USDOE/ NNSA
Los Alamos Site Office
3747 West Jemez Rd.
Los Alamos, NM 87544

I was born and raised in New Mexico and have lived in Santa Fe for more than 25 years.

I am writing today to register my opposition to the proposed construction of the new CMRR. At any point, it would be a colossal waste of taxpayer money. But considering we "won" the cold war and have no active nuclear-armed enemies, the horrible state of the U.S. economy, and the fact we have a viable nuclear arsenal that can continue to serve as a deterrent into the distant future, the CMRR is a monstrous waste of money, time and resources.

And, in light of the fact that wildfires are now licking around the edges of LANL (and have burned through canyons where nuclear and chemical wastes were heedlessly dumped for decades--god knows what is in that smoke column!), to build a facility that will continue to generate waste, and to place plutonium and other dangerous materials in harms way, it seems insane to be discussing the need for a \$4-\$6 BILLION facility for building yet more nuc warheads that will never be used. The SEIS assessment of the fire danger to LANL and the CMRR is woefully inadequate.

The no-action option should have been made a part of this discussion so we can focus a discussion and on LANL research that could truly generate lots of jobs while addressing urgent local, national and global problems. The world has changed. Our institutions must change as well.

Sincerely,

Daniel Gibson
518 Juniper Drive
Santa Fe, NM 87501

185-1

185-2

185-3

185-1 NNSA notes the commentor's opposition to the construction of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

185-2 Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

185-3 Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967).

Commentor No. 186: Katherine M. Fuchs, Program Director
Alliance for Nuclear Accountability

From: katherine fuchs [kfuchs@ananuclear.org]
Sent: Tuesday, June 28, 2011 3:12 PM
To: NEPALASO@doeal.gov
Subject: CMRR-NF SEIS Comment

Alliance for Nuclear Accountability
 322 4th St., NE
 Washington, DC 20002

June 28, 2011

John Tegtmeier
 CMRR-NF SEIS Document Manager
 NNSA Los Alamos Site Office
 3747 West Jemez Road
 TA-3 Building 1410
 Los Alamos, New Mexico, 87544

Mr. Tegtmeier:

I am writing to comment on the Department of Energy's Supplemental Environmental Impact Statement (SEIS) for the Chemistry and Metallurgy Research Replacement Nuclear Facility (CMRR-NF). The SEIS currently being undertaken is not adequate. We do not presently have enough information about the seismology around the CMRR-NF site to credibly design safety features and the alternatives laid out in the SEIS also raise critical policy and budget concerns.

If the CMRR-NF project is to move forward, it requires a completely new Environmental Impact Statement (EIS), not an SEIS. The original 2004 EIS was based on a radically different CMRR-NF design. Current plans are for a CMRR-NF 50% larger than the one outlined in the 2004 EIS and must take dramatic new seismic information into account. Both of these design changes significantly affect the environmental impact of the project and merit a completely new EIS.

While we have learned a great deal about the seismology of the Los Alamos area since the original CMRR-NF EIS in 2004, seismic data is still being gathered and analyzed for the area. Blazing ahead before we have complete seismic data for the CMRR-NF site will only result in the need for another SEIS down the road. It would be reckless to continue investing tax-payer dollars in an EIS process that we know will need to be repeated and even more reckless to begin construction before we have complete seismic and environmental data.

186-1

186-2

186-1

NNSA notes the commentor's concerns regarding the adequacy of the building design and several aspects of the NEPA process. NNSA considers NEPA implementation to be a vital and important part of its decisionmaking process. The *CMRR-NF SEIS* specifically addresses changes, including increased footprint, in the design of the CMRR-NF based on additional seismic information and safety requirements. CEQ and DOE NEPA regulations and implementing procedures (40 CFR 1502.9(c) and 10 CFR 1021.341(a) – (b), respectively) require preparation of an SEIS if there are substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or its impacts. The regulations state that an agency may also prepare an SEIS when the agency determines that the purposes of NEPA will be furthered by doing so. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Refer to Section 2.2, NEPA Process, of this CRD for more information.

186-2

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This additional information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a sizable earthquake event without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There are no new seismic analyses under way at LANL, however seismic studies are conducted on a continuing basis. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 186 (cont'd): Katherine M. Fuchs, Program Director
Alliance for Nuclear Accountability

A proper CMRR-NF EIS should include a true “no action” alternative. In these austere times, as our President strives to reduce global nuclear weapons stockpiles, we must consider the possibility of not building the CMRR-NF. Our world does not need more plutonium pits and our country cannot afford to pay for this project.

186-3

Quadrupling our plutonium pit production capacity sends the wrong message to other countries. Whether we are negotiating bi-lateral arms reductions with Russia or trying to stave off an Iranian nuclear bomb, plans to increase our own weapons production capacity undercut our national nonproliferation goals. The U.S. continuing with the proposed CMRR-NF displays an aggressive and hypocritical posture to the rest of the world.

186-4

Finally, including a real “no action” alternative in the CMRR-NF would give the DOE a fiscally responsible option. While upgrades would have to be made to the current CMR facility to make it seismically sound and safe for workers, money could be saved when comparing such a “no action” alternative to the current \$5.8 billion plan for the CMRR-NF. Our tax dollars would be better invested in real efforts to reduce DOE’s footprint at Los Alamos National Laboratory, including the remediation of legacy waste.

186-3
cont'd

The civic and scientific communities represented by the Alliance for Nuclear Accountability agree that moving ahead with the CMRR-NF SEIS would be detrimental to our national interests. We cannot afford to invest in a facility built in a seismically unstable area that would produce unnecessary weapons components. We implore you to reconsider your plans for upgrading the CMR by initiating a new EIS that includes a “no action” alternative to bring the current facility up to safety standards. Thank you for your consideration.

186-5

Sincerely,

Katherine M. Fuchs
Program Director

186-3

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA’s stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the CMRR-NF SEIS). The No Action Alternative included in the CMRR-NF SEIS is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967).

President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation’s nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced Section of the *CMRR-NF SEIS*. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

Regarding the funding priorities of the U.S. Government, funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if

Commentor No. 186 (cont'd): Katherine M. Fuchs, Program Director
Alliance for Nuclear Accountability

necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

- 186-4** A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.
- 186-5** Comment noted.

Commentor No. 187: Donovan Porterfield

From: dporterfield@nnsa.net
Sent: Tuesday, June 28, 2011 6:36 PM
To: NEPALASO@doeal.gov
Cc: dporterfield@nnsa.net
Subject: public comment on CMRR–NF DSEIS DOE/EIS–0350–S1

Draft Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico (CMRR–NF DSEIS; DOE/EIS–0350–S1).

It is the purpose of this e-mail to provide my personal input on the alternatives presented in the above referenced Draft Supplemental Environmental Impact Statement.

Of the presented options I would prefer to see the NNSA proceed with the Modified CMRR-NF Alternative with a Deep Excavation Option. While there would be greater cost and time required for that option I think in the long run it would reduce continuing public concerns about the stability of the Nuclear Facility in the occurrence of an earth quake. It would also serve to reduce the above ground profile of the facility. In the execution of the Deep Excavation Option there would need to be great care taken not to adversely impact the structural integrity of the current PF-4 and new RLUOB facilities.

I believe the rate at which the NF is constructed should reflect both its important supporting role in a variety of national security programs and the overall national security interest in reducing our Federal budget deficit.

Until the CMRR NF is completed the NNSA should support the best integrated usage of the remaining portions of the current CMR, PF-4, and the new RLUOB facility to accomplish the entire range of national security and other programs. Relatively small continuing investments in the combination of those three facilities could allow much beneficial work to be done in the interim period until the NF is completed and operational.

Thank you for the opportunity to provide my public comments to this supplemental plan. As well the continuing public outreach effort in behalf of the overall CMRR effort is also appreciated.

Mr. Donovan Porterfield
PO Box 1417
Los Alamos, NM 87544

187-1

NNSA notes the commentor’s support of the construction of the CMRR-NF as a component of our national security program. Site-specific geotechnical investigations have been completed for the proposed CMRR-NF project site for both the Shallow Excavation Option and the Deep Excavation Option. Either option of the proposed CMRR-NF would be designed and constructed in accordance with recommendations provided in the geotechnical reports (Kleinfelder 2007a, 2007b, 2010a, 2010b) and care would be taken to ensure that nothing was done that would adversely impact the structural integrity of RLUOB or the TA-55 Plutonium Facility.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information. Excavation activities would not impact PF-4 nor RLUOB.

187-1

Commentor No. 188: Mimi Darragh

From: MimiDarragh@aol.com
Sent: Tuesday, June 28, 2011 6:07 PM
To: NEPALASO@doeal.gov
Subject: "Supplemental Environmental Impact Statement" comment

To Whom it May Concern:

There are many reasons to be concerned about the seismic design under review, but as a citizen of this country and the world I am against nuclear weapons of any kind and the research and development of them as well. The ability to kill and maim massive numbers of people, even the threat of this type of killing, is immoral and does not fit anywhere in the just war criteria.

Sincerely,

Mimi Darragh
8018 Noblestown Rd.
McDonald, PA 15057

188-1

188-1

NNSA notes the commentor's opposition to the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 189: Aysha Massell

From: Aysha Massell [ayshamassell@gmail.com]
Sent: Wednesday, June 29, 2011 3:00 AM
To: John Tegtmeier
Cc: Aysha Massell
Subject: CMRR-NF SEIS Comments

6-28-11

Plutonium processing at Rocky Flats in Colorado has left the site dangerously polluted for many years. Don't ruin the beauty of Northern New Mexico and the lives of its inhabitants by processing plutonium pits.

The development of new nuclear weapons is illegal by international treaty, and continuing to poison our earth with radioactivity is immoral.

Do not build this facility.

Aysha Massell
Oakland, Ca 94609

189-1

189-1

NNSA notes the commentor's opposition to the construction of the CMRR-NF and to the development of new nuclear weapons and processing of pits. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4 CMR Mission, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 190: Armin Wright

From: Armin Wright [aiaw@earthlink.net]
Sent: Wednesday, June 29, 2011 2:53 AM
To: John Tegtmeier
Cc: Armin Wright
Subject: CMRR-NF SEIS Comments

6/28/11

Mr. John Tegtmeier, CMRR-NF SEIS Document Manager, USDOE, NNSA, Los Alamos Site Office, 3747 West Jemez Rd., Los Alamos, NM 87544

The U.S. does not need more plutonium pits. The U.S. does not need more sophisticated/more useable/more reliable nuclear weapons. The U.S. must get out of the business of threatening the world that it will blow the world up if it does not get its way. The U.S. must fulfill its obligation to eliminate nuclear weapons.

Do not build a bigger and better facility to produce ever more sophisticated nuclear weapons.

Armin Wright
MSME, UC Berkeley 1964

Armin Wright
Oakland, CA 94618

190-1

190-1

NNSA notes the commentor's opposition to more plutonium pits and the production of nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

Commentor No. 191: R. Jesse McLaren

From: R. Jesse McLaren [rjm831@gmail.com]
Sent: Monday, June 27, 2011 4:58 PM
To: nepalaso@doeal.gov
Subject: Opposition to CMRR

Sir:

I simply wish to add my voice to those opposed to the new CMRR project. I realize you are well aware of the objections -- costs, seismic issues, etc -- but want you to know that I feel this project should be canceled.

Thank you for considering my opinion.

Sincerely,

R. Jesse McLaren
POB 3430
Santa Cruz, CA 95063

191-1

191-1

NNSA notes the commentor's opposition to the construction of the CMRR-NF. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 192: Bette McDevitt

From: Bette McDevitt [bettemcd@verizon.net]
Sent: Monday, June 27, 2011 5:22 PM
To: NEPALASO@doeal.gov
Subject: comment

We have more than enough nuclear plants, weapons, and contractors already, but not enough safe bridges, safe roads, good schools and health care facilities. Not another penny for weapons of death.

Bette McDevitt

192-1

192-1

NNSA notes the commentor's opposition to the existence of nuclear plants and nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. Funding decisions on Federal programs (for example, defense, education, and healthcare) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 193: Donald McNeill

From: Donald McNeill [oroszlan@verizon.net]
Sent: Monday, June 27, 2011 7:33 PM
To: NEPALASO@doeal.gov
Subject: Stop New Nuclear Weapons Plant

This proposal to build a new nuclear weapons plant is a poor way to move toward nuclear arms control and nonproliferation. If the leading power, the US, continues to develop, build, and threaten to use nuclear weapons, we have to expect that other countries will follow suit-- both the old nuclear powers and, especially, aspiring nuclear powers.

The US is obligated to proceed toward reduction and elimination of its own nuclear weapons by the nonproliferation treaty and other treaties. This plant is counter to the promises made by the US in signing and ratifying those treaties. Building new nuclear weapons (when there is no serious nuclear threat) is a dangerously contradictory way to get new START treaty ratified and shows that this administration has no intention of reducing its addiction to nuclear weapons. It shows this not only to me, but also to the world.

Donald McNeill
PA 15213

193-1

193-1

NNSA notes the commentor's opposition to the construction of the CMRR-NF and concern about treaty compliance. Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 194: Ron Stock

From: Ron Stock [stockontheroad@yahoo.com]
Sent: Monday, June 27, 2011 6:09 PM
To: NEPALASO@doeal.gov
Subject: CMRR-NF

It is 3:50 p.m. on Monday afternoon, June, 27th. I just stepped outside my front door and sucked in the pungent smell of the Las Conchas fire in Los Alamos, New Mexico. It is not hard for me to imagine those fumes, maybe sooner than I think, might some day be carrying dangerously high levels of radiation. That is why I am violently opposed to the construction of the Chemistry and Metallurgy Research Replacement - Nuclear Facility in Los Alamos.

You folks put twenty pounds of Plutonium into the Nagasaki bomb and now you want to bring six point six metric tons of this highly toxic substance to Los Alamos. What in the world are you folks thinking? I believe I know, and am asking you to stop thinking about your own personal financial security and start thinking about how many lives you could be impacting in an unhealthy negative way should an earthquake or fire disrupt your not very secure and efficient plans. Think solar, think wind, think what future generations will inherit if at some point you don't come to your senses and stop this "Us Against Them Dick Cheney type paranoid nuclear weapons madness."

Ron Stock, Resident of Taos New mexico

194-1

194-1

NNSA recognizes the commentor's opposition to the construction of the CMRR-NF. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 195: Luciana Vigil-Holterman

From: Luciana Vigil-Holterman [vigilholterman@gmail.com]
Sent: Monday, June 27, 2011 5:24 PM
To: NEPALASO@doeal.gov
Subject: Comments on the Draft Supplemental Environmental Impact Statement for the CMRR Nuclear Facility

I am writing to voice my support to replace an aging research building with a new facility that meets current standards for a nuclear facility. The current CMR facility needs a replacement that is safe, secure, and compliant. A facility that meets a category 3 structure is necessary for continued safe operations and to ensure the ability to address future issues that have yet to be identified.

I believe that the tax dollars that are used to design and build the CMRR nuclear facility should be used with spending efficiency in mind while meeting safety, compliance, and sustainability requirements for a nuclear facility. It should not be an unreasonable expectation that a replacement facility can finish design and be built in a timely manner while making sure that safety and environmental regulations are met.

Thank you.

Luciana Vigil-Holterman
Española, New Mexico

195-1

195-1

NNSA notes the commentor's support of the construction of the CMRR-NF as a safe, secure, and compliant replacement for the existing CMR Building. NNSA understands the concerns regarding the schedule and cost of the proposed CMRR-NF project and is working hard to control schedule and cost while at the same time meeting its obligations regarding safety and environmental compliance.

Commentor No. 196: Jonathan Block

From: Jonathan Block [jblock41@gmail.com]
Sent: Monday, June 27, 2011 3:21 PM
To: NEPALASO@doeal.gov
Subject: Comments on the Draft SEIS for the CMRR project

DOE Must Withdraw the Draft Environmental Impact Statement for a Proposed Plutonium Facility at Los Alamos Because It Is Incomplete and Inaccurate

In 2003, pursuant to the National Environmental Policy Act (NEPA), the Department of Energy (DOE) completed an Environmental Impact Statement (EIS) for its proposed Chemistry and Metallurgy Research Replacement (CMRR) Project at the Los Alamos National Laboratory (LANL) at Technical Area-55 (TA-55). Simply put, CMRR is a huge new plutonium facility that will enable expanded nuclear weapons production. Because of the recognition of greater seismic risks and a proposed 50% increase in size, DOE was compelled by citizen pressure to prepare a draft supplemental EIS, which it released last April 22.

The proposed CMRR Nuclear Facility (CMRR-NF) would be located next door to PF-4, LANL's existing production facility, and the two would be physically linked to each other via underground tunnel. The proposed NF would also have a vault to store up to six metric tons of plutonium, which will supply both it and PF-4. The proposed NF would be the keystone to an expanded plutonium complex at LANL capable of quadrupling the current production capability of 20 pits per year to up to 80.

Two of the Three Alternatives Provided in the Draft SEIS Are So Unworkable that They Cannot Really Be Considered Alternatives

The current "No Action" Alternative is to construct and operate a new CMRR-NF as analyzed in the 2003 CMRR EIS. But based on new information learned since 2004, the 2003 CMRR-NF would not meet seismic standards to safely conduct mission work. "Therefore, the 200[3] CMRR-NF would not be constructed". So this is not really an alternative.

The "Continued Use of Existing CMR Building" Alternative in this current EIS states: Do not construct a replacement facility to house the capabilities planned for the CMRR-NF, but continue to perform operations in the existing CMR with normal maintenance and component replacements to sustain operations for as long as feasible. However the existing CMR is at the end of its life NOW. But this alternative does not completely satisfy DOE's stated purpose and need to carry out operations at a level to satisfy the entire range of DOE mission support functions. So this is not really an alternative, either.

196-1

Issues raised by the commentor are addressed in Section 2.2, NEPA Process, Section 2.3, Programmatic Direction and Decisions, and Section 2.4, CMR Mission, of this CRD. As discussed in Chapter 1, Section 1.5, of the *CMRR-NF SEIS*, NNSA is not planning to revisit either the need for the CMRR-NF or to relocate the CMR capabilities at another site. NNSA has addressed the CMRR-NF in a series of NEPA documents since the 2004 ROD for the *CMRR EIS* that announced its decision to locate a two-building CMRR Facility at TA-55. The *Complex Transformation SPEIS* (DOE 2008b), which addressed transforming the nuclear weapons complex into a smaller, more efficient enterprise, also addressed the location for manufacturing and research and development involving plutonium. In the ROD for that document, NNSA announced its decision that that mission would remain at LANL and its decision to construct and operate the CMRR Facility at LANL. Based on these decisions and the authorization for the project and appropriation of funding, NNSA intends to proceed with the CMRR-NF planning process.

The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements. CEQ and DOE NEPA regulations and implementing procedures (40 CFR 1502.9(c) and 10 CFR 1021.341(a) – (b), respectively) require preparation of an SEIS if there are substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or its impacts. The regulations state that an agency may also prepare a supplement when the agency determines that the purposes of NEPA will be furthered by doing so. NNSA determined that a supplement to the *CMRR EIS* is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SPEIS* ROD (73 FR 77644). The No Action Alternative in the *CMRR-NF SEIS* is based on the decision made following preparation of the original *CMRR EIS* in 2003. Another alternative addresses continuing to use the CMR Building, although its continued use would not fully meet NNSA's stated purpose and need.

196-1

Commentor No. 196 (cont'd): Jonathan Block

That leaves only the "Modified CMRR-NF" Alternative as the only alternative. Under the Modified CMRR-NF Alternative, which is DOE's Preferred Alternative, DOE would construct the new CMRR-NF at TA-55 with construction enhancements to address the seismic issues. Obviously, two of the three alternatives are unworkable, which stacks the deck in favor of the preferred alternative. Additional Alternatives Must Be Analyzed.

**196-1
cont'd**

The Shallow Construction Option Is Not Mature and Must Not Be Considered As An Alternative Until Analysis of this Option Is Complete

The "Modified CMRR-NF" Alternative has two options – the "Deep" Option and the "Shallow" Option. All environmental impacts of the Shallow Option are based upon assumptions that are not defensible at this time. As this supplemental EIS itself states, "The Shallow Construction Option needs to be subjected to the same level of technical review as the Deep Construction Option so the two options can be evaluated on the same basis." Most of the environmental impacts proposed in this supplemental EIS for the Shallow Option end up being the same or similar to the Deep Option impacts. This is only speculation at this time. The Draft SEIS for the CMRR-NF fails to offer and analyze realistic alternatives.

196-2

The Costs of Trying to Build a Plutonium Pit Factory in a Geologically Unstable Area Are Just Too High

LANL is located between a rift valley (the Rio Grande in that area) and an inactive supervolcano (the Jemez Mountains) in an active seismic fault zone (the Pajarito Plateau). An updated seismic hazards analysis was published in May 2007. It showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the over \$3 billion in cost estimate increases since 2008 are due to efforts to address the increased seismic hazards. DOE must analyze whether \$6 billion is too high of a premium in order to build a new NF at this location.

196-3

Volcanic Eruption Impacts Must Be Analyzed

The Preliminary Volcanic Hazards Evaluation for Los Alamos National Laboratory Facilities and Operations Current State of Knowledge and Proposed Path Forward, September 2010 Report states, "The integration of available information on the volcanic history of the region surrounding [LANL] indicates that the Laboratory is at risk from volcanic hazards."

196-4

Risks Due To Fire, Loss of Power, Water, and Cooling Must Be Analyzed

As of the submission date of these comments, a major wild fire has forced the evacuation areas around Los Alamos, voluntary evacuation of Los Alamos County, and closure of the Laboratory. This is the second major wild fire in less than a

196-5

The alternative of distributing analytical chemistry, materials characterization, and plutonium research capabilities among multiple facilities at LANL was considered, but not analyzed as a reasonable alternative. Because of the quantities of special nuclear material involved, to fully perform the analytical chemistry, materials characterization, and plutonium research capabilities, facilities would need to be classified as Hazard Category 2 and Security Category 1. RLUOB was not intended as a nuclear-qualified space to handle Hazard Category 2 or 3 levels of nuclear material. Thus, NNSA would not operate RLUOB as anything other than a radiological facility, which would significantly limit the total quantity of special nuclear materials that could be handled in the building. As a result, analytical chemistry and materials characterization operations requiring Hazard Category 2 and 3 work spaces could not be carried out in RLUOB. Using space and capabilities in the TA-55 Plutonium Facility would interfere with performing work currently being conducted there and reduce the space available in the building that could be used to conduct future DOE and NNSA mission support work. Use of other locations at LANL would introduce new hazards for which the facilities were not designed and would not conform to the objective of collocating plutonium operations near the TA-55 Plutonium Facility. Performing work at a location remote from the TA-55 Plutonium Facility would necessitate periodic road closures and heightened security to enable transport of materials between the facilities. In addition, other facilities would not have the available space, vaults, and engineered safety controls and requirements for this type of work. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

The need for the CMRR-NF is not connected to a specific level of operations. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As described in Chapter 1, Section 1.2, of the *CMRR-NF SEIS*, NNSA's ability to perform these capabilities has been curtailed because of safety restrictions at the existing CMR Building; some types of materials characterization work have been suspended because of these limitations.

Commentor No. 196 (cont'd): Jonathan Block

decade. There is no credible analysis in the CMRR for risks due to fire, loss of electrical power, loss of water, cooling and loss of electronic, digital security systems (computer, electro-mechanical and others relying on external power sources). As global warming continues unabated, extreme weather conditions will continue and have an increasing frequency. The highly hazardous substances in the CMRR need to be secure. To the extent the operating systems of the CMRR rely upon any external power sources for health, safety and security, all conditions that could cause loss of power need to be fully analyzed--and the SEIS does not do the job.

All Impacts of NF Construction on the State Consent Order Must Be Analyzed

Cleanup of the existing mess must be the priority – not the proposed NF. DOE made a commitment to cleanup the legacy waste sites at LANL when it signed the Consent Order with the New Mexico Environment Department on March 1, 2005. The Order requires cleanup of certain sites by December 31, 2015. The analysis of the impacts of construction activities for the proposed NF must include those for the cleanup activities; including those at the nearby chemical dump, Material Disposal Area C. Precious taxpayer funds must be used to meet the cleanup obligations, not to build a shiny, new CMRR-NF.

The Draft CMRR-Nuclear Facility SEIS Is Deficient In All The Aforementioned Respects and Must Be Withdrawn.

196-5
cont'd

196-6

196-2

The concerns expressed by the commentor about the Shallow Excavation Option not being a mature alternative appear to refer to statements in Chapter 1 and Chapter 2, Section 2.6.2.1, of the *Draft CMRR-NF SEIS* indicating that there was more uncertainty in the design of the Shallow Excavation Option because that design had not reached the same level of maturity as the Deep Excavation Option. In 2011, a review of the requirements for the design of the CMRR-NF identified an opportunity to reduce the amount of additional excavation and concrete fill required for the Deep Excavation Option by raising the bottom of the basement to near the original design elevation. The overall building height would remain the same, but the top of the roof would be higher above ground than it was in the conceptual and preliminary design. At the current level of design maturity, this approach, known as the Shallow Excavation Option, appears to provide some reductions in construction impacts and cost without affecting other building design requirements. Both construction options require the same sets of safety controls and are expected to remain close in offsite environmental consequences as shown in the analyses contained in this SEIS. At this time, both construction options are being considered by NNSA. As the design studies continue and more details become available, one option or the other may be judged to have significant advantages in the time and/or cost expected for executing the excavation phase of construction that will facilitate NNSA's selection of a preferred construction option. Whichever alternative or option is selected, the CMRR-NF must meet the design standards for a Performance Category 3 (PC-3) facility. PC-3 structures, systems, and components are those for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials. Design considerations for this category are to limit facility damage as a result of design-basis natural phenomena events (for example, an earthquake) so that hazardous materials can be controlled and confined, occupants are protected, and the functioning of the facility is not interrupted (DOE 2002b). The Deep Excavation Option would have greater impacts from construction than the Shallow Excavation Option, but the operational impacts would be the same for either option.

196-3

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet

Commentor No. 196 (cont'd): Jonathan Block

(1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

- 196-4** NNSA agrees that volcanic eruption impacts should be analyzed and has made revisions. In response to public comments on the possibility of volcano activity in the LANL region, Appendix C, Facility Accidents, and the Geology and Soils sections of Chapter 3 and 4 (Sections 3.5 and 4.3.5), of the *Final CMRR-NF SEIS* have been revised to include additional information regarding the potential volcanic hazards as described in the report, *Preliminary LANL Volcanic Hazards Evaluation* (LANL 2010c). Based on the report, future planning would be performed to consider CMRR-NF structural requirements for ash-loading.
- 196-5** Nuclear facilities at LANL undergo an extensive safety evaluation and approval process that ensures that they can be operated safely. This process is mandated by Federal Law. The details of the process are also codified and ensure that accident planning includes planning for common events, such as loss of offsite power and resources such as water, and rare events, including severe seismic and other natural phenomena, rare external events including aircraft crashes, and rare operational accidents. Unlike nuclear power plants, the CMRR-NF does not require offsite power and continuous cooling water to protect against major accidents. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.
- 196-6** NNSA does not consider compliance with the Consent Order optional and is not linking Consent Order compliance with decisions about constructing and operating the proposed CMRR-NF. NNSA intends to continue conducting the environmental restoration program at LANL regardless of whether it decides to construct and operate the proposed CMRR-NF as analyzed in the *CMRR-NF SEIS*. Closure of Material Disposal Area C will take place consistent with the Consent Order process, in accordance with decisions reached by NMED. Cleanup activities are not part of the scope of the *CMRR-NF SEIS* and are not analyzed. Cleanup activities are addressed in the 2008 *LANL SWEIS* (DOE 2008a).

Commentor No. 197: LeRoy Moore, Ph.D.
Rocky Mountain Peace and Justice Center

From: LeRoy Moore [leroymoore@earthlink.net]
Sent: Monday, June 27, 2011 3:09 PM
To: nepalaso@doeal.gov
Subject: CMRR Supplemental EIS: ADDITIONAL COMMENT

HELLO:

On Friday, June 24, 2011, I sent the comment below. Today I wish to add the following:

The fire issue: Los Alamos is already shown to be vulnerable from the seismic standpoint, more vulnerable than the SEIS takes account of. Likewise, it is obvious that the SEIS pays inadequate attention to the crucial issue for fire danger. The present Las Conchas fire is as of this writing rapidly advancing toward the LANL site at a rate much faster than the Cerro Grande fire of 2000. Given the condition of high, dry forest lands in the context of global warming, the present SEIS should be set aside and redone with close attention not only to the neglected seismic issue but also to the possibility of a disastrous fire that will have effects little understood on the proposed CMRR project. This comment urges NNSA to take the way of caution rather than careless disregard on this matter.

Sent on June 27, 2011, as a supplement to my June 24, 2011, comment.

LeRoy Moore

International law: At a time when the USA and other countries have committed to ending nuclear weapons proliferation by reducing and then eliminating nuclear weapons, in keeping with our obligations under Article VI of the Nuclear Nonproliferation Treaty, the proposed Chemistry and Metallurgy Research Replacement project at Los Alamos is not needed. This, a genuine No Action Alternative, needs to be the preferred alternative considered in the supplemental CMRR EIS.

Non-need for more plutonium pits: The intent of this facility is to make it possible for LANL to increase production of plutonium pits for nuclear warheads from the present LANL capacity of about 20 per year to 80 per year, a capacity not needed. The proposed facility promises continuation of the terror of the nuclear threat, implicitly encouraging other countries to obtain nuclear arsenals. Needed instead is a program designed to bring the US and NNSA into conformity with international law as codified in Article VI of the Nuclear Nonproliferation Treaty.

The seismic issue: The Draft SEIS does not provide an adequate analysis of the seismic conditions at LANL. It thus is premature and should be withdrawn and redone only after seismic risks have been fully documented.

197-1

197-2

197-3

197-1 NNSA recognizes the commenter's concerns regarding the potential for wildfires in addition to seismicity issues. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF (see the response to comment 197-3 regarding seismicity). Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

197-2 A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The United States is not in violation of the Treaty on the Non-Proliferation of Nuclear Weapons or any other nonproliferation treaty to which it is a signatory. Along with its obligations to reduce its nuclear weapons stockpile and promote the nonproliferation of nuclear weapons to nonnuclear states, the United States must also ensure that its nuclear weapons stockpile remains safe, secure, and reliable. Chapter 1, Section 1.2, of the *CMRR-NF SEIS* outlines some of the steps taken to meet this objective, including the formation of NNSA.

Commentor No. 197 (cont'd): LeRoy Moore, Ph.D.
Rocky Mountain Peace and Justice Center

Cleanup: Funds should be devoted to cleanup of the Los Alamos site rather than to construction that will only increase problems in an area already contaminated. Not only will the construction redistribute contaminated soil, but increasing plutonium processing at LANL will increase contamination with plutonium, a long-lived highly toxic material.

197-4

Cost: Projected costs for enhanced plutonium pit production activities at LANL have increased from about a \$600 million estimate in 2004 to the current amount of \$5.8 billion. The project should be abandoned on the basis of cost alone. Present facilities should be upgraded to provide better seismic stability and worker protection. Further, it is unwise to invest such sums in nuclear weapons, which can never be used.

197-5

LeRoy Moore, Ph.D.
Rocky Mountain Peace and Justice Center
P. O. Box 1156, Boulder, Colorado 80306-1156 USA
E-mail address: leroymoore@earthlink.net

197-3

Although many commentors expressed a preference for a No Action Alternative that would abandon the current CMR Building and not proceed with the CMRR-NF, or would abandon pit production at LANL, such an alternative does not meet NNSA's stated purpose and need (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). Thus, an alternative of ceasing CMR operations is not addressed in the *CMRR-NF SEIS*. The No Action Alternative in the *CMRR-NF SEIS* is based on the decision made following preparation of the original *CMRR EIS* in 2003.

Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the *SEIS* has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

197-4

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design, construction, and operation of the CMRR-NF. Chapter 4,

Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

- 197-5** The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 197 (cont'd): LeRoy Moore, Ph.D.
Rocky Mountain Peace and Justice Center

Commentor No. 198: Carl deVecchis

From: Carl deVecchis [carl_devecchis@yahoo.com]
Sent: Monday, June 27, 2011 1:01 PM
To: NEPALASO@doeal.gov
Subject: Cut Nuclear Weapons Production Not Medicare

Dear Department of Energy,

We don't need to waste \$6 Billion to construct a plutonium reprocessing and storage facility in New Mexico. Please, redirect the funds to infrastructure repairs or just reduce the deficit.

Thank you,

Carl deVecchis
Registered Voter and US Citizen from Lynbrook, NY

Carl deVecchis
34 Yale Place
Lynbrook, NY 11563

198-1

198-1

NNSA notes the commentor's opposition to the construction of the CMRR-NF due to its cost. Funding decisions on Federal programs (for example, infrastructure repairs) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 199: Jane Steinfels Hussain

From: janehussain2@aol.com
Sent: Monday, June 27, 2011 1:29 PM
To: NEPALASO@doeal.gov
Subject: EIS on Los Alamos Project

This project must go back to the drawing board! We cannot afford 1) the environmental risk given the geological data recently acquired and the lessons of Fukushima, 2) the financial drain given the imperative to draw down our deficit or 3) the military risk of encouraging arms proliferation throughout the world while we're preaching nonproliferation.

Please reconsider this whole project in light of current knowledge and conditions.

Thank you,

Jane Steinfels Hussain
 2115 Pontotoc Ave.
 Nashville, TN 37206

199-1

199-1

NNSA recognizes the commentor's opposition to the construction of the CMRR-NF due to concerns regarding seismic vulnerabilities and opposition to nuclear war.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Funding decisions on Federal programs (for example, defense spending) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 200: John J. Metz

From: John Metz [METZ@nku.edu]
Sent: Monday, June 27, 2011 2:55 PM
To: NEPALASO@doeal.gov
Subject: Plutonium Factory at Los Alamos

Dear NEPALSO,

I am writing to express my dismay that LANL and DOE are merely offering a Supplementary EIS regarding the construction of the Nuclear Facility at Los Alamos. There are several points I need to make.

1. The recent nuclear catastrophe in Japan illustrates painfully how underestimating the threat of violent seismic events can be lead to disaster. The revised estimate of the seismic threat at Los Alamos demands that the entire project be much more thoroughly vetted than a mere Supplement EIS can do. Given the previous releases of plutonium from LANL, the lab cannot allow any additional releases. Of course, that is not possible – there will be some tiny amounts of Pu released in the best of circumstances, but we can't have large releases, which could occur with a severe earthquake. Working with plutonium is always extremely dangerous.

200-1

2. We don't need new pits – the existing pits are able to sustain our weapon arsenal for the foreseeable future.

200-2

3. Cost is excessive. In this time of grave concern over the nation's deficit, this is money we do not need to spend. The current estimates of the cost of the construction exceed the original 6 or 7 fold, and that is with the minimal construction changes proposed in the SEIS.

200-3

4. The new plant is scheduled to produce 80 pits per year, while the existing facility makes 20. We don't need more than 20 new ones per year. In fact, we don't need 20.

200-2
cont'd

5. The Non-proliferation Treaty article 6 commits the US to eliminating nuclear weapons. We have largely ignored that and it becomes a reason for other rogue nations to move toward weapons and for the non-nuclear signers to abandon the treaty. We cannot maintain the facade of moving toward Article 6 while building this facility.

200-4

200-1 NNSA notes the commentor's concerns regarding the seismic design of the CMRR-NF.

The commentor's concerns that an accident (similar to the one that occurred in Japan at the Fukushima Daiichi Nuclear Power Plant) could happen at LANL is addressed in Section 2.8, Nuclear Accidents, of this CRD. There are fundamental differences between the functioning of a nuclear reactor (such as the Fukushima Daiichi Nuclear Power Plant or Chernobyl) and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. Refer Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Commentor No. 200 (cont'd): John J. Metz

Thank you,

Sincerely,

John J. Metz
Geography Coordinator
448 Landrum
Northern Kentucky University
xxx.xxx.xxxx
metz@nku.edu

- 200-2** The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. Please refer to Section 2.4, CMR Mission, of this CRD for more information.
- 200-3** The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.
- 200-4** Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 201: Jean Nichols

From: Jean Nichols [artstudio@kitcarson.net]
Sent: Monday, June 27, 2011 3:16 PM
To: nepalaso@doeal.gov
Subject: Opposition to LANL's new nuclear facility

I was just recently told about your new plutonium facility at the Los Alamos National Laboratory. As a citizen who is concerned with nuclear proliferation and national security, here are a number of reasons why I am concerned:

Money spent on nuclear weapons does not spur economic growth. Investments in education, healthcare, renewable energy, and public transportation would all create more jobs and spur more growth.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans. Cancer rates are elevated due to normal emissions. In 2000 the Cerro Grande Fire caused widespread contamination. Dust from my house tested too high with Strontium 90. This year I got cancer myself. Now we have a wild fire burning that could dwarf the Cerro Grande. Los Alamos has dry forests on three sides. It is insane to do nuclear production at this facility. And all the waste already there needs to be removed. This should be a matter of national security, and needs to be done before an EIS is considered.

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is also underway at Los Alamos Lab and the results will impact the design of the building. And we have yet to see what this fire brings us...all of northern NM may need to evacuate, but of course indigenous and poor farmers and families won't. It is an abomination that we bear this local threat from our own government facility. War is obsolete. We need all our resources focused on climate change and the catastrophes that are here and coming. It should immediately begin switching its mission to green projects.

Jean Nichols
PO Box 237
Peñasco, NM 87553

201-1

201-1 NNSA notes the commentor's concerns about the CMRR-NF project. NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. See Section 2.7, Economic Impacts, of this CRD for information on the economic impacts as evaluated in the *CMRR-NF SEIS*.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority or low-income populations, including Native Americans and Hispanics, under any of the alternatives.

A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande fire. As noted in Chapter 4, Section 4.6.1.3, of the 2008 *LANL SWEIS* (DOE 2008a), an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by Risk Assessment Corporation at the request of NMED (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential release sites and concluded that exposure to LANL-derived chemicals and radionuclides released to the air during the Cerro Grande fire did not result in a significant increase in health risk over the risk from the fire itself.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are

Commentor No. 201 (cont'd): Jean Nichols

constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 202: Alice Baker

From: Alice Baker [albakerihm@aol.com]
Sent: Monday, June 27, 2011 3:17 PM
To: nepalaso@doeal.gov
Subject: No New Nuclear Plants Needed

The new development at the Los Alamos National Laboratory for plutonium pits is not in the best interest of our country. As a voting citizen, I feel as though there are a number of reasons to not complete this facility.

Nuclear weapons are a threat to our peace. There do not give us security in any form, but rather escalate the proliferation throughout the world. The United States MUST take a lead in ending this madness.

You have a responsibility to cleanup our environment not make it more toxic. "Take no action" as one of the alternatives to the CMRR project.

I do not support the building of any new nuclear plants in Los Alamos, NM and Oak Ridge, TN

Alice Baker
20811 Littlestone Apt. 5
Harper Woods, MI 48225

202-1

202-1

NNSA notes the commentor's opposition to nuclear weapons. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

202-2

202-2

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 203: Jim Ullrich

From: Jim Ullrich [ullrichjim@ntown.net]
Sent: Monday, June 27, 2011 3:35 PM
To: NEPALASO@doeal.gov
Subject: CMRR-NF SEIS

What should be included in the CMRR-NF SEIS are the new political, economic, social, and national security realities that show a new plant is not required. Alternative solutions like upgrading existing facilities should be included in this review.

Jim Ullrich
 551 English Village Way
 Apt 917
 Knoxville, TN 37919

203-1

203-1

NNSA notes the commentor's opposition to the CMRR-NF project. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

Commentor No. 204: Jay Coghlan, Executive Director
Nuclear Watch New Mexico



July 5, 2011

Mr. John Tegtmeier
CMRR-NF SEIS Document Manager
Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico, 87544
By e-mail to NEPALASO@doeal.gov

Nuclear Watch New Mexico (NWNM) respectfully submits these comments on the draft *Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory (LANL), Los Alamos, New Mexico* (hereinafter "CMRR-NF dSEIS").

We regret that we were not able to submit our comments by the NNSA specified due date of June 28. We did however inform you of that fact on that day. Our delay was caused by *force majeure*, that is the breakout of the Las Conchas Fire on the afternoon of Sunday June 26 threatened LANL and the Los Alamos townsite. We were continuing to write our comments at that time, but from that point were not able to do so until the following Thursday. We were working overtime because of the need to monitor the fire and respond to numerous inquiries from the public and media through phone, e-mail, TV our blog and web site and Skype.

The National Nuclear Security Administration (NNSA) has stated that it will accept CMRR-NF dSEIS comments "to the extent practicable" after the deadline. We believe that we have certainly met the bar of "practicability" given the circumstances. We would appreciate their serious consideration by NNSA. We look forward to the agency's withdrawal of this draft for the reasons stated here, and look forward to further comment once NNSA puts out a serious draft without an un-predetermined outcome.

About us: Through comprehensive research, public education and effective citizen action, **Nuclear Watch New Mexico** seeks to promote safety and environmental protection at regional nuclear facilities; mission diversification away from nuclear weapons programs; greater accountability and cleanup in the nation-wide nuclear weapons complex; and consistent U.S. leadership toward a world free of nuclear weapons.

We work on current budget, environmental, and operational issues of nuclear weapons facilities, primarily the Los Alamos National Laboratory (LANL). We have publicly and vocally pressed the Lab to finally change its mission away from nuclear weapons programs and move more toward critically needed programs, such as nonproliferation efforts, other new national security priorities (for example, port security), and pure

551 W. Cordova, #808, Santa Fe, NM 87505 • Phone and fax: 505.989.7342
info@nukewatch.org • www.nukewatch.org • <http://www.nukewatch.org/watchblog/>

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204-1

204-1

All comments on the *Draft CMRR-NF SEIS* submitted to NNSA during the public comment period, as well as late comments, were considered in preparing this *Final CMRR-NF SEIS*.

Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico

science and energy efficiency programs. Through detailed budget analyses, we hope to demonstrate that LANL can move towards these real national security issues and still contribute to the economy of northern New Mexico.

We appreciate public involvement in the NEPA process. We also support safe, monitored storage of radioactive wastes as a matter of national security and environmental protection. However, these should not be interpreted as support for more nuclear weapons, pit production, nuclear power, or the generation of more nuclear wastes. In our view, the best way to deal with the environmental impacts of nuclear waste is to not produce it to begin with.

**204-1
cont'd**

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Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico

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Our overall recommendation: The hastily prepared draft Supplemental EIS is incomplete, inadequate and should be withdrawn until a more thorough Supplement or a completely new EIS can be prepared.

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Comment noted. Responses to specific comments follow.

***Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico***

Estimated CMRR costs are out of control



Graph by NukeWatch NM; budget figures from annual NNSA Congressional Budget Requests

The Nuclear Facility is the keystone to an expanded plutonium pit production complex.

The Chemistry and Metallurgy Research Replacement Project-Nuclear Facility is no mere "replacement." First of all, the CMRR Project will be larger than the old CMR Building that it is "replacing," contrary to legislation requiring no net increase.

LANL and NNSA have repeatedly claimed that the Nuclear Facility is not a plutonium pit production plant and the dSEIS itself states, "Pit production does not take place at the CMR Building and would not take place in the CMRR-NF." (*dSEIS section 2.4, p. 2-6*) That is narrowly correct but nevertheless disingenuous. The Nuclear Facility will provide crucial "materials characterization" (MC) and "analytical chemistry" (AC)¹ in direct support of plutonium pit production, and will be the keystone to an expanded production complex at LANL's Technical Area-55. The Nuclear Facility will be located next door to PF-4, LANL's existing production facility, and the two will be physically linked to each other via underground tunnel. The Nuclear Facility will also have a vault to store up to six metric tons of plutonium, which will supply both it and PF-4. The Senate Armed Services Committee itself has noted that "CMRR will be a category I [the highest security level of "special nuclear materials"] facility supporting pit operations in building PF-4."²

¹ The dSEIS defines analytical chemistry as "the branch of chemistry that deals with the separation, identification, and determination of the components of a sample." It defines materials characterization as "the measurement of basic material properties, and the change in those properties as a function of temperature, pressure, or other factors."

² Senate Report 111-201 - NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011, p. 274, <http://www.gpo.gov/fdsys/pkg/CRPT-111s rpt201/pdf/CRPT-111s rpt201.pdf>

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As stated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA needs to act to provide the physical means for accommodating the continuation of mission-critical analytical chemistry and materials characterization capabilities at LANL beyond the present time in a safe, secure, and environmentally sound manner. NNSA's capability to perform a full range of analytical chemistry and materials characterization functions is currently constrained because of safety restrictions at the existing CMR Building; some types of materials characterization work have been suspended because of these limitations. Concurrently, NNSA proposes to take advantage of the opportunity to consolidate analytical chemistry and materials characterization activities for the purpose of increasing operational efficiency and enhancing security. The increased size of the CMRR Project, specifically the CMRR-NF, is due to the space required to meet current seismic and nuclear safety requirements; despite the increased size, the CMRR Project would replace the capabilities of the CMR Building. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The commentor states that NNSA officials have said that the CMRR-NF is to be built with 22,500 square feet "of plutonium processing space;" to clarify, this is laboratory space, not a production line as implied by the term "processing." The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. The Summary was revised to indicate that the analytical chemistry and materials characterization is "in support of manufacturing, development, and surveillance of nuclear pits..."

The Modified CMRR-NF would be designated as a Hazard Category II and a Security Category I facility, as stated in Chapter 2, Section 2.6.2.1 of the *CMRR-NF SEIS*. These category designations are based on the amount of special nuclear material allowed to be present within the facility at any given time. In Chapter 1, Section 1.2, right before the statement that pit production does not occur in the CMR Building or the proposed CMRR-NF, the SEIS indicates that pit production takes place in the TA-55 Plutonium Facility.

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Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico

NNSA and LANL should amend this dSEIS and their supporting literature and media statements that claim it is not a pit production facility. Instead, the whole truth should be said that the Nuclear Facility is the keystone to an expanded plutonium pit production complex at LANL's Technical Area-55.

For ~six billion dollars the amount of jobs the Nuclear Facility creates is pathetic.

Local proponents of the CMRR-Nuclear Facility constantly point to the benefits of job creation. However, the dSEIS itself states the positive socioeconomic impacts of this new exorbitant facility are very limited.

Concerning construction jobs, "Peak direct (790 workers) plus indirect (450 workers) employment would represent less than 1 percent of the regional workforce and would have little socioeconomic effect."³ The average number of construction jobs is 420 over nine years.⁴

Facility personnel would not change from existing levels, just their location. "Approximately 550 workers would be at the CMRR Facility (Modified CMRR-NF and RLUOB); they would come from the CMR Building and other facilities at LANL so the facility would not increase employment or change socioeconomic conditions in the region."⁵

Nuclear Watch NM argues that far more jobs could be created through other efforts, and not through a ~\$6 billion dollar plutonium investment that will lock in Los Alamos' future to the hopefully shrinking business of nuclear weapons research and production. In terms of new long-term jobs the Nuclear Facility offers none, and robs taxpayers' money from other programs that could do far, far more for job creation.

NEPA requirements.

What is clearly at issue in this CMRR-NF SEIS process is what NNSA is legally obliged to consider in a "supplemental" environmental impact statement. The relevant DOE NEPA Implementation Regulation (which we note has the force of law) states

(c) Agencies:
 Shall prepare supplements to either draft or final environmental impact statements if:

- (i) The agency makes substantial changes in the proposed action that are relevant to environmental concerns; or
- (ii) There are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.⁶

³ dSEIS, p. S-39, parentheses in the original.

⁴ Ibid., Table 2-1, Summary of CMRR-NF Construction Requirements, p. 2-15.

⁵ Ibid., p. S-39, parentheses in the original.

⁶ 10CFR1021 §1502.9 "Draft, final, and supplemental statements,"

<http://ceq.hss.doe.gov/nepa/regs/ceq/1502.htm#1502.9>

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NNSA acknowledges the comment, but notes that the purpose of the proposed project is not the creation of jobs. The purpose of the proposed CMRR-NF is to provide analytical chemistry, materials characterization, and plutonium research capabilities in support of NNSA and LANL missions. The *CMRR-NF SEIS* presents the environmental impacts of construction and operation of the facility; one area of environmental impacts is socioeconomic, including jobs. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence.

204-4

204-5

As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements. As stated in Chapter 1, Section 1.5, NNSA of the *CMRR-NF SEIS*, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, made through the 2008 *Complex Transformation SPEIS* ROD (73 FR 77644). See also the response to comments 204-7 and 204-8 for discussion of alternatives that were considered but dismissed from detailed analysis.

204-5

President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to CMRR-NF and Nuclear Weapons and Technology, of this CRD for more information.

Regarding the funding priorities of the U.S. Government, funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

***Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico***

“Shall” means mean mandatory, not discretionary by the agency. “Or” means that a supplemental EIS shall be prepared in either case, with the *prima facie* demand that the necessary particulars be included in that supplement. While in this case both (i) and (ii) apply, NNSA admits only that it has substantially changed the Nuclear Facility project (and therefore wisely chose to prepare this SEIS). However, we argue that NNSA is legally obliged to embrace the other half of this equation, that consideration of significant new circumstances or relevant information is mandatory, and further that NNSA cannot cherry pick the significant new circumstances or relevant information that should be considered - - it has to consider all such worthy items.

This is further echoed by the Department of Energy (DOE) in its own 40 FAQs on NEPA compliance, as follows:

32. Supplements to Old EISs. Under what circumstances do old EISs have to be supplemented before taking action on a proposal?

A. As a rule of thumb, if the proposal has not yet been implemented, or if the EIS concerns an ongoing program, EISs that are more than 5 years old should be carefully reexamined to determine if the criteria in Section 1502.9 compel preparation of an EIS supplement.

If an agency has made a substantial change in a proposed action that is relevant to environmental concerns, or if there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts, a supplemental EIS must be prepared for an old EIS so that the agency has the best possible information to make any necessary substantive changes in its decisions regarding the proposal. Section 1502.9(c).⁷
Emphasis added.

The 2003 CMRR EIS is more than seven years old, and there are major new circumstances and relevant information that the supplemental EIS must consider, instead of NNSA’s arbitrary and capricious limitation of analysis to justify the Nuclear Facility’s increased physical properties.

Some new and additional information and circumstance are the following:

- President Obama declared a future world free of nuclear weapons to be a long-term national security goal in his April 2009 Prague speech. At the same time he said that in the interim the U.S. nuclear weapons stockpile would be robustly maintained. The primary purpose of the CMRR-NF is to expand production capability of plutonium pits to up to 80 per year.⁸ That is inconsistent with working toward and providing a good international example toward a nuclear weapons-free world.
- Nor is the CMRR-Nuclear Facility needed to maintain the stockpile. In 2004 Senator Bingaman, at NWNM’s request, legislated a requirement that independent experts review

⁷ “NEPA’s Forty Most Asked Questions,” DOE, <http://ceq.hss.doe.gov/nepa/regs/40/30-40.HTM>

⁸ For documentation see our Attachment 3, Additional Background on the CMRR-Nuclear Facility and Expanded Plutonium Pit Production.

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Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico

NNSA studies of plutonium pit lifetimes. In November 2006 that concluded that most pits last 85 years or more and that in any event mitigation measures were readily available.

- In large part as a result, Congress rejected Reliable Replacement Warheads and we maintain therefore the need for expanded plutonium pit production, hence the need for the CMRR-Nuclear Facility.
- Our nation has entered a severe and prolonged economic crisis that demands appropriate prioritization of federal taxpayers funds. The CMRR-Nuclear Facility is not clearly needed and currently has out-of-control costs. Its need should be reviewed afresh in a new draft SEIS that offers a true range of alternatives.

In our informal search for perhaps relevant NEPA case law concerning supplemental environmental impact statements we ran across the following filed by our close colleagues the Natural Resources Defense Council (NRDC):

Plaintiffs moved for a preliminary injunction against a National Marine Fisheries Service (NMFS) regulation and a Letter of Authorization issued by NMFS to the Navy pursuant to the challenged regulation.

The regulation and letter of authorization concerned the Navy's application for authorization for a five-year weapons testing program. The NMFS conducted an environmental assessment (EA). During the comment period, the NMFS received a comment that asserted that NMFS had an obligation to consider an alternative site for the testing. The final rule, when issued, was substantially the same as the proposal. It stated that NMFS had considered a very narrow range of alternatives and did not consider the possibility of testing outside the Outer Sea Test Range (OSTR), the area proposed by the Navy. Subsequently, the Navy issued its own EA which concluded that the testing would not have a significant environmental impact and that an EIS was not required, and which did contain some discussion of alternative sites both outside and within the OSTR. The NMFS later issued a Supplemental EA which also contained some discussion of alternative sites both outside and within the OSTR, and ultimately issued the Letter of Authorization.

Plaintiffs alleged, in part, that defendants had violated NEPA by failing to consider alternative sites. The court found that promulgation of the Final Rule had been premised on an impermissible determination that alternatives outside the OSTR did not have to be considered. It also found that both the Letter of Authorization and the Navy's decision to proceed had relied upon a site-selection survey that had been conducted in an arbitrary and capricious manner and that **had excluded reasonable alternatives that met the requirements of the proposed action.** The court ruled that plaintiffs had demonstrated a strong likelihood of success on the merits and granted plaintiffs' motion for preliminary injunction.⁹

⁹ "Supreme Court Cases on NEPA," Natural Resources Defense Council v. U.S. Dept. of *Nuclear Watch New Mexico • Comments on the draft CMRR-NF SEIS*
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Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico

A different case brought by NRDC established that NEPA imposes a duty on Federal agencies to take a "hard look" at their proposals.¹⁰ Crucial to that is the range of alternatives that the agency considers.

DOE's own NEPA Implementation Regulations state:

Alternatives including the proposed action

This section is the heart of the environmental impact statement. Based on the information and analysis presented in the sections on the Affected Environment (Sec. 1502.15) and the Environmental Consequences (Sec. 1502.16), it should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public. In this section agencies shall:

- (a) Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.
- (b) Devote substantial treatment to estimated costs alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.
- (c) Include reasonable alternatives not within the jurisdiction of the lead agency.
- (d) Include the alternative of no action.
- (e) Identify the agency's preferred alternative or alternatives, if one or more exists, in the draft statement and identify such alternative in the final statement unless another law prohibits the expression of such a preference.
- (f) Include appropriate mitigation measures not already included in the proposed action or alternatives.¹¹ (Bolded emphasis added.)

We can't help but make a bad pun - - the NNSA is being "heartless" in this SEIS' analysis of alternatives. This document is dead without the beating pulse of a true range of alternatives.

This draft SEIS predetermines the outcome by not offering real alternatives.

This dSEIS is deficient because the NNSA constrains the range of alternatives in order to predetermine its preferred, self-interested outcome. Other than its preferred alternative, the agency offers only two NEPA straw men that are clearly nonstarters, inevitably leading to their preemptive dismissal, thus leaving only the self-interested decision to build the Nuclear Facility. Is this financially out-of-control project really in the best interests of the Nation? There is no analysis and consideration of real alternatives, as required by the National Environmental Policy Act.

Navy, 857 F. Supp. 734 (C.D.Cal. Apr. 26, 1994).

<http://www.markdemuth.com/lib/nepa/HO02courtcases.pdf> Emphasis added.

¹⁰ Natural Resources Defense Council v. Morton, 458 F.2d 827, 838 (D.C. Cir., 1972)

¹¹ 10CFR1021 Sec. 1502.14 "Alternatives including the proposed action."

<http://ceq.hss.doe.gov/nepa/regs/ceq/1502.htm#1502.9>

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204-6

204-7

204-6 NNSA agrees that the alternatives section is the heart of an EIS. Taken together, the alternatives section of the 2003 *CMRR-EIS* and this *CMRR-NF SEIS* is the "heart" and provides the range of reasonable alternatives.

204-7 The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on requirements related to additional seismic information. CEQ and DOE NEPA regulations and implementing procedures (40 CFR 1502.9(c) and 10 CFR 1021.341(a) – (b), respectively) require preparation of an SEIS if there are substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or its impacts. The regulations state that an agency may also prepare an SEIS when the agency determines that the purposes of NEPA will be furthered by doing so. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding the alternatives to be addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, announced in the 2008 *Complex Transformation SPEIS* ROD. The No Action Alternative in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 *CMRR EIS* (69 FR 6967). Another alternative addresses the option of continuing to use the CMR Building, although its continued use would not fully meet NNSA's needs.

Although it was listed as one of the alternatives in the Notice of Intent, after further consideration, NNSA eliminated the alternative to upgrade the CMR Building from further consideration. In the 2003 *CMRR EIS*, DOE considered the proposal to complete extensive upgrades to the existing CMR Building's structural and safety systems to meet current mission support requirements for another 20 to 30 years of operations and dismissed it from detailed analysis. Beginning in 1997 and continuing through 1998, a series of operational, safety, and seismic issues surfaced regarding the long-term structural viability of the CMR Building. In the course of considering these issues, DOE determined that the extensive facility-wide upgrades originally planned for the CMR Building would be less technically feasible than had been anticipated and would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Structurally upgrading the entire structure to a significant extent would require

Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico

Two of the three alternatives provided in the draft SEIS are false alternatives.

The current "No Action" Alternative is to construct and operate a new CMRR-NF as analyzed in the 2003 *CMRR EIS*. But based on new information learned since 2004, the 2003 CMRR-NF would not meet seismic standards to safely conduct mission work. "Therefore, the 200[3] CMRR-NF would not be constructed." *So this is not really an alternative.*

The "Continued Use of Existing CMR Building" Alternative in this current dSEIS states:

Do not construct a replacement facility to house the capabilities planned for the CMRR-NF, but continue to perform operations in the existing CMR with normal maintenance and component replacements to sustain operations for as long as feasible. However the existing CMR is at the end of its life NOW. But this alternative does not completely satisfy DOE's stated purpose and need to carry out operations at a level to satisfy the entire range of DOE mission support functions.

So this is not really an alternative, either.

That leaves only the "Modified CMRR-NF" Alternative as the only alternative. Under the Modified CMRR-NF Alternative, which is DOE's Preferred Alternative, DOE would construct the new CMRR-NF at TA-55 with construction enhancements to address the seismic issues. *Obviously, two of the three alternatives are non-starters, stacking the deck in favor of only the preferred alternative.*

Not only that, but NNSA eliminated without explanation the one credible and reasonable alternative that it did manage to think of, and even went so far as to announce in its October 1, 2010 Notice of Intent for the CMRR SEIS. As the NOI put it, this was "CMR Alternative 2: Same as CMR Alternative 1, but includes making the extensive facility upgrades needed to sustain CMR programmatic operations for another 20 to 30 years."

This is a reasonable alternative to building the Nuclear Facility, that is continue to perform analytical chemistry, material characterization, and actinide research and development activities in the old CMR Building; and make facility upgrades to that building needed to sustain programmatic operations for another 20 to 30 years. Crucial to the validity of this alternative is an analysis of the impacts of all current and proposed projects to extend the life of the CMR, including roofing work, exhaust fans, HEPA filters, structural and safety systems, and elevator repairs.

The CMR Upgrade Alternative has particularly salience given its cost were offered in the 2003 EIS as the primary reason why it would not be considered. But given that CMRR estimated costs have exploded from \$660 million in 2004 to ~\$6 billion now it is eminently reasonable to believe that a business case should be undertaken for upgrading the old CMR Building while not building the Nuclear Facility. This has the added virtues of pushing back costs for decontaminating and demolishing the old CMR Building (which will be yet another considerable taxpayers expense). Moreover, the timeline of 20 – 30 years (say ending 2035) comports better with the declared national security goal of a

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construction of new walls and other building components adjacent to the existing ones that have utilities and structural building features already in place. This work would have to occur while continuing uninterrupted operations in the CMR Building using nuclear materials and hazardous chemicals. The technical challenges of implementing extensive seismic upgrades to the entire CMR Building as discussed in the 2003 *CMRR EIS* remain. However, in response to public comments regarding upgrading the CMR Building, NNSA considered undertaking a more limited, yet intensive, set of upgrades to a single wing of the CMR Building, Wing 9, to meet current seismic design requirements so that this wing could be used for a limited set of Hazard Category 2 analytical chemistry and materials characterization operations. After careful consideration of the complex engineering and operational issues, as well as the CMR Building site's seismic concerns, this potential Wing 9 upgrade alternative was also determined not to be a reasonable alternative for meeting NNSA's purpose and need for action. NNSA also has considered the possibility of renovating, upgrading, and reusing other CMR Building wings and additional wing combinations to provide the space needed for continuing analytical chemistry and materials characterization work in the building and found that the other wings and wing combinations are not reasonable alternatives for providing adequate safe and secure space for future operations in a feasible, cost-effective manner and are not considered further in the *CMRR-NF SEIS*. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico

nuclear weapons-free world, in contrast to the CMRR's expected operational lifetime of half a century (2024 to 2074?). A new draft SEIS should include the CMR Upgrade Alternative, along with a supporting business case (as NNSA has done in a number of other NEPA processes).

It is somewhat of a tangent, but NNSA does offer two "options" for Nuclear Facility construction, i.e., Deep and Shallow Excavation (to be further discussed below). Key to the thread of our argument here is that these are just that, construction options, both of which obviously assume that the Nuclear Facility will be built, and hence are not true "alternatives" in the NEPA sense of the word (and to NNSA's credit it doesn't try to pass them off as alternatives). Given this and the fact that the so-called "No Action Alternative" to build the NF as planned in 2003 or continue to operate the old CMR Building without upgrades are both non-starters, there are no alternatives to NNSA's predetermination to build the Nuclear Facility.

Nuclear Watch NM's preferred alternative, which we set forth in our CMRR dSEIS Scoping Comments, is to not build the Nuclear Facility; D&D the old CMR Building; and consolidate CMR missions in the new 185,000 square-foot Rad Lab and PF-4 (LANL's existing plutonium pit production facility). We believe this meets the test of being a reasonable alternative such that NNSA must analyze it. It is particularly reasonable given that, to repeat, the old CMR Building has two primary missions, which are the materials characterization and analytical chemistry of special nuclear materials. NNSA Administrator Tom D'Agostino wrote to the Defense Nuclear Facilities Safety Board that CMR materials characterization has already been relocated to PF-4. Thus, for this alternative to be realized, it becomes a matter of relocating CMR's other primary SNM mission, analytical chemistry, to PF-4.

That is made perhaps more possible by the pending closeout of two missions now being performed at PF-4, Mixed Oxide (MOX) fuel fabrication and the Advanced Recovery and Integrated Extraction System for dismantling pits and recovering plutonium, both of which were meant to be pilot demonstration projects for transfer to the Savannah River Site. But what is really needed, as we have argued for a few years now, is a "TA-55 Capabilities Study" that would evaluate missions needs in light of the fact that plutonium pit production capacity has not been expanded, and is uncertain to do so in the future. Obviously LANL has been operating under its currently approved level of 20 pits per year without the Nuclear Facility. Our proposed TA-55 Capabilities Study would analyze and recommend what is truly needed given broader national priorities (such as reducing the deficit), which a new CMRR dSEIS should incorporate.

One possible variant to our preferred alternative: The CMRR-NF is being designed with a vault for safe and secure storage of up to 6 metric tons of special nuclear materials (SNM). NNSA's claimed need for the Nuclear Facility should be de-linked from any possible need for a new SNM vault. NNSA should consider not building the Nuclear Facility while building a standalone vault. That vault could perhaps free up floor space at PF-4 (further obviating the need for the Nuclear Facility) and help de-inventory both it and the old CMR Building of materials at risk in a seismic event. Materials characterization and analytical chemistry could then be performed in PF-4 and the Rad Lab.

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In response to public comments like these, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* has been revised to describe in more detail the alternatives that NNSA considered but found would not meet the purpose and need for continuing CMR operations into the future. The alternative of distributing analytical chemistry and materials characterization capabilities among multiple facilities at LANL was considered, but not analyzed as a reasonable alternative. Because of the quantities of special nuclear material involved, to fully perform the analytical chemistry, materials characterization, and plutonium research capabilities, facilities would need to be classified as Hazard Category 2 and Security Category 1. RLUOB was constructed as a radiological facility to handle gram amounts of nuclear material and not as a nuclear-qualified space to handle Hazard Category 2 or 3 levels (kilogram levels) of nuclear material. Thus, NNSA could not operate RLUOB as anything other than a radiological facility, which would significantly limit the total quantity of special nuclear materials that could be handled in the building. As a result, analytical chemistry and materials characterization operations requiring Hazard Category 2 and 3 work spaces could not be carried out in RLUOB. Thus, an alternative of constructing only a vault to accommodate the storage of plutonium would not meet the purpose and need of fully supporting plutonium mission work. Using space and capabilities in the TA-55 Plutonium Facility would interfere with performing work currently being conducted there and reduce the space available in the building that could be used to conduct future DOE and NNSA mission support work. The commentor asserts that the analytical chemistry mission has already been relocated to TA-55 Plutonium Facility, based on a statement in Chapter 2, Section 2.4.1 of the *CMRR-NF SEIS*. The statement has been revised for clarity. Whereas some amount of materials characterization is performed at the TA-55 Plutonium Facility, analytical chemistry is not. Analytical chemistry is performed at other locations at LANL, but mainly at the CMR Building. Use of other locations for the full CMR Mission analytical chemistry at LANL would introduce new hazards for which the facilities were not designed and would not conform to the objective of collocating plutonium operations near the TA-55 Plutonium Facility. Performing work at a location remote from the TA-55 Plutonium Facility would necessitate periodic road closures and heightened security to enable transport of materials between the facilities. In addition, other facilities would not have the available space, vaults, and engineered safety controls and requirements for this type of work. Refer to Chapter 2, Section 2.7.3, of the *CMRR-NF SEIS*, for more information.

Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico

The Draft SEIS for the CMRR-NF fails to offer and analyze realistic alternatives.

After careful reevaluation of NNSA's contemporary purpose and need for plutonium pit production, a new document should be prepared that analyses a broader set of alternatives for meeting that purpose. **To be a credible analysis the NNSA must develop a greater spectrum of reasonable alternatives.** As examples to assist NNSA, we list in bullet form in Attachment 2 various permutations of reasonable alternatives that a new dSEIS could and should consider, were NNSA to offer a genuine range of alternatives.

We conclude that this CMRR-NF dSEIS does not meet legal NEPA requirements because of its failure to fully consider "significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts." Related, it also fails to offer a genuine range of alternatives. Regarding the latter, we now paraphrase "The Essentials of NEPA" by Wildlaw.org:¹²

Under NEPA, an EA or EIS must include a review of the environmental impacts from all reasonable alternatives. It is the duty of the agency to develop and analyze the alternatives to the proposed action... However, the existence of only one reasonable alternative that the agency failed to look at will void the agency's decision...

"The alternative section is 'the heart of the environmental impact statement,' 40 C.F.R. 1502.14; hence, '[t]he existence of a viable but unexamined alternative renders an environmental impact statement inadequate.' Citizens for a Better Henderson v. Hodel, 768 F. 2d 1051, 1057 (9th Cir. 1985). "As a result an agency must look at every reasonable alternative, with the range dictated by the 'nature and scope of the proposed action,' Block, 690 F.2d at 761, and 'sufficient to permit a reasoned choice.' Methow Valley Citizens Council v. Regional Forester, 833 F. 2d 810, 815 (9th Cir. 1987), rev'd on other grounds sub nom. Robertson v. Methow Valley Citizens Council, 490 U.S. 332 (1989)."

"NEPA requires an EIS provide information in detail and consider every reasonable alternative to a proposed action. Citizens for a Better Henderson, supra, 768 F.2d at 1057; see 42 U.S.C. 4332(2)(c)(iii).

Defendants' position is contrary to NEPA's underlying tenet, i.e., that agencies consider all reasonable alternatives so as to ensure an EIS fosters informed decision making. See Idaho Conservation League v. Mumma, supra, 956 F.2d at 1519-20.

"Accordingly, the EIS' failure to address an alternative... compels this court to REMAND this matter for further administrative proceedings." - End of excerpt -

¹² For fuller context please see Attachment 1 from <http://www.wildlaw.org/Eco-Laws/nepa-txt.html> in these comments.

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204-9

204-9

Comment noted. NNSA disagrees with the commentor's stated opinion regarding NNSA's failure to meet legal NEPA compliance requirements and the failure to sufficiently analyze a reasonable range of alternatives in NEPA documents pertaining to the proposed CMRR-NF project. Please see the response to Comment nos. 204-6 and 204-7.

Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
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We conclude that NNSA is obliged to prepare and issue a new CMRR dSEIS that incorporates "significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts," and offers a true range of genuine alternatives. We further assert that it is not sufficient to address our concerns in a Final CMRR SEIS that will offer no opportunity for public comment. **A new CMRR-NF DSEIS should be prepared and issued by NNSA so that the agency meets its legal NEPA obligations.**

However, we don't doubt that NNSA will balk over preparing a new dSEIS. As a general rule, an agency can change an environmental impact statement based on comments, since that is the purpose of a public comment period to begin with (and, in fact, federal agencies are required to at least respond to comments). Of course, if the changes are too dramatic, the agency arguably has to issue another draft and go through another round of comment, so the question is how extensively does the next round deviate from what the public commented on. We recognize that in general federal agencies have wide discretionary latitude, and in the general rulemaking context the test is whether the changes are the "logical outgrowth" of the original proposal plus the comments on it.

But in this case we again argue that since NNSA failed to offer a genuine range of alternatives to building the Nuclear Facility, and inappropriately constrained consideration of the dSEIS to just the physical changes of the CMRR-NF, that the agency has an obligation to withdraw this dSEIS and prepare another for public comment.

The Nuclear Facility's fundamental purpose and need must be reexamined.

The Draft SEIS claims, "The purpose and need for NNSA action [to build the Nuclear Facility] has not changed since issuance of the 2003 *CMRR EIS*. NNSA needs to provide the physical means for accommodating the continuation of mission-critical AC [analytical chemistry] and MC [materials characterization] capabilities at LANL beyond the present time in a safe, secure, and environmentally sound manner." Summary page 8 ("S-8").

To reduce NNSA's argument, it is essentially that the old CMR Building AC and MC missions must continue at LANL; therefore the Nuclear Facility's mission need has not changed; therefore *ipso facto* the Nuclear Facility must be built. But that is syllogistic, a non sequitur, again offering no true range of alternatives as NEPA legally requires. At issue in this dSEIS is not whether or not special nuclear materials AC and MC continue at LANL, but instead their appropriate scale and how to best configure their necessary "physical means" given new information and circumstances since the 2003 CMRR Project EIS.

NNSA's FY 2011 Strategic Plan states, "Many things have changed since the last National Nuclear Security Administration (NNSA) Strategic Plan was published in 2004," the same year that NNSA made its Record of Decision to proceed with the CMRR Project. The first thing the new strategic plan points to is President Obama's April 2009 Prague speech in which he called for a future world free of nuclear weapons. Therefore, there is an overarching need to reexamine the purpose and need of the Nuclear Facility, slated to operate as long as "toward the end of the twenty-first century" (S-16), and how it helps or obstructs reaching that lofty goal.

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To be accurate, at the same time, Obama's Prague speech called for rigorous interim maintenance of the U.S. nuclear stockpile. His April 2010 Nuclear Posture Review (NPR) specifically endorsed constructing and operating the CMRR-Nuclear Facility as one of "the following key investments [that] were required to sustain a safe, secure, and effective nuclear arsenal." However, one thing the NPR did not do was to raise LANL's level of plutonium pit production from the currently sanctioned level of up to 20 plutonium pits per year, despite repeated major attempts by the NNSA to do so.¹³

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Nevertheless, upon questioning at public CMRR meetings NNSA officials have said that the Nuclear Facility is to be built with 22,500 sq. ft. of plutonium processing space, the size of which a 2007 NNSA-commissioned study explicitly linked to a future production rate of 50-80 plutonium pits per year.¹⁴ That same study also assumed that new design nuclear weapons, the so-called Reliable Replacement Warheads (RRWs), would be produced, requiring expanded plutonium pit production.

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Related, in the FY 2007 Energy and Water Appropriations Bill, the Senate Appropriations Committee Subcommittee for Energy and Water Development stated:

The Committee has reviewed the Department's Complex 2030 proposal and noted several assumptions regarding mission scope of the CMR-R facility that don't seem to match current planned activities. The Committee directs the Administrator to deliver a report by June 1, 2007, clarifying the cost and mission requirements this facility will be expected to address.¹⁵

In the required report NNSA stated:

The first two Complex 2030 strategies, transforming the Nation's nuclear weapons stockpile and transforming the physical infrastructure of the nuclear weapons complex, specifically involve the CMRR. **The CMRR would contribute to the first strategy by supporting the interim production of pits for Reliable Replacement Weapons** should the Nuclear Weapons Council and Congress continue to support this concept beyond Phase 2A (which consists of developing RRW's costs, scope, and schedule). **The CMRR would support the second strategy by contributing to a modernized nuclear weapons complex...**

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¹³ These attempts to do so include: the 1996 Stockpile Stewardship and Management Programmatic Environmental Impact Statement (PEIS); the 2003 draft Modern Pit Facility EIS (never went to a final EIS); the 1999 and 2008 LANL Site-Wide Environmental Impact Statements; the 2006 "Complex 2030" PEIS; the 2008 "Complex Transformation" PEIS; and outside of NEPA processes the Obama Administration's April 2010 Nuclear Posture Review (upon which the NNSA draws heavily to justify the CMRR-Nuclear Facility).

¹⁴ *Independent Business Case Analysis of Consolidation Options for the Defense Programs SNM and Weapons Programs*, TechSource, Inc., Santa Fe, New Mexico, December 2007, Ch. 5 p. 3. It is one of 100's of Complex Transformation SPEIS reference documents at http://www.complexttransformationspeis.com/links_ref_pdfs.html
To conveniently find it, search "TechSource 2007a"

¹⁵ Senate Report, 109-274, page 155.

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Option I: Use existing LANL plutonium facilities only and defer all new plutonium facilities, including the NF. This option does not satisfy NNSA's mission needs because it provides limited pit production capability, does not address plutonium storage needs, and offers limited ability to absorb the transfer of missions currently conducted at LLNL.

Option II: Use existing LANL facilities, supplemented by the NF to achieve a higher pit production capability and to support transfer of LLNL plutonium mission and material to LANL.

Option IIA: Rely on the current NF design approach, which has not been optimized for pit manufacturing capacity. This option has been NNSA's plan since its CMRR Record of Decision in February 2004 and through the CMRR's CD-1 in May 2005.

Option IIB: Expand the NF's capabilities to achieve a somewhat higher pit production capacity.

Option III: Use existing LANL plutonium facilities as interim assets until a new consolidated plutonium facility is operational.

Option IV: Combine Options II and III. Option II would allow for a delay in implementing Option III, or would serve as prudent risk management by assuring national security capabilities are retained while Option III is implemented.

Thus, the CMRR has a significant role in Complex 2030 planning in either Option II or Option IV.¹⁶ (Bolded passages are addressed below.)

NNSA later changed its "Complex 2030" proposal to "Complex Transformation," for which a Record of Decision was published stating:

Manufacturing and research and development (R&D) involving plutonium will remain at the Los Alamos National Laboratory (LANL) in New Mexico. To support these activities, NNSA will construct and operate the Chemistry and Metallurgy Research Replacement–Nuclear Facility (CMRR–NF) at LANL as a replacement for portions of the Chemistry and Metallurgy Research (CMR) facility, a structure that is more than 50 years old and faces significant safety and seismic challenges to its continued operation...

With respect to plutonium manufacturing, NNSA is not making any new decisions regarding production capacity until completion of a new Nuclear Posture Review in 2009 or later. **NNSA does not foresee an imminent need to produce more than 20 pits per year to meet national security requirements.** This production level was established almost 10 years ago in the ROD (64 FR 50797, Sept. 20, 1999) based on the Site-wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory (1999 LANL SWEIS; DOE/ EIS–0238). The ROD based on the

¹⁶ *Chemistry and Metallurgy Research Building Replacement Project, Preface and Executive Summary*, NNSA, May 2007, parenthesis in the original.
<http://www.doeal.gov/SWEIS/OtherDocuments/427%20NNSA%202007%20CMR%20senate%20report.pdf>

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2008 LANL SWEIS (DOE/EIS-0380) continued this limit on production (73 FR 55833; Sept. 26, 2008). NNSA will continue design of a CMRR-NF that would support a potential annual production (in LANL's TA-55 facilities) of 20-80 pits. The design activities are sufficiently flexible to account for changing national security requirements that could result from a new Nuclear Posture Review, further changes to the size of stockpile, or future Federal budgets. Furthermore, because **NNSA's sensitivity analyses have shown that there is little difference in the size of a facility needed to support production rates between 1 and 80 components per year**, the future production capacity is not anticipated to have a significant impact on the size of the CMRR-NF.¹⁷

To address the bolded passages above in sequence:

- Congress shot down the Reliable Replacement Warhead, and we contend that with it Congress also shot down the need for expanded plutonium pit production, and therefore the need for the CMRR-Nuclear Facility.
- The CMRR Project as a whole has already substantially contributed to "modernization" of the nuclear weapons complex through construction of its first phase, the 180,000 square feet the Radiological Laboratory/Utility/Office Building (RLUOB or "Rad Lab"). The Nuclear Facility still does not need to be built for all the reasons we set forth in these comments.
- "Option I: Use existing LANL plutonium facilities only and defer all new plutonium facilities, including the NF" should be pursued precisely because plutonium pit production does not need to be expanded, plutonium storage needs can be met by building a new stand alone vault delinked from the claimed justification and rationale for the Nuclear Facility. We argue that a new CMRR dSEIS should examine the alternative of building a new vault without the Nuclear Facility.¹⁸
- We are aware that some special nuclear materials (SNM) have already been transferred from the Lawrence Livermore National Laboratory (LLNL) to LANL, but not missions. In fact, the opposite seems to be true, with for example the reported delegation of leadership to LLNL for a W78 Life Extension Program when that warhead was originally designed by LANL. In any event, a new CMR dSEIS should state what LLNL missions might be moved to LANL.
- While the delayed April 2010 Nuclear Posture Review (NPR) did endorse construction of the Nuclear Facility it did not expand the level of plutonium pit production. NNSA's statement that there is not an imminent need to produce more than 20 pits per year to meet national security requirements still holds true.
- NNSA's argument that "there is little difference in the size of a facility needed to support production rates between 1 and 80 components per year" as justification for the Nuclear Facility can be turned on its head. We can use it to argue our main point, that a

¹⁷ Record of Decision for the Complex Transformation Supplemental Programmatic Environmental Impact Statement—Operations Involving Plutonium, Uranium, and the Assembly and Disassembly of Nuclear Weapons, NNSA, December 19, 2008 <http://www.complextransformationspeis.com/Plutonium%20ROD.pdf>

¹⁸ We will be consistent throughout these comments in our demand that this draft CMRR-Nuclear Facility be withdrawn and a new one prepared. But if NNSA fails to do and goes right into a final SEIS (which we oppose), we note that NNSA should nevertheless analyze the issues we raise in the final.

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204-10 204-10

The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements. NNSA mission assignments are not within the scope of the SEIS.

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204-8
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new dSEIS should consider the reasonable alternative of not building the Nuclear Facility, relocate the AC and MC missions of the old CMR Building between the new Rad Lab and PF-4, LANL's existing plutonium pit production facility.

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Moreover, NNSA acknowledges that W88 pit production is coming to an end. W88 pit production was always the "camel's nose under the tent" in terms of DOE's rationale of why pit production had to be reestablished. W88 pits were in the production line at the Rocky Flats Plant when the FBI raided it in 1989 investigating environmental crimes and production was never resumed there (and a few years later the plant lost its nuclear weapons mission). DOE argued that because of the attrition of one pit type per year due to annual stockpile surveillance destructive analysis that it needed resumed production to at least take even with respect to W88 pits. Thus, in time, 6 years later than scheduled and at a cost we estimate greater than \$3 billion, LANL finally managed to produce its first certified (i.e., "diamond-stamped" for the stockpile) W88 pit, and appears to be ending that production run after producing what we estimate to be under 35 pits. Between that and the rejection of the Reliable Replacement Warhead there is no apparent need for the production of new pit, and therefore the Nuclear Facility is not needed.

NNSA must justify why a new Nuclear Facility is needed.

Again, we maintain that the NF has always been about directly supporting expanded pit production. For example, from NNSA's own FY11 Stockpile Stewardship and Management Plan:

Existing Los Alamos plutonium facilities are not sustainable and do not provide an inherent manufacturing capacity sufficient for the range of possible future scenarios...

Path Forward...

- Complete the design and begin construction of the Chemistry and Metallurgy Research Replacement Nuclear Facility at Los Alamos (a facility that conducts plutonium research and development and provides analytical chemistry and materials characterization to all plutonium programs such as surveillance, manufacturing, and plutonium disposition.) **Plan and program to complete construction no later than 2020, and ramp up to full operations in 2022.**
- Increase pit processing capacity and capability at the adjoining PF-4 (part of the main plutonium facility) at Los Alamos to demonstrate pit reuse by 2017 and manufacturing by 2018-2020. **Plan and program to ramp up to a manufacturing capability of up to 80 pits per year in 2022.** Complete required investment in PF-4 infrastructure and waste processing capabilities in time to support expected plutonium capability in 2022.¹⁹

It is not coincidental that those two points are presented together; in fact they are co-joined, part of the one action to expand plutonium pit production capability. Concerning whether LANL's plutonium facilities are sustainable, we agree that the old CMR Building is not, at least for operations with Hazard Category 2 special nuclear materials

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¹⁹ NNSA FY11 SSMP, p. 23-24, http://www.nukewatch.org/importantdocs/resources/Stockpile_Stewardship_and_Management_Plan_2010.pdf Parenthesis in the original, bolded emphasis added.)

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(SNM). However, not only is PF-4 clearly sustainable, but it has in fact already been retrofitted with additional glovebox lines and equipment to achieve expanded production capability of up to 80 plutonium pits per year, as evidenced by the following:

LANL 08 Performance Evaluation Report
 Pit Manufacturing Equipment
 Measure 1.13 Build Six New W88 Pits & Install Equipment in FY 2008 to increase Pit Capacity to 80 Pits per Year by the Operational Date of a CMRR-Nuclear Facility (Incentive/Base)
 Expectation Statement:
 Build six new W88 pits and install equipment in FY 2008 to increase pit capacity to 80 pits per year by the operational date of a CMRR-Nuclear facility.
 Completion Assessment:
 LANS [Los Alamos National Security, LLC] has submitted completion evidence for award of full fee. NNSA has validated appropriate and timely completion.²⁰

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All that is lacking for the desired “range of possible future scenarios,” that is “to ramp up to a manufacturing capability of up to 80 pits per year in 2022,” are the expanded SNM materials characterization and analytical chemistry capabilities needed to directly support expanded pit production. This is where the CMRR NF comes in. But while various high-level documents have blessed construction and operation of the CMRR NF, none have allowed expanded plutonium pit production. The 1999 LANL Site-Wide Environmental Impact Statement set that level at 20 pits per year. Since that time, in one form or the other, the Modern Pit Facility EIS, the Complex 2030 Programmatic EIS, the 2008 LANL Site-Wide EIS, and the Complex Transformation Supplemental PEIS have all set out to formally expand plutonium pit production, but in each case failed to do so.

204-11 204-11

For there to be truly impartial NEPA review without predetermination there must be analysis of the fundamental need of the NF given that: 1) there has been no decision to expand beyond the currently approved production rate of 20 pits per year; and 2) there is no foreseeable decision to do so anytime soon. In effect, NNSA has predetermined that there will be expanded plutonium pit production (see SSMP above) which predetermines that the NF is necessary. A new draft SEIS should specifically examine the likelihood that there will be a formal decision to expand pit production, and the need for the Nuclear Facility in the absence of such a decision. [For more please see our Attachment 3.]

Current and proposed Life Extension Programs do not justify the Nuclear Facility.

We have repeatedly made the point that since the Reliable Replacement Warhead was rejected by Congress there is no need for expanded plutonium pit production and therefore for the Nuclear Facility. However, the NNSA 2007 report to the Senate Appropriations Committee did state that:

204-12

²⁰ LANL 08 Performance Evaluation Report, NNSA, <http://www.doeal.gov/laso/GeneralDocs/FY%202008%20Performance%20Evaluation%20Report%20Final.pdf>

204-12 Comment noted.

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Future Plutonium Missions:

The need for future plutonium capabilities is well established and includes:

- Meeting national security requirements for pit production for **life extension programs** and/or RRWs.²¹ (Emphasis added.)

So it is not just a matter of RRWs. We anticipate that NNSA will now argue that in effect pretty much the same suite of production capabilities will be needed for possible future "intrusive modifications" to existing pits made during Life Extension Programs, and therefore the Nuclear Facility is needed. For starters, the Nuclear Facility will have little or no role in current and proposed "Life Extension Programs" that seek to extend the service lives of the W76 and W78 ballistic missile warheads and the B61 bomb. Those LEPs are scheduled to be completed or well underway before the NF is due to be operational in 2024.²² We assert that taxpayer money misdirected into the CMRR-Nuclear Facility would be better used for maintenance and upgrades of existing facilities, programs and routine stockpile maintenance.

The question then becomes how is the CMRR-NF needed for Life Extension Programs beyond 2024, and further how does that comport with the Obama Administration's declared goal of a future world free of nuclear weapons? First, Life Extension Programs do not yet include virgin production of new plutonium pits, and there is no current indication that they will do so. However, NNSA has indicated that "intrusive modifications" to existing pits may be needed for the express purpose of enhanced "surety," meaning preventing the unauthorized (i.e. terrorist) use of nuclear weapons.

We think it may be very ill-advised to intrusively modify pits for surety purposes as any modifications to the nuclear explosives package could affect nuclear weapons reliability when they can no longer be full-scale tested (and the alternative that they be tested full-scale is even worse from a global nonproliferation perspective). Moreover, our nuclear weapons will always have to be protected by "guns, guards and gates" anyway because even if they had inherent surety the loss of nuclear weapons design information and materials would be extremely serious.

We argue for a very conservative approach to maintaining the U.S. nuclear weapons stockpile, one that intentionally tries to preserve the tested pedigree and minimize changes. We understand that U.S. nuclear weapons need replacement of limited life components, but that is well understood, already routinely performed over decades, and is not rocket science. In short, the CMRR-Nuclear Facility is not needed for maintaining the safety and reliability of the U.S. nuclear weapons stockpile. To the extent (if any) that the

²¹ *Chemistry and Metallurgy Research Building Replacement Project, Preface and Executive Summary*, NNSA, May 2007, p. 5.

²² See chart of LEP schedules, NNSA FY 2011 Stockpile Stewardship Plan, p. 21, http://www.nukewatch.org/importantdocs/resources/Stockpile_Stewardship_Plan_Annex_A_061_0.pdf. Nuclear Watch believes this question is particularly apt given that the CMRR-Nuclear Facility is scheduled to be operational in 2024; Life Extension Programs will reportedly extend service lives up to 30 years; therefore the CMRR-NF will theoretically work on nuclear weapons that will be operational until 2054. Moreover, the CMRR-NF will reportedly have a service life of up to 2075. How does that comport with a future nuclear weapons-free world?

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Nuclear Facility encourages profound changes to the already extensively test stockpile (particularly with respect to plutonium pits or the nuclear explosives package), the NF's very existence could undermine nuclear weapons safety and reliability and therefore national security.

204-12
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The appropriate configuration of LANL's AC and MC missions.

NNSA will no doubt repeatedly argue that because the materials characterization and analytical chemistry missions of the old CMR Building are needed that the Nuclear Facility is needed. Again, Nuclear Watch is not using this CMRR-NF dSEIS to argue against LANL's retention of AC and MC capabilities. To be clear, we are unwavering in our commitment to a future nuclear weapons-free world, but the question for us is how to best get there.

We actually think it would be a setback should somehow LANL theoretically lose its SNM AC and MC capabilities, certainly politically with Congress. We are not knee-jerk reflexively against LANL, and recognize that AC and MC capabilities are necessary for a number of non-weapons applications that we want to encourage.²³ But we are adamantly against the Nuclear Facility, because we know it will set us back in progress toward a future nuclear weapons-free world. Again, the question is how to best configure remaining AC and MC capabilities to best meet and be aligned with the full mix of national security needs, including greater budget accountability and eradicating nuclear weapons, which are the only military threat that can strategically threaten our very national survival.

204-13

204-13

Comment noted.

LANL's analytical chemistry mission has already been relocated to PF-4.

We think the answer has already been largely answered. First, as the dSEIS itself notes, "Most of these capabilities are found at the [old] CMR Building, although a subset of AC and MC capabilities resides in the TA-55 Plutonium Facility and other locations at LANL." (dSEIS, sec. 2.4.1, p. 2-7.) Thus AC and MC capabilities are already present at PF-4.

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However, in a letter a few years ago NNSA Administrator Tom D'Agostino wrote to the Defense Nuclear Facilities Safety Board that:

NNSA and LANL have made progress in consolidating capabilities within the CMR Facility and relocating capabilities to other facilities. For example, Actinide Analytical Chemistry operations have been consolidated into Wings 5 and 7 and Materials Characterization operations have been relocated to the Plutonium Facility.²⁴

²³ For example, nuclear nonproliferation programs (especially we hope the development of arms control verification technologies); dismantlement efforts; and waste management

²⁴ Tom D'Agostino, NNSA Administrator to DNFSF Chairman A.J. Eggenberger, October 1, 2008, <http://www.hss.energy.gov/dep/2008/TB08001A.PDF> second paragraph

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Given no need to expand pit production, the old CMR Building's analytical chemistry mission, used mainly in quality assurance for ongoing pit production, could be transferred to PF-4 as well. This would help to achieve NNSA's goal of better SNM consolidation in highly secure areas. CMR's non-Cat I/II operations, some of which we support (e.g., radioactive waste disposal R&D, IAEA inspector training, support of nonproliferation programs), could be transferred to the CMRR light labs and office space already being equipped for operational completion.

The bottom line is that CMRR's Nuclear Facility is simply not needed. At this point, NNSA and LANL don't really know what they want the Nuclear Facility for, other than expanded plutonium pit production. As a May 2008 DNFSB report noted, the Nuclear Facility's currently proposed design calls for a flexible, open floor plan to accommodate "as-yet unknown future missions," which the Board likened to a "hotel concept." Why spend billions on CMRR's Nuclear Facility if it has no clearly articulated mission need?

Nuclear Watch NM is, of course, not privy to the classified details of special nuclear materials (SNM) materials characterization and analytical chemistry. However, we have the impression that up to a hundred analytical chemistry samples may have to be analyzed while an individual pit is being produced. Thus the scale of plutonium pit production has everything to do with the scale of the needed analytical chemistry mission, since needed AC samples may be two orders of magnitude above actual production. But we have repeatedly pointed out that plutonium pit production is not being expanded anytime in the foreseeable future. It then follows that the scale of analytical chemistry operations does not have to expand (although we will concede to the fact that the quantity of needed AC samples is not necessarily linear to the amount of floor space needed for it).

A "Technical Area-55 Capabilities Study" is needed.

The recent House Energy and Water Appropriations report stated:

The NNSA is not prepared to award that [CMRR] project milestone since it must first resolve major seismic issues with its design, **complete its work to revalidate which capabilities are needed**, and make a decision on its contracting and acquisition strategies.²⁵

Here's where we are going with this: There should be a "Technical Area-55 Capabilities Study" that examines what plutonium capabilities are truly needed under the currently sanctioned level of 20 pits per year, and how to appropriately configure those capabilities. The old CMR's analytical chemistry mission could possibly be consolidated at PF-4, particularly if other operations at PF-4 are terminated as scheduled, specifically the pilot programs for MOX fuel fabrication and the related Advanced Recovery and Integrated Extraction System for recovering plutonium oxides, all slated for transfer to the Savannah River Site. A new dSEIS should incorporate the findings of such a capabilities study, instead of just predetermining the need for a Nuclear Facility. More

²⁵ House Energy and Water Development Appropriations Bill, 2012, p. 131, emphasis added.

204-14

204-14

NNSA disagrees with the commentor's assessment that necessary amount of analytical chemistry mission work could be moved into the TA-55 Plutonium Facility. As discussed previously in response to Comment no. 204-7, NNSA has determined that the level of analytical chemistry and materials characterization needed to fully support the plutonium mission (stockpile stewardship, maintenance, and pit production), cannot be provided in existing facilities.

204-15

NNSA has looked at options involving the use of the TA-55 Plutonium Facility (PF-4) for performing the mission needs that would be fulfilled by the proposed CMRR-NF and concluded that the facility cannot accommodate all of the required activities. As discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*, using space in this facility would interfere with existing work and reduce the space available for future NNSA mission support work. See the response to Comment 204-8 for more information regarding the use of the TA-55 Plutonium Facility (PF-4).

The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*.

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204-15

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broadly, the adverse example that building the Nuclear Facility could present to the international community also needs to be considered, especially when they fly in the face of our declared national security goal of future nuclear weapons-free world.

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The NNSA's FY 2011 Strategic Plan states:

As requirements for new or expanded capabilities emerge, our reinvestment strategy will use accepted life cycle management standards to integrate maintenance and replacement schedules with needs for new facilities and capabilities. P. 10.

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But that presumes a need for "requirements for new or expanded capabilities," which is not clear and perhaps just self-serving to NNSA and its nuclear weapons complex. What are these needed new or expanded capabilities, if indeed we are seeking a future world free of nuclear weapons? If these needs exist, NNSA must explain why plutonium pit production must be expanded. If expanded production is not needed, then why is the CMRR-Nuclear Facility needed? A new dSEIS should address all of this.

To conclude this section:

- There is no indication that there will be a formal decision to expand future LANL production of new plutonium pits. In any event, it would require additional NEPA steps, which are not in the offing for the foreseeable future.
- The CMRR-Nuclear Facility dSEIS should be tiered off a decision to expand plutonium pit production, and not proceed before then.
- Life Extension Programs that might intrusively modify existing pits in existing nuclear weapons must be carefully reviewed by independent nuclear weapons experts as to whether they are necessary to begin with, and whether they could affect nuclear weapons reliability.
- In any event, the CMRR-Nuclear Facility will not be operational until those LEPs are completed or well underway. LEPs beyond that have not been yet proposed by the NNSA. The justification for the CMRR-Nuclear Facility should not be premised on Life Extension Programs.
- There should be a "TA-55 Capabilities Study" to determine what is truly needed to meet plutonium national security needs, including encouraging a future nuclear weapons-free world.
- We assert that the old CMR's missions of special nuclear materials characterization and analytical chemistry can be re-located between the newly built and equipped Rad Lab and PF-4.
- An option in that configuration is to build a stand-alone SNM vault, de-linked from the need to build the Nuclear Facility as a whole.
- A new dSEIS needs to offer and explore a genuine range of reasonable alternatives, such as we articulate above.

204-16

204-16

NNSA acknowledges the commentor's position and suggestions. These points have been addressed in the preceding responses to comments.

We offer further background in Attachment 3 on why PF-4's floor space could be reconfigured such that the old CMR's analytical chemistry mission could be relocated there, thereby obviating the need for the exorbitant and counterproductive Nuclear Facility. Critical to this is the fact that CMR's materials characterization mission has already been consolidated there. So why can't AC? In order to offer a full range of

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reasonable alternatives as required by the National Environmental Policy Act, NNSA needs to consider that in a new dSEIS.

The mission need for the CMRR-Nuclear Facility does not justify exploding costs.

An unconscionable amount of taxpayer money is typically expended anytime DOE nuclear facilities are built. The expense associated with controlling radioactive and fissile materials is astronomical. Please analyze the impacts of diverting these funds away from renewable energy and nonproliferation programs at the Los Alamos National Laboratory (LANL) for a new facility to directly support production of plutonium pits or "triggers" for nuclear weapons, called the Chemistry and Metallurgy Research Replacement (CMRR) Project, and specifically the Nuclear Facility (NF).

Does management of a very large construction project fit into LANL's mission?

Where in LANL's mission statement does it state that LANL is to be a premier construction management company? The effort required to manage a \$5 billion facility can only be a distraction to the work that LANL and only LANL can do. Does the sheer size of the project demand so much time from DOE and LANL management that the smaller scientific, and everything is smaller, efforts get pushed aside? Has the sheer size of the effort drawn resources from essential program?

A cost-benefit analysis is needed.

A legitimate draft SEIS would perform a cost-benefit analysis because of the Nuclear Facility's exploding costs. A relevant DOE NEPA Implementation Regulation states:

If a cost-benefit analysis relevant to the choice among environmentally different alternatives is being considered for the proposed action, it shall be incorporated by reference or appended to the statement as an aid in evaluating the environmental consequences. To assess the adequacy of compliance with section 102(2)(B) of the Act the statement shall, when a cost-benefit analysis is prepared, discuss the relationship between that analysis and any analyses of unquantified environmental impacts, values, and amenities. For purposes of complying with the Act, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations. In any event, an environmental impact statement should at least indicate those considerations, including factors not related to environmental quality, which are likely to be relevant and important to a decision.²⁶

Given its exploding costs, if there was ever a project that needed a cost benefit analysis it is the CMRR-Nuclear Facility, which a new dSEIS should include.

²⁶ 10CFR1021.1502.23 Cost-benefit analysis," <http://ceq.hss.doe.gov/nepa/regs/ceq/1502.htm#1502.9>

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As discussed in the response to Comment 204-4, the proposed CMRR-NF would support a range of activities at LANL including stockpile stewardship and pit production but it is not tied specifically to LANL's pit production capability. LANL construction efforts, such as the proposed CMRR-NF should it be constructed, would be managed by the LANL Capital Projects Division and overseen by NNSA. Bechtel, one of the largest construction management companies in the world, is now one of the team members operating LANL. Its expertise could be drawn upon if the CMRR-NF is built.

The costs of phases of the CMRR Project are not within the scope of the *CMRR-NF SEIS*. DOE does not typically include a cost-benefit analysis in its EISs and there is no requirement that a cost-benefit analysis be included in an EIS. The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. See the responses to comments 204-7 and 204-8 regarding upgrades to the CMR Building and TA-55.

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Stated Congressional concerns over CMRR costs.

For good reason, the Department of Energy has been on the GAO's High Risk List for project mismanagement and cost overruns for 19 consecutive years. A few spectacular past and present examples of exploding costs are: the National Ignition Facility (originally estimated at \$1 billion, now >\$5 billion), the Hanford Vitrification Plant (\$3B to ~\$13B), the Chemical and Metallurgical Research Replacement (CMRR) Project at Los Alamos (\$660M to ~\$6B), and the Uranium Processing Facility at Y-12 (\$3B to \$6.5B). Congress should not allow DOE construction projects to go forward until their designs are 90% complete and credible baseline cost estimates are known.

The House Appropriations Committee recently reported:

While the importance of modernization is understood, the economic crisis requires that the NNSA proceed with its modernization activities in a responsible manner and the Committee is seriously concerned with the recent cost growth reported for construction of the Uranium Processing Facility (UPF) and the Chemistry and Metallurgy Research Replacement (CMRR) Project. The current price tag for UPF is projected between \$4,200,000,000 and \$6,500,000,000 and the CMRR Nuclear Facility is estimated to cost between \$3,700,000,000 and \$5,800,000,000. These are conceptually replacement facilities to make operations more safe and efficient, but construction will also enable the reconstitution of certain production capabilities that have been lost but are needed to meet the needs of an aging stockpile. Many gaps remain in the planning efforts, and basic capability requirements and acquisition strategies continue to be re-evaluated. Modernization will take several years and the considerable number of variables still at play argues against an excessively aggressive funding curve. The construction of the new major facilities must not force out available modernization funding for the rest of the nuclear security enterprise. Therefore, the Committee supports the adoption of cost reduction strategies to make construction more affordable and to curb continued cost escalation. Further, these projects will be closely monitored to ensure that prudent project management practices are followed, and the Committee is prepared to make adjustments to the funding profiles to ensure that taxpayer funds are not wasted.²⁷

A new dSEIS should analyze the House's concerns both with respect to escalating costs and whether they would "force out available modernization funding for the rest of the nuclear security enterprise."

The House Report further states:

²⁷ 112TH CONGRESS REPORT 1st Session HOUSE OF REPRESENTATIVES 112-ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2012, pp. 129 -130, http://appropriations.house.gov/UploadedFiles/FY_2012_ENERGY_AND_WATER_FULL_CO_MMITTEE_REPORT.pdf

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Project 04-D-125, Chemistry and Metallurgy Research Replacement (CMRR), Los Alamos National Laboratory.—The Committee recommends \$200,000,000, \$100,000,000 below the budget request. The Committee fully supports the Administration's plans to modernize the infrastructure, but intends to closely review the funding requests for new investments to ensure those plans adhere to good project management practices. The latest funding profile provided to the Committee indicates that over half the funding requested for the Nuclear Facility would be used to start early construction activities. The recommendation will support the full request for design activities, but does not provide the additional funding to support early construction. The NNSA is not prepared to award that project milestone since it must first resolve major seismic issues with its design, complete its work to revalidate which capabilities are needed, and make a decision on its contracting and acquisition strategies.²⁸

“Report on Footprint Reduction.—Despite promises for a leaner, more efficient and streamlined enterprise, the NNSA footprint has actually been growing over the past few years. Both the Uranium Processing Facility and the Chemistry and Metallurgy Research Replacement project will have more square footage than the legacy facilities they are meant to replace, and the High Explosive Pressing Facility will occupy nearly seven times the space of current operations. While new construction is adding footprint, no funding is planned for demolition activities beyond the completion of the Facilities and Infrastructure Recapitalization Program in 2013. Costs of demolition and decontamination work are not reported alongside new construction as required, nor are they integrated into the 30- year infrastructure priority lists. The costs of demolition and decontamination work are not being taken into account when making investment decisions and the timeline for demonstrating any savings in operating costs, as regularly described in the rationale for new facility construction, is being extended to the distant future. Since the NNSA is not meeting its requirement to demolish an equal amount of square footage for each amount added, the Committee questions whether there truly is a commitment to a leaner, more efficient nuclear security enterprise...”²⁹

The Senate of course has its concerns as well. The marked up FY 2012 Senate Defense Authorization Act has the following passage on the CMRR-Nuclear Facility:

The committee continues to believe that managing the design and construction of the CMRR, the UPF, and the other new NNSA nuclear facilities will be very challenging. Managing these projects in accordance with the DOE 413 order series and project management and guidance is essential for success, as is making sure that the projects have clearly defined and validated requirements that do not change. The NNSA is also directed to conduct a true independent cost estimate for both the CMRR Nuclear Facility, which is phase III of the CMRR project, and the UPF. The committee instructs the Government

²⁸ Ibid., p. 131

²⁹ Ibid., p. 123

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Accountability Office (GAO) to review these independent cost estimates to ensure the accuracy of the cost estimates. The committee also directs the GAO to evaluate the NNSA's efforts to ensure that all cost savings measures have been considered. The committee continues to be concerned that the phase III project is being divided into multiple sub-projects. Notwithstanding this management approach the committee directs as it did last year, that the CMRR baseline, when developed and submitted to the committee at the CD-2 phase of construction, reflect all phases and subprojects for the purpose of developing a cost and schedule baseline and to be accounted for as a single project.³⁰

While obviously we don't carry the weight of Congress, we use all of its concerns stated above to underscore and buttress our own. NNSA has repeatedly stated that it won't begin construction of the Nuclear Facility until its design is 90% complete. While not condoning construction of the Nuclear Facility, we agree with that in principle as the minimum needed for responsible use of taxpayers' money (especially given DOE's history).

But what constitutes "construction"? NNSA requested \$300 million in CMRR funding for FY 2012, of which ~\$270 million is allocated as "TBD" [To Be Determined], in contrast to its FY 2011 request which was all allocated. Upon questioning local Los Alamos Site Office officials have stated that once the SEIS Record of Decision is released NNSA intends to quickly launch into site preparation, which for the CMRR Project is no little thing. It may include building a materials warehouse, an electrical substation, shelter for construction workers, a concrete batch plant (maybe 2), and the installation of construction trailers. Clearly this is a substantial investment of taxpayers' money, but site prep costs are still not publicly available.

Still more site prep is planned for FY 2013 before 90% design is completed. This may include a 125' deep excavation for the facility to allow for a 225,000 cubic yard concrete "base mat" to mitigate seismic concerns, installation of utilities, rerouting an existing road, and building lay-down areas for construction materials storage. Again, costs are not known for these activities, but it could be up to \$800 million for just so-called site preparation.

If allowed, this advanced site prep will snowball the CMRR-Nuclear Facility well before Congress knows final estimated costs. In the present fiscal climate Congress should exercise greater financial control over NNSA. Major site preparation should be included in a prohibition against construction before final costs are known. Site prep can be a huge investment onto itself, has immediate environmental impacts, and obviously prejudices moving forward before Congress has the total cost picture.

Taxpayer money misdirected into the CMRR-Nuclear Facility would be better put into maintenance and upgrades of existing facilities and programs. Because of its huge size

³⁰ 112TH CONGRESS SENATE REPORT 1st Session, 112-26, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012, p. 271, <http://www.gpo.gov/fdsys/pkg/CRPT-112s rpt26/pdf/CRPT-112s rpt26.pdf>
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and the Lab's institutional investment into it, inside sources say that the CMRR-Nuclear Facility is the 900-pound gorilla sucking the oxygen out of the room for more important priorities such as critically needed stockpile surveillance and maintenance.

New cost information must force a re-evaluation of the alternatives.

Just as new seismic information has forced a re-evaluation of the construction alternatives, new cost information must force a re-evaluation of the alternatives considered. Cost considerations were given as the reason that the CMR alternative (with no upgrade) was included in this dSEIS:

Continued Use of CMR Building Alternative However, this alternative is analyzed in this CMRR-NF dSEIS as a prudent measure in light of possible future fiscal budgetary constraints. (CMRR-NF dSEIS, Pg. 2-26)

Possible budgetary constraints could come in different sizes. There could be a budget that would allow the CMR to be upgraded but that would not allow the Nuclear Facility to be built. Analyzing an alternative to upgrade the CMR is a prudent measure and must be conducted in a new dSEIS.

A new formal business case must be executed.

Decisions made in 2004 EIS are outdated. The choice to build the Nuclear Facility is based on cost estimates made before it ballooned to ~\$6B. In this dSEIS, cost is given as a factor to not upgrade the CMR, so cost must be a factor in going ahead with the Nuclear Facility. But vague references that upgrading the CMR would cost too much are not appropriate in this dSEIS. A formal business case must be executed. The passage below refers to reasons not to upgrade the CMR, but does not mention costs. We find it extremely doubtful that upgrade of the CMR would cost more than building a new Nuclear Facility.

However, after consideration of the various engineering and geological issues; the costs of implementing upgrades to an older structure and developing a new security infrastructure; the costs of maintaining the security infrastructure and safety basis (in addition to that for TA-55); the mission work disruptions associated with construction; operational constraints due to limited laboratory space; and programmatic and operational issues and risks from moving special nuclear material between TA-3 and TA-55, this action was not analyzed further as a reasonable alternative to meet NNSA's purpose and need for action in this (CMRR-NF SEIS, Pg. S-20)

What does "after consideration" mean? It must read, "After a careful examining of all the meticulously prepared costs..." Who did the considering? The above passage almost looks like the beginnings of a business case, but where are the numbers? For example, how much does "operational constraints due to limited laboratory space" cost? Are we to assume that the proposed budget total for the above passage exceeds the proposed cost of the Nuclear Facility? Is building the Nuclear Facility just easier to do and its cost is not a consideration?

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As a matter of fact, this dSEIS does state that upgrading the CMR would likely be less than the cost of building a new NF:

Costs for the Wing 9 geotechnical investigations, structural and security upgrades, and construction of new support buildings and utilities installations, would be substantial, although not likely to approach those associated with either of the construction options considered under the Modified CMRR-NF Alternative. (CMRR-NF SEIS, Pg. 2-27)

Earlier decisions that lead to the current dSEIS were based on the alternative that cost the least:

Bases for Decisions – Overview - NNSA's decision locates the three major functional capabilities involving Category I/II quantities of SNM at three separate sites where these missions are currently performed. The selected alternative, which is a combination of the Distributed Centers of Excellence and Capability-Based Alternatives, has the least cost and lowest risk. (Complex Transformation Record Of Decision #1)

Cost is mentioned as a factor in the final decision of the false alternatives in this dSEIS, as in the below. New alternatives, based on cost, must be included and given in a new dSEIS.

DOD is developing an independent assessment of estimated cost range data for the CMRR-NF. Analyses and recommendations from these independent assessments, information in this CMRR-NF SEIS, and other programmatic considerations will be weighed as NNSA moves toward a final decision on the construction and operation of a CMRR-NF. (CMRR-NF SEIS, Pg. 1-19)

NNSA prepared detailed business case studies of the programmatic alternatives for the Complex Transformation SPEIS. These studies are available at <http://www.ComplexTransformationSPEIS.com>. They provide a cost comparison of the alternatives and include costs associated with construction, transition, operations, maintenance, security, decontamination and decommissioning, and other relevant factors. This is the example that shows what must be performed for this CMRR-NF dSEIS.

Costs of building a plutonium pit complex in a geologically unstable area are too high.

Weapons production at any cost is how we ended up with billions of dollars required for cleanup of LANL's Cold War legacy.

LANL is located between a rift valley (the Rio Grande in that area) and an extinct supervolcano (the Jemez Mountains) in a seismic fault zone (the Pajarito Plateau). An updated seismic hazards analysis was published in May 2007. It showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the over \$3 billion in cost estimate increases since 2008 are due to efforts to address the increased seismic hazards. DOE must analyze whether \$3 billion is too high of a premium in order to build a new Nuclear Facility at LANL.

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At over \$12,500 per square foot for the total delivered Nuclear Facility, it is clear that something is terribly wrong. The Nuclear Facility is all about the "laboratory" (we prefer to call it processing space) space. If only the 22,500 square feet of lab space is considered, the cost for special nuclear materials processing is \$250,000 per square foot.

A new draft SEIS should examine CMRR compliance with DOE Order 413.

We share the Senate Armed Services Committee's concern that NNSA should follow the DOE 413 order series on the proper management of the acquisition of capital assets. We argue that NNSA should make clear in a new dSEIS its compliance strategy with those orders. We further argue that starting construction, including the possibly huge "site preparation" mentioned above, before 90% design is complete and credible costs estimated is contrary to the intent of the DOE Order 413 series. However, DOE orders are not legally binding and are self-regulated with major loopholes.

The CMRR project is requesting concurrent approval of preliminary design (CD-2) and commencement of construction (CD-3). At the time of the submittal for approval the design contains significant uncertainty, significantly larger estimates of ESTIMATED COSTS, and very large contingency in account of the risk carried by the project. Again, we don't quarrel with the fact that LANL must retain some analytical chemistry and materials characterization capabilities, but do strenuously argue over how to best configure them after all factors are considered (including, but not limited to, cost tradeoffs and consistent national policy toward a nuclear weapons-free world). We certainly question the wisdom of approving a fast track approach for a project that carries such large uncertainty and risk and has already experienced significantly escalating costs. NNSA projects have a long and distinct history of exceeding budget, delayed completion, and difficulty in fulfilling objectives. Is it the best choice for the nuclear weapons complex to commit to an accelerated schedule for a project that displays the hallmarks of not meeting expectations? If the project request is granted, the funding allocated, and difficulties arise, what will happen to the overall effort? In times of severe budget constraints is it not possible that other critical components of stockpile stewardship will suffer just to put more concrete in the ground?

Nuclear Watch suggests that rather than approve a fast track approach for this project now is the appropriate time to back track and revisit CD-1, approval of alternative analysis. Do we really know how much capability is required? Do we know if PF-4 and the CMR can accommodate the anticipated capability? Is there another site that will better suit the nation? Is LANS the appropriate contractor to manage construction of the facility?

The reasons to revisit the alternative analysis are many.

- The original analysis was performed prior to the restructuring of the contract to run LANL. Key assumptions on selection of the contractor and ties to the LANL mission have changed significantly.
- The alternative analysis was performed by a contractor that had a vested interest in the outcome and the lack of independence assured that locating the facility at LANL and managing the contract under the LANL contract was a given. This

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NNSA notes the comment. The purpose of the SEIS is to address the environmental impacts for the proposed alternatives for the CMRR-NF project. Discussion of project execution or compliance with DOE Order 413, Program and Project Management for the Acquisition of Capital Assets, is not a requirement for NEPA analysis. However, the purpose of this Order is to provide DOE, including NNSA, with program and project management direction for the acquisition of capital assets with the goal of delivering projects within the original performance baseline, cost and schedule, and fully capable of meeting mission performance, safeguards and security, and environmental, safety, and health requirements. DOE Order 413.3, *Program and Project Management for the Acquisition of Capital Assets*, requires that NEPA documentation be completed prior to approval of Critical Decision 2 which is defined as the point at which a definitive scope, schedule and cost baselines have been developed for the project. At that time, NNSA would proceed with final design, commit funds for long lead procurement items, if required, submit the draft Preliminary Safety Analysis Report for approval, issue the DOE safety evaluation report, as appropriate, and conduct external and independent project reviews. The CMRR-NF project is currently approved through Critical Decision 1.

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influence continues today as the contractor is heavily influenced by the need to fund the large design staff and any answer that does not direct additional funds to LANS is not even considered.

- With estimated costs approaching \$6B the CMRR project dwarfs all other projects at LANL. Nowhere in the LANL mission statement is there any indication that management of the construction of nuclear facilities is key to the laboratories mission. Including the construction effort within LANS portfolio is a distraction to management of the science that is the key to the LANL mission. The size of the project demands the majority of management cycle time. Just imagine attempting to request senior management support for hiring a new scientist when the calendars of senior management are full of meetings regarding how to respond to the increased estimated costs for CMRR. You will not stand a chance and the research that is key to the LANL mission is suffering as a result.
- When the estimated costs of the facility was ~\$900M it was possible to come to the conclusion that collocation of the facility with the research conducted at LANL was the cost effective approach. Now with a estimated cost approaching \$6B that is no longer the case. People and material are moved within the NNSA all the time, every day. Is continued collocation a benefit or a detraction?

It is clear that the CMRR project is at a critical stage. A configuration that ensures analytical chemistry and materials characterization capabilities is critical to interim maintenance of the stockpile while we await global nuclear disarmament. But how much will it cost? Should the nation commit limited funding to the fast track of a project that carries significant risk or should it husband its resources and seek a lower cost solution?

We are concerned that the CMRR Project has avoided due process of DOE Order 413, and think that an alternatives analysis should be generated from an independent source. With both NNSA and LANS so vested in the status quo any answer provided from within the project is suspect. This alternatives analysis should flow from a baseline TA-55 capabilities study that we have argued for earlier, and a new CMRR-NF dSEIS flow form that.

Is NNSA backing away from previously made CMRR-NF safety commitments?

The Defense Nuclear Facilities Safety Board has expressed concern that NNSA may be going back on previously made CMRR-NF safety commitments that Congress required the Board to certify. This could continue to raise safety issues that could further escalate costs. According to one media report:

Federal safety auditors this week questioned whether the federal government is backing away from nuclear safety commitments in an effort to reduce the cost of a multibillion dollar plutonium complex being built at Los Alamos National Laboratory...

Among the changes being considered in the replacement building's design are elimination of some of the building's fire suppression systems and ventilation equipment intended to prevent plutonium from leaking in the event of an earthquake and fire.

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Congress created DNFSB in 1998 as an independent oversight organization within the Executive Branch to provide advice and recommendations to the Secretary of Energy regarding protection of public health and safety at defense nuclear facilities. As such, DNFSB independently oversees activities affecting nuclear safety at defense nuclear facilities. DNFSB reviews safety issues and formally reports its findings and recommendations regarding the safety of nuclear weapons complex facilities to the highest levels of NNSA. DNFSB may conduct investigations, issue subpoenas, hold public hearings, gather information, conduct studies, and establish reporting requirements for NNSA. DNFSB is required to report to Congress each year about its oversight activities, its recommendations to NNSA, and improvements in safety at defense nuclear facilities resulting from its activities. Procedures are in place for NNSA to review and respond to DNFSB recommendations and to implement those recommendations at the sites as appropriate.

For many years NNSA has worked with DNFSB regarding identification and resolution of possible safety issues pertaining to the CMR Building, the CMRR Project, and other nuclear facilities at LANL. For example, DNFSB has reviewed DOE seismic hazard evaluations for LANL (see Section 2.6, Seismic and Geologic Concerns, of this CRD) and NNSA has worked with DNFSB to resolve questions about the design of safety class systems at the CMRR-NF (LANL 2009). In 2009, in accordance with the 2009 Defense Authorization Act, LANL received a certification of design closure from DNFSB pertaining to the CMRR Project, addressing seismic as well as engineering and design and safety control issues; the certification freed the release of allocated funding for continuation of the project (DNFSB 2009). The February 2011 letter from DNFSB to NNSA referenced in the comment pertained to DNFSB questions about modifications proposed by LANL to the design of the CMRR-NF since the 2009 certification. In its response to DNFSB, NNSA stated that at completion of its analysis of the LANL proposal, NNSA would share this information with DNFSB and solicit its input before reaching a conclusion about the LANL proposals (NNSA 2011).

Accident analyses for the *CMRR-NF SEIS* have been updated as applicable from those analyses performed for the 2003 *CMRR EIS* (see Appendix C of the *Final CMRR-NF SEIS*).

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The possibility of those changes has raised questions about whether federal officials are backing away from commitments they made when the building's design received preliminary safety certification in September 2009, according to a letter Tuesday from the head of the Defense Nuclear Facilities Safety Board to the National Nuclear Security Administration. "Clearly the Board's certification relied upon the future full implementation of these final design commitments by NNSA," Safety Board Chairman Peter Winokur wrote.

Congress required the Safety Board's certification in order for Los Alamos to continue spending money on the project in 2009.³¹

All DNFSB risk analyses must be considered.

All Defense Nuclear Facilities Safety Board (DNFSB) reports and recommendations should be incorporated by reference into the new SEIS. DNFSB monitors the nuclear activities of LANL. The Board has made a number of critiques and suggestions over the years that should be incorporated into the new SEIS to improve future operational safety at LANL. The effects of LANL not following DNFSB recommendations in a timely fashion should be considered. We also ask that DOE recalculate the accident scenarios and consequences used in the 2003 CMRR EIS in a manner that addresses the concerns and comments expressed by the DNFSB in the past seven years.

The Shallow Construction Option is not mature and must not be considered as an alternative until analysis of this option is complete.

It is inappropriate to consider the Shallow Construction Option in this dSEIS. All environmental impacts of the Shallow Option are based upon assumptions that are not defensible at this time. Any evaluation of the Shallow Construction Option at this time is just wishful thinking unsupported. As this dSEIS itself states:

The Deep Excavation Option is more mature, having undergone technical review by NNSA, NNSA's contractors, and the Defense Nuclear Facilities Safety Board. At this time, there is more uncertainty with the Shallow Construction Option. The Shallow Construction Option needs to be subjected to the same level of technical review as the Deep Construction Option so the two options can be evaluated on the same basis. (CMRR-NF SEIS, Pg. 1-13)

Most of the environmental impacts proposed in this SEIS for the Shallow Option end up being the same or similar to the Deep Option impacts. This is only speculation at this time.

Even if analyses of the Shallow Option are completed and the results are included in the final SEIS, the public will have been denied the opportunity to comment on these analyses, which is contrary to the intent of NEPA. This is unacceptable.

³¹ *Safety Changes Planned for LANL*, John Fleck, Albuquerque Journal, February 10, 2011, <http://www.abqjournal.com/cgi-bin/email_reporter.pl?staff=yes>

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The concerns expressed by the commentor about the Shallow Excavation Option not being a mature alternative refer to statements in Chapter 1 and Chapter 2, Section 2.6.2.1, of the *Draft CMRR-NF SEIS* indicating that there is more uncertainty in the design of the Shallow Excavation Option because that design had not reached the same level of maturity as the Deep Excavation Option. The *CMRR-NF SEIS* has been revised. In 2011, a review of the requirements for the design of the CMRR-NF identified an opportunity to reduce the amount of additional excavation and concrete fill required for the Deep Excavation Option by raising the bottom of the basemat to near the original design elevation. The overall building height would remain the same, but the top of the roof would be higher above ground than it was in the conceptual and preliminary design. At the current level of design maturity, this approach, known as the Shallow Excavation Option, appears to provide some reductions in construction impacts and cost without affecting other building design requirements. Both construction options require the same sets of safety controls and are expected to remain close in offsite environmental consequences as shown in the analyses contained in this SEIS. At this time, both construction options are being considered by NNSA. As the design studies continue and more details become available, one option or the other may be judged to have significant advantages in the time and/or cost expected for executing the excavation phase of construction that will facilitate NNSA's selection of a preferred construction option.

Whichever alternative or option is selected, the CMRR-NF must meet the design standards for a Performance Category 3 (PC-3) facility. PC-3 structures, systems, and components are those for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials. Design considerations for this category are to limit facility damage as a result of design-basis natural phenomena events (for example, an earthquake) so that hazardous materials can be controlled and confined, occupants are protected, and the functioning of the facility is not interrupted (DOE 2002b). The human health and environmental impacts for both the Shallow and Deep Excavation Options have been analyzed to the same level in the *CMRR-NF SEIS*. As indicated in the *CMRR-NF SEIS* and reiterated in the *Final CMRR-NF SEIS*, the Deep Excavation Option would have greater impacts from construction than the Shallow Excavation Option, but the operational impacts would be the same for either option.

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Deep and Shallow Options cannot be constructed with the same amount of electricity.

As further evidence that the Shallow Option has not been fully vetted, some construction options are listed with the same impacts, which cannot be the case. For instance the dSEIS states that electricity (megawatt-hours per year) for construction of both deep and shallow options is the same - 31,000 mWh/yr (CMRR-NF SEIS Table 2-1). This cannot possibly be correct since they are using electric batch plants for the Deep Option.

The proposed alternatives must be clarified and added to.

NNSA proposed three alternatives for the CMRR-NF SEIS as published in its October 1, 2010 Federal Register Notice of Intent:

No Action Alternative: The No Action alternative would be the construction of the CMRR-NF and the ancillary and support activities as announced in the 2004 [CMRR] ROD.

CMR Alternative 1: Do not construct a replacement facility to house the capabilities planned for the CMRR-NF. Continue to perform analytical chemistry, material characterization, and actinide research and development activities in the CMR Building, with no facility upgrades, while performing routine maintenance at the level needed to sustain programmatic operations for as long as feasible.

CMR Alternative 2: Same as CMR Alternative 1 but includes making the extensive facility upgrades needed to sustain CMR programmatic operations for another 20 to 30 years.

A new dSEIS is needed that is completely free of predetermination.

This process must be completely unprejudiced by the fact that the RULOB facility has been built, that hundreds of millions of dollars have been spent on NF design, and that the 2003 CMRR EIS, 2008 LANL Site-Wide EIS, the Complex Transformation Supplemental Programmatic EIS and the April 2010 Nuclear Posture Review have all called for construction of the NF.

We applaud NNSA's decision to undertake a supplemental environmental impact statement (SEIS) for the CMRR Nuclear Facility. But this is clearly an unusual SEIS given that CMRR's phase one, the Radiological Utility, Laboratory Office Building (RULOB, or "Rad Lab") has already been built, and further that hundreds of millions of dollars have already been spent on NF design. NNSA has not demonstrated that this is an impartial and un-predetermined process that leads to an objective decision to build the CMRR-NF or not because it has not offered real alternatives.

We are concerned that there is ample evidence of predetermination. For example, Brigadier General Garrett Harencak, NNSA Principal Assistant Deputy Administrator for Military Application, Office of Defense Programs, when "Asked if CMRR (at Los Alamos) and UPF (at Y-12) would continue on parallel tracks, he said, "Yeah, absolutely. We're committed, the administration is committed, the NNSA is absolutely 100 percent. We're committed to build at two sites. The NPR has said and come out and told us and the administration has told us we're going to complete the design, we're going to get into

204-21

204-21

The *Final CMRR-NF SEIS* has been revised to explain the difference in electricity requirements (for example, see Table 2-3). The annual estimated electricity requirement for both construction options was rounded to two significant figures. The estimate for the Deep Excavation Option is actually somewhat higher due to the larger electrical requirements associated with producing the additional concrete required under this option (about 2,900 megawatt-hours compared to 1,100 megawatt-hours). However, the additional 1,800 megawatt-hours of electricity for increased concrete requirements work out to approximately 200 megawatt-hours per year when averaged over the 9-year construction period.

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204-22

As indicated in response to earlier comments (204-3 and 204-5), NNSA's purpose and need are to provide analytical chemistry and materials characterization operations at LANL in support of all its assigned missions and NNSA does not plan to revisit previous decisions made through the 2008 *Complex Transformation SPEIS* ROD (73 FR 77644) on level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions. Please refer to Section 2.2, NEPA Process, of this CRD for more information. Thus, as noted by the commentor, the CMRR-NF design is not intended to be a generic design.

204-22

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construction and complete it by 2020 and get to work in these buildings by 2022. We are 100 percent committed to both.”³²

That sounds like predetermination.

There should be no funding for an expanded security perimeter to accommodate the Nuclear Facility until a Record of Decision (ROD) is issued for the CMRR SEIS. Similarly, any procurement activities for the NF must cease until the ROD is issued, which the draft SEIS should make explicitly clear.

To continue funding the design of the NF gives the appearance of predetermination. Final design is scheduled to begin this FY 2011. There certainly has to be enough information now to complete this SEIS competently, given that probably around \$200 million has already been spent on NF design. We also contend that the NF, as currently designed, is not a generic design that can be built anywhere. It would be over-designed to address seismic issues for some possible other locations. Please discuss other possible locations that the NF, as designed, could be located. If design continues, please state how much of the current estimate is to address seismic concerns at TA-55. Please explain the rationale for continuing to design the NF while this SEIS is in progress.

If the decision to locate the NF at LANL was based on cost, this location decision must be revisited. The current estimate of ~\$4 billion dollars to construct the NF is reason enough to revisit earlier decisions.

Explain why this SEIS continues before the Secretary decides whether the NF is needed or not. Explain how the capabilities that NNSA claims it needs match those provided by the proposed NF. Explain how past justifications for the NF will not prejudice the outcome of this SEIS.

No Action Alternative - All construction and program impacts must be reexamined.

Although construction of the CMRR-NF is now called the “No Action Alternative,” all the construction and programmatic environmental impacts of this proposed facility must be reexamined. Very few, if any, of the construction impacts were adequately covered in the 2003 CMRR EIS, as it said, “The new building(s) proposed for the CMRR Facility are in the conceptual design stage and, as a result, are not described in great detail in the *CMRR EIS*.” (CMRR EIS, Pg. S-27.)

In effect, all parameters of the NF have changed, because the facility analyzed in the 2003 EIS was “in the conceptual design stage” and now it is designed, so all aspects of the NF must now be reanalyzed in this SEIS.

Because the current design of the NF is more mature, analyzing the exact impacts of construction is now possible. The quantities and impacts of all materials to be used and removed in the proposed construction must be stated. For example:

³² http://blogs.knoxnews.com/munger/2010/11/harencak_mum_on_nnsa_funding_p.html

204-22
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204-23

As addressed in Section 2.2, NEPA Process, of this CRD, the *CMRR-NF SEIS* is being prepared to address the environmental impacts associated with the changes in the design of the CMRR-NF due to additional seismic information. The No Action Alternative is based on the CMRR-NF as it was decided in the 2004 ROD for the 2003 *CMRR EIS* (69 FR 6967), and the environmental impacts that could result from constructing and operating it.

As discussed in Chapter 1 and Chapter 2 of the *CMRR-NF SEIS*, the 2004 CMRR-NF would not satisfy current facility seismic and nuclear safety requirements, and, therefore, would not be able to safely function at a level sufficient to fully satisfy DOE and NNSA mission needs. The analytic chemistry and metallurgical characterization capabilities that would be required in the Modified CMRR-NF are described in Chapter 2, Section 2.3 and 2.4 *CMRR-NF SEIS*.

The Modified CMRR-NF Alternative was developed to represent what the 2004 CMRR-NF would require to meet current facility seismic and nuclear safety requirements. The changes in requirements for such materials as steel and concrete included in this alternative represent the updated requirements for the CMRR-NF. As discussed in Chapter 2, Section 2.6.2.1, of the *CMRR-NF SEIS*, the additional square footage required for the Modified CMRR-NF is related to additional requirements needed to satisfy current facility seismic and nuclear safety requirements. The ancillary and support requirements referred to by the comment associated with the CMRR-NF are described in Chapter 2, Section 2.6.2.1, of the *CMRR-NF SEIS* and include such requirements as parking lots and stormwater detention ponds. The environmental impacts associated with implementing these requirements are included in the projected environmental impacts discussed in Chapter 4, Section 4.3, of the *CMRR-NF SEIS*.

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- The total cubic yards of concrete must be stated
- The total amount of steel must be stated
- The amount of dirt to be removed and the plans for its disposition must be stated
- How have seismic issues been incorporated into the design

Please describe in detail the “ancillary and support activities” that are included in this alternative. The environmental impacts of these “ancillary and support activities” must be analyzed.

The programmatic impacts must also be reexamined. List all the proposed activities and analyze their impacts separately. Please state how many plutonium pits will be built each year. What is the total number of AC samples that the proposed NF will be capable of analyzing annually? What is the total number of MC samples that the proposed NF will be capable of analyzing annually?

What is the mission contingency space currently planned for the NF?

The 2003 CMRR FEIS stated:

2.4.1 AC and MC Capabilities

These capabilities include the facility space and equipment needed to support nuclear operations... Most of these capabilities are found at the CMR Building, although a subset of AC and MC capabilities reside in the TA-55 Plutonium Facility and other locations at LANL. (CMRR EIS, p. S-27.)

Describe AC MC capabilities at TA-55, CMR, and name the other sites and the capabilities.

Did the design engineers justify more and bigger? What is the reality of the calculations of required sq footage for the NF?

CMR Alternative 1 – Questionable Alternative

Please define “feasible.” A more refined timeframe must be stated. The current status of the CMR should be declared. How many wings are closed? What is the proposed square footage of the CMR that will be used? What is the proposed square footage of the CMR that will be used to support NF operations? Will current risk reduction activities continue under this alternative? If not, the impacts of not continuing these activities must be analyzed. Will the Lab still allow deferred maintenance to grow at the CMR under this alternative (as mentioned in National Nuclear Security Administration/Readiness in Technical Base and Facilities, FY 2011 Congressional Budget Pg. 160)?

Don't forget that the new, 200,000 square feet RULOB will be ready for operations in less than two years. Since continued use of CMR is now being considered any future work done there must be explained and analyzed.

CMR Alternative 2 – A Capability Study is Required

204-24

A description of the current status of the CMR Building and its wings, including operational and risk reduction status, is provided in Chapter 2, Section 2.2, of the *CMRR-NF SEIS*. As discussed in this section, Wings 2, 3, and 4 are currently shut down and Wings 5 and 7 are currently being operated at reduced levels due to safety and seismic concerns. Wing 9 continues to perform hot cell operations. Under the Continued Use of CMR Building Alternative, the existing CMR Building would continue to be used for SNM operations until it was no longer considered safe to do so. Risk reduction activities would continue to be taken in the CMR Building as necessary, and the CMR Building would continue to receive routine maintenance and limited component replacement. RLUOB operations are considered in the analysis of the Continued Use of CMR Building Alternative in this *CMRR-NF SEIS*, as described in Chapter 2 and analyzed in Chapter 4.

NNSA disagrees with the commentor's recommendation that the use of fire-rated safes should be considered as an upgrade to the 60-year old CMR Building. Appropriate protection of SNM is only one of many upgrades that would be required at the aging CMR Building. Continuing to use the CMR Building as a Hazard Category 3 facility would not meet NNSA's stated need for action and it would prolong the use of an aging facility that NNSA has determined to be located over a fault trace resulting in significant seismic concerns. Based on public comments, Chapter 2, Section 2.7, has been revised to provide more information about various alternatives considered but not analyzed in detail as reasonable alternatives. Refer to the responses to comments 204-7 and 204-8 for more information.

As stated in the response to Comment 204-17, the cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. If the Modified CMRR-NF Alternative were chosen by NNSA and insufficient funding was available to start construction, NNSA would continue to operate the CMR Building as evaluated under the Continued Operation of CMR Building Alternative until the building can no longer be operated safely or until adequate funding was made available.

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Because continuing use of CMR is proposed, a capabilities study is needed for all programs using the CMR and PF-4. For each program, include floor space required, projected life of program, and cost for upgrades.

Should the old CMR Building continued to be used for nuclear operations then installation of new stand-alone safes for Special Nuclear Materials (SNM) should be considered. From DNFSB Los Alamos Report for Week Ending October 1, 2010:

Plutonium Facility – Fire Protection: Six fire-rated safes have been installed in the Plutonium Facility basement. These safes have been qualified to survive bounding Plutonium Facility accident scenarios and have been credited with a damage ratio of zero, meaning that material contained in these safes do not contribute to accident source terms.

Using safes such as these in the old CMR Building should be analyzed as an option.

Better yet, removing some special nuclear materials SNM from the old CMR Building and maintaining it as a Hazard Category 3 facility instead of a Hazard Category 2 facility must be considered. This would make seismic upgrades less burdensome and expensive.

The current status of the CMR should be declared. How many wings are currently closed? What is the proposed square footage of the CMR that will be used? Will current risk reduction activities continue under this alternative? If not, the impacts of not continuing these activities must be analyzed. Will the Lab still allow deferred maintenance to grow at the CMR under this alternative (as mentioned in National Nuclear Security Administration/Readiness in Technical Base and Facilities, FY 2011 Congressional Budget Pg. 160)?

All the proposed “extensive facility upgrades” must be listed and the impacts of these upgrades must be analyzed. The CMR Hazard Reduction (as mentioned in the National Nuclear Security Administration/ Readiness in Technical Base and Facilities, FY 2011 Congressional Budget Pg. 161) activities must be listed and the impacts of these activities must be analyzed. The CMR Risk Mitigation and Consolidation (as mentioned in the National Nuclear Security Administration/ Readiness in Technical Base and Facilities, FY 2011 Congressional Budget Pg. 160) activities must be listed and the impacts of these activities must be analyzed.

The 2004 CMRR ROD states, “However, the actual implementation of these decisions is dependent on DOE funding levels and allocations of the DOE budget across competing priorities.” Please analyze the impacts of insufficient funding on estimated costs of the three proposed alternatives.

Please analyze the impacts of all current and proposed projects to extend the life of the CMR, including roofing work, exhaust fans, HEPA filters, structural and safety systems, and elevator repairs.

Please list the history of investments made in the CMR.

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Don't forget that the new, 185,000 square foot; RULOB will be ready for operations in less than two years.

Because the CMR alternative is being considered, the proposed work to be done in CMR must be stated and analyzed. The proposed work in other facilities must be stated and analyzed as connected activities.

The use of new stand-alone safes for Special Nuclear Materials (SNM) must be considered. From DNFSB Los Alamos Report for Week Ending October 1, 2010:

Plutonium Facility – Fire Protection: Six fire-rated safes have been installed in the Plutonium Facility basement. These safes have been qualified to survive bounding Plutonium Facility accident scenarios and have been credited with a damage ratio of zero, meaning that material contained in these safes do not contribute to accident source terms.

Using safes such as these must be analyzed as an alternative.

State what Hazard Category is planned for the CMR. From the 2003 CMRR FEIS P. 2-4:

As noted previously, NNSA and UC at LANL have restricted CMR Building operations and have reduced SNM quantities allowed within the Building. As a result, the CMR Building is currently operated as a Hazard Category 3, Security Category III facility. A Hazard Category 3 facility is designated as a nuclear facility for which a hazard analysis estimates the potential for only significant localized consequences.

Keeping the CMR as a Hazard Category 3 facility must be considered. This would make the seismic upgrades less onerous.

Cost is a factor in these decisions. From the 2003 CMRR Final EIS Pg. S-20: S.2.2 Alternatives Considered but Not Analyzed in Detail Extensive Major Upgrade to the Existing CMR Building for Use Beyond 2010: The proposal to complete upgrades to the existing CMR Building's structural and safety systems necessary to meet current mission support requirements for the suite of capabilities that exist in the building today for another 20 to 30 years of operations was considered and evaluated by DOE and UC at LANL in the 1998 to 1999 timeframe. This approach to maintaining these mission critical nuclear support capabilities would require a capital investment in excess of several hundred million dollars for just two of the eight CMR Building's wings. The costs of upgrading the entire structure would equal or exceed construction costs for the proposed CMRR Facility.

Now it is time to analyze this option in detail. This current estimate for the NF is now ~\$5 Billion. Would this cost more than upgrading the CMR? What is the cost of upgrading just two wings of the CMR? What is the cost of upgrading the entire CMR?

MDA C, potential release sites and the CMRR-NF.

204-25

To construct the facilities analyzed in the *CMRR-NF SEIS*, acreage could be disturbed in several technical areas in addition to TA-55 as discussed in Chapters 2 and 4. Surveys have been conducted to identify potential release sites (PRSs), and no unidentified or unexpected soil contamination or buried media have been encountered. There are, however, known PRSs located within the affected technical areas (for example, Material Disposal Area C in TA-50), and the potential for contact with contaminated soil or other media would be appropriately considered throughout the construction process. For example, PRS-48-001 is being evaluated for potential impacts resulting from actions in the TA-48/55 laydown and concrete batch plant area. Proper precautions would be taken as needed to minimize the potential disturbance of this or other PRSs. As needed, actions such as appropriate documentation and contaminant removal would be taken by LANL Environmental Restoration staff in accordance with the 2005 Consent Order and other applicable requirements.

NNSA disagrees with the commentor's opinion about the need to stop preparation of the SEIS. "Suspected" contamination in the quoted statement in Comment 204-25 refers to soil that is either discolored or has a suspicious odor. In either instance, as stated, work would stop until further investigations could be performed. Sampling the site prior to excavation, records searches, and past sampling are used to determine areas of contamination at LANL. Information would be reviewed regarding all the activities locations that would be involved in the project, should NNSA decide to proceed.

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This draft SEIS should be withdrawn until:

- Soil and pore gas samples can be taken in affected areas for each of the alternatives considered where excavation and soil disturbances will take place.
- These samples are thoroughly analyzed and the results are posted, in the spirit of verification, to the publically available RACER database.
- The sampling locations where MCL exceeds standards are plotted on the SEIS "Affected Areas" map
- The effect on VOC plume migration of surfaces exposed during excavation is examined.

This CMRR-NF SEIS evaluates the potential direct, indirect, and cumulative environmental impacts associated with the alternatives analyzed. (Pg. iv)

10.1 Provide information on any PRS by TA that may be encountered during construction and any plans for what steps will be taken in the event a PRS is encountered.

MDA C (located east of CMRR Project areas) was investigated for potential impacts to planned and proposed actions in TA-55. No contamination from this PRS exists in the CMRR Project areas in TA-55 or nearby areas currently being considered under the planned and proposed actions.³³

Not true! The RACER database shows VOCs in pore gas samples in TA-50. Is this where construction activity and relocation of the roadbed will take place as connected to the Modified CMRR-NF Alternative?

The RACER database also reveals that there were no pore gas samples taken at the actual site of the excavation of the NF. For either excavation option the VOCs that are known to be in the pore gas of soil nearby (a few hundred yards) and can migrate relatively quickly, could currently be present at the proposed excavation site. Additionally the surfaces exposed during excavation could hasten the migration of the plume in that direction just as the canyon walls are known to do.
The dSEIS states;

The 20-acre (8.1-hectare) site in TA-48/55 that would be required for the Modified CMRR-NF Alternative construction is mostly developed and previously disturbed land. There is a potential release site (PRS 48-001) that may affect a small portion of the TA-48 area proposed for use as a laydown area.

During site development of the nearby area, if contamination is suspected, work would be stopped, characterization performed, and the necessary action and disposition completed. The extent of the potential release site is currently being evaluated; appropriate construction and operation measures would be

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³³ CMRR-NF Project and Environmental Description Document
Unclassified/Pre-decisional Information, p 26.

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employed to minimize potential disturbance of contaminated soils or other effects on the potential release site. P. 22.

What does "suspected" mean? Work on site prep should be stopped now until samples can be taken and thoroughly analyzed.

If the extent of the potential release sites is still being "evaluated" then the SEIS must be withdrawn until that evaluation is complete and the results publically posted.

Construction Impacts – Deep Excavation and Shallow Excavation Options—
Under either construction option, acreage would be disturbed in several technical areas in addition to TA-55. Surveys have been conducted to identify potential release sites (PRSs), and no unidentified or unexpected soil contamination or buried media have been encountered (LANL 2010c).

What sort of surveys and where? There is no record in the RACER database of samples being taken and analyzed from the excavation site. The reference document cited to support this statement concerns impacts to spotted owls, not soil and pore gas sampling.

There are, however, known PRSs located within the affected technical areas (for example, Material Disposal Area [MDA] C in TA-50), and the potential for contact with contaminated soil or other media would be appropriately considered throughout the construction process. For example, PRS-48-001 is being evaluated for potential impacts resulting from actions in the TA-48/55 laydown and concrete batch plant area. dSEIS p. 4-6.

The SEIS must be withdrawn until the results of evaluating PRS-48-001 and ALL other sites in the affected area can be incorporated into the Statement.

Proper precautions would be taken as needed to minimize the potential disturbance of this or other PRSs. As needed, actions such as appropriate documentation and contaminant removal would be taken by the LANL Environmental Restoration Program in accordance with the 2005 Consent Order⁷ and other applicable requirements. dSEIS, p. 4-56

How would removal of an as yet unknown quantity of material affect the budget and timeline of the project? Where would the material go? What additional impacts would result from this process? The SEIS must be withdrawn until these connected actions are known and documented.

dSEIS must analyze the impacts of air quality of the CMRR-NF project on Bandelier.

LANL is adjacent to the PSD [Prevention of Significant Deterioration] Class I Bandelier National Monument. There is no mention of any impacts to this Class 1 area in the SEIS. The only mention of PSD is in the glossary. PSD is designed to preserve, protect, and enhance the air quality in national parks, national wilderness areas, national monuments, national seashores, and other areas of special national or regional natural, recreational, scenic, or historic value.

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204-26

As a result of public comments on the *Draft CMRR-NF SEIS*, the air quality sections of Chapter 4, Section 4.3.4 and 4.4.4, of the *CMRR-NF SEIS* have been updated to indicate that, based on the air quality modeling done in support of the *CMRR-NF SEIS*, none of the alternatives would have an adverse impact on air quality at Bandelier National Monument.

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Volcanic eruption impacts must be analyzed.

Reference *Preliminary Volcanic Hazards Evaluation for Los Alamos National Laboratory Facilities and Operations Current State of Knowledge and Proposed Path Forward*, Issued: September 2010, LA-14426, states, "The integration of available information on the volcanic history of the region surrounding Los Alamos National Laboratory (LANL or the Laboratory) indicates that the Laboratory is at risk from volcanic hazards."³⁴

This dSEIS must be withdrawn and reissued when all known seismic hazards are addressed.

We have learned that new seismic analyses are being conducted at the Lab. This dSEIS is certainly premature until current seismic investigations are concluded. Even if current seismic investigations are completed and the results are included in the final dSEIS, the public will have been denied the opportunity to comment on the results. Pushing ahead with the CMRR-NF project without having the seismic risks in hand is what led to the need of this dSEIS. This is an on-going problem. A renewed decision to proceed with the Nuclear Facility at LANL was made in 2008 even though it was known that new seismic information would change the underlying assumptions of that decision as the Record of Decision states:

New information about seismic risks at LANL (set forth in the report Update of the Probabilistic Seismic Hazard Analysis and Development of Seismic Design Ground Motions at the Los Alamos National Laboratory, 2007, LA-UR-07-3965) may change how hazardous materials are stored, operations are conducted, and facilities are constructed or renovated. NNSA is conducting a systematic review of LANL structures and operations in light of this information. This review, expected to be completed in about one year, will identify any necessary changes to address the new seismic information. NNSA will then implement the necessary changes to LANL facilities and operations based on the review's recommendations. (Record of Decision: Site-Wide Environmental Impact Statement for Continued Operation of Los Alamos National Laboratory, September 26, 2008)

DOE, NNSA, and LANS continue to roll the dice with the seismic risks at the CMRR-NF. If the seismic risks are understated, an earthquake could bring the Nuclear Facility down releasing its stock of plutonium into the environment. If the seismic risks are overstated, billions of dollars will be spent for no reason. Proceeding without knowing the exact seismic risks would represent a flagrant disregard of taxpayers' interests.

Although project areas TA-3 and TA-55 have been mapped in detail for the presence of faults, areas showing no faulting on dSEIS Figure 3-5 do not necessarily represent an absence or lack of faulting. Large eastern and southern areas of LANL have not yet been mapped in detail for seismic hazards. Additionally, faults are only shown in areas where such faults are exposed or inferred. The end of a fault line on a map does not necessarily indicate

³⁴ Pg. vii,
http://www.osti.gov/bridge/product.biblio.jsp?query_id=0&page=0&osti_id=991237&Row=0
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204-27

204-27 NNSA agrees that volcanic eruption impacts should be analyzed and has made revisions. In response to public comments on the possibility of volcano activity in the LANL region, Appendix C, Facility Accidents, and the Geology and Soils sections of Chapter 3 and 4 (Sections 3.5.1 and 4.3.5), of the *Final CMRR-NF SEIS* have been revised to include additional information regarding the potential volcanic hazards as described in the report, *Preliminary LANL Volcanic Hazards Evaluation* (LANL 2011e).

204-28

204-28 NNSA notes the commentor's position that a new environmental impact statement is needed, rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations as discussed in the response to Comment 204-5.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural

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truncation of a fault, but may be indicative of the end of surface exposure or lack of evidence of a fault at that location. This scenario is common in urbanized areas or in areas where faults have been buried by younger sediments. Confirmation of the presence or absence of a fault at a particular site, that is, at the end of mapped fault lines, may require further site-specific detailed geologic investigations, even though mapping may already have occurred at that location. (Pg. 3-22)

It seems that the Lab infers liberally and maps when it is convenient. Steep topography on the Pajarito fault made field measurements difficult and the Rendija Canyon and Guaje Mountain faults have not been fully characterized or mapped. The Rendija and Guaje faults must be fully mapped. The inferred fault at TA-3 must be fully mapped. The original conclusions about the inferred fault under CMR were based on only 8 boreholes. Where is the trench across the inferred fault at CMR?

To address these increased seismic hazards, DOE now plans to excavate 250,000 cubic yards of earth under the proposed Nuclear Facility and fill the hole with concrete for the Deep Option. DOE must address the following questions: Is surrounding geology strong enough to support all that concrete? How much will the Nuclear Facility and all that concrete weigh? Has construction of a facility ever been done before on such an enormous concrete slab? If so, what were the results? Will a seismic event cause it to sink or shift? This dSEIS is analyzing the effects of this action, and this dSEIS should also examine the effects of removing it. Have these original design concerns been met?

Design Concerns Arising from Ground Conditions - The existing properties of Qbt3L, coupled with its vertical proximity to the CMRR foundation grade and its lateral proximity to the slope of Two-Mile Canyon, have led to potentially significant issues for the design team and the PRT. The five design concerns are:

- potential for static deflection (compression),
- potential for hydro-collapse due to wetting,
- potential for excessive movement of buttress due to dynamic slope instability,
- inadequate resistance to dynamic sliding forces, and
- seismic shaking and building response. (Kleinfelder 2010a, p. 2)

This dSEIS must be withdrawn and not rereleased until all issues with the seismic modeling software used are addressed.

Basic assumptions concerning the safety and location of the Nuclear Facility were based upon seismic modeling software. It turns out that questions concerning the accuracy of one of these programs have arisen. The Defense Nuclear facilities Safety Board (DNFSB) stated:

Seismic analysis and design of high-hazard Department of Energy (DOE) defense nuclear facilities requires evaluation of soil-structure interaction (SSI) effects between the building and its supporting soil. The computer program SASSI (A System for the Analysis of Soil-Structure Interaction) is used extensively for this purpose within the DOE complex, as well as in the commercial nuclear power industry. Recently, SASSI users have identified

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204-29

requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The Kleinfelder report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97.600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]) for the Shallow Excavation Option (Kleinfelder 2007a). Under the Deep Excavation Option, the addition of 60 feet (18 meters) of low-slump concrete would increase the weight of the building by about 980 million pounds (440 million kilograms). The weight of the soil that would be removed for this deeper excavation is estimated to be about 740 million pounds (340 million kilograms). Under the Deep Excavation Option, the building would sit on rock and there are not similar concerns related to allowable bearing pressure of the soil under this option as opposed to the Shallow Excavation Option. A draft slope stability analysis has been prepared that indicated that global slope stability is not an issue for the Deep Excavation Option (LANL 2011a: LANL site, 028). If the Deep Excavation Option were selected, as part of the ongoing design and evaluation process, studies would be completed to verify that all geotechnical stability issues had been addressed. See the response to Comment 204-20 for additional information regarding the two excavation options under consideration for the Modified CMRR-NF.

204-29

For seismic analysis and design of high-hazard DOE nuclear facilities, the computer program SASSI [A System for the Analysis of Soil-Structure Interaction] has been used for evaluation of soil-structure interaction (SSI) effects between a building and its supporting soil. CMRR-NF engineers are aware of the issues that have been raised by the DNFSB with respect to the SASSI computer code. Engineers performing the soil structure interaction analysis of CMRR-NF originally identified the technical issues associated with SASSI's subtraction method of analysis. For the SSI analysis of CMRR-NF, a study has been performed utilizing a representative model of the Modified CMRR-NF and site that compares the SASSI direct solution, subtraction method and modified subtraction method. Results of the study validate that the modified subtraction method provides results consistent with the direct solution

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significant technical and software quality assurance issues with this software. In August 2010, the Los Alamos National Laboratory (LANL) published LA-UR-10-05302, Seismic Response of Embedded Facilities Using the SASSI Subtraction Method, identifying issues with the SASSI subtraction method, which is extensively used in DOE's design and construction projects. The Defense Nuclear Facilities Safety Board (Board) is concerned that these issues could lead to erroneous conclusions that affect safety-related structural and equipment design at DOE defense nuclear facilities. (April 8, 2011 Letter, DNFSB Chairman Peter S. Winokur to the Honorable Daniel B. Poneman, Deputy Secretary of Energy)

We know that SASSI was used for designing the NF because of this statement from the 2001 Probabilistic Seismic Hazards Analysis:

For vertical motions, a site-specific 2D SASSI study for a CMRR layered profile performed by Costantino and Houston (2005) ... (Probabilistic Seismic Hazards Analysis \ LOS ALAMOS-LANL\ UPDATED REPORT_FINAL.DOC\21-JUN-07\ Pg. 6-6)

The DNFSB is currently awaiting a DOE review of the quality of SASSI modeling results. Until the DOE review is complete and the DNFSB agrees with those results, this dSEIS must be put on hold.

This draft dSEIS underestimates and misrepresents seismic hazards.

The draft statement used a value of 0.3 G as the peak ground acceleration value for the vertical plane, and not the value 0.6 G presented in the 2007 LANL Probabilistic Seismic Hazard Analysis. Design work has focused on 7.3 Richter scale earthquakes, but analogous earthquakes indicate that design should be increased to a minimum of 7.5. LANL scientists recommended further seismic studies in three key seismic reports written in 1995, 2007 and 2009. But those studies were not done. As a result, assumed values for six key parameters were inserted into computer programs to estimate the seismic hazard for the design of the proposed Nuclear Facility.

We incorporate by reference the report, *Public Comments of Robert H. Gilkeson, Registered Geologist, and Concerned Citizens for Nuclear Safety (CCNS) about the DOE 2011 draft Supplemental Environmental Impact Statement for the proposed Chemistry and Metallurgy Research Replacement Nuclear Facility (CMRR-NF) at the Los Alamos National Laboratory (LANL) Technical Area-55 (TA-55)* Robert H. Gilkeson, Joni Arends, June 28, 2011. A new dSEIS should reflect the voluminous information therein.

The shallow construction option is not mature and must not be considered as an alternative until analysis of this option is complete.

It is inappropriate to consider the Shallow Construction Option in this dSEIS. All environmental impacts of the Shallow Option are based upon assumptions that are not defensible at this time. Any evaluation of the Shallow Construction Option at this time is just wishful thinking unsupported. As this dSEIS itself states:

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results. Direct solution results are considered to be the benchmark solution. The modified subtraction method has been implemented for use on the CMRR-NF SASSI analysis. The DNFSB staff has evaluated the Seismic Design Plan and the Structural Design Plan in relation to DNFSB certification to Congress that its concerns regarding safety-class systems and seismic issued related to the CMRR-NF have been addressed. The DNFSB certified that relying on full implementation of commitments made by NNSA concerning safety-related processes, structures, systems, and components with regard to preliminary design, including design requirements and design processes, and final design, including development of design requirements into final design elements, that its concerns regarding the design of the CMRR were resolved (DNFSB 2009).

204-30

Based on an apparent typographical error in the 2007 PSHA Executive Summary (LANL 2007), the vertical peak ground acceleration for the CMRR-NF was incorrectly cited as 0.3 g instead of 0.6 g in the *Draft CMRR-NF SEIS*. This error has been corrected. This typographical error in the Executive Summary of the PSHA is not reflective of information presented elsewhere in the PSHA and was not used in the design of the proposed Modified CMRR-NF.

Design work has been performed in accordance with DOE Order 420.1B and its implementing standard, DOE Standard 1020-2002, with oversight and certification by DNFSB. (The 2009 DNFSB certification addressed seismic issues.) NNSA continues to work with DNFSB to ensure that the proposed CMRR-NF design meets with DNFSB expectations. Refer to the response to Comment 204-28 for more information related to seismic concerns.

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The comments put forth in the referenced report have been responded to in this CRD. See responses to Comment letters 241 and 315.

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The Deep Excavation Option is more mature, having undergone technical review by NNSA, NNSA's contractors, and the Defense Nuclear Facilities Safety Board. At this time, there is more uncertainty with the Shallow Construction Option. The Shallow Construction Option needs to be subjected to the same level of technical review as the Deep Construction Option so the two options can be evaluated on the same basis. (CMRR-NF SEIS, Pg. 1-13)

Most of the environmental impacts proposed in this SEIS for the Shallow Option end up being the same or similar to the Deep Option impacts. This is only speculation at this time.

Even if analyses of the Shallow Option are completed and the results are included in the final SEIS, the public will have been denied the opportunity to comment on these analyses, which is contrary to the intent of NEPA. This is unacceptable.

Deep and shallow options could not be constructed with the same amount of electricity.

As further evidence that the Shallow Option has not been fully vetted, some construction options are listed with the same impacts, which cannot be the case. For instance the dSEIS states that electricity (megawatt-hours per year) for construction of both deep and shallow options is the same - 31,000 mWh/yr (CMRR-NF SEIS Table 2-1). This cannot possibly be correct since they are using electric batch plants for the Deep Option.

Explain why LANL is still the best site for the Nuclear Facility.

The 2003 CMRR EIS was completed before the 2007 Probabilistic Seismic Hazard Analysis. One of the main requirements of DOE O 420.1b is to choose an appropriate site. It is not now clear that LANL is the appropriate site for the NF. Because of this, design overly-relies on the other requirements for defense in depth. Describe, in detail, how the design of the NF addresses the list of defense in depth requirements and the environmental impacts of these requirements. The specific DOE Order states:

3. REQUIREMENTS.

b. Nuclear Facility Design.

(1) Nuclear facility design objectives must include multiple layers of protection to prevent or mitigate the unintended release of radioactive materials to the environment, otherwise known as defense in depth. These multiple layers must include multiple physical barriers unless the basis for not including multiple physical barriers is documented in the DSA and approved by DOE.

(2) Defense in depth must include all of the following—

- (a) choosing an appropriate site;
- (b) minimizing the quantity of material at risk;
- (c) applying conservative design margins and quality assurance;
- (d) using successive physical barriers for protection against radioactive releases;
- (e) using multiple means to ensure critical safety functions needed to—
 - 1 control processes,
 - 2 maintain processes in safe status, and

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The decision to construct a replacement facility for the existing CMR Building at LANL was made through the 2003 *CMRR EIS* (DOE 2003b) and the 2008 *Complex Transformation SPEIS* (DOE 2008b). The Probabilistic Seismic Hazards Analysis referred to by the commentor was available at the time the *Complex Transformation SPEIS* was being completed. The 2003 *CMRR EIS* also addressed construction and location alternatives and options for the CMRR Facility within LANL. The CMRR-NF is being designed consistent with DOE requirements for nuclear safety, including those in DOE Order 420.1B. Safety-related considerations such as design, construction, and operating parameters are subject to independent oversight by DNFSB. NNSA believes that LANL is still the appropriate site for conducting plutonium work, and that TA-55 is the appropriate place to consolidate that work at LANL. The CMRR-NF is being designed with defense in depth at the forefront of the design effort. The changes in the CMRR-NF design between 2003 and the current time reflect NNSA's commitment to safety and its determination to design a facility that will be able to operate safely and protect workers and the public from the unintended release of radioactive materials.

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3 confine and mitigate the potential for accidents with radiological releases;
 (f) using equipment and administrative controls that—
 1 restrict deviation from normal operations,
 2 monitor facility conditions during and after an event, and
 3 provide for response to accidents to achieve a safe condition;
 (g) providing means to monitor accident releases as required for emergency response; and
 (h) establishing emergency plans for minimizing the effects of an accident.
 (3) Hazard category 1, 2, and 3 nuclear facilities must be sited, designed, and constructed in a manner that ensures adequate protection of the health and safety of the public, workers, and the environment from the effects of accidents involving radioactive materials release. (DOE O 420.1B Attachment 2, 12-22-05, p. I-2.)

The Nuclear Facility was not sited with defense-in-depth in mind. As a matter of fact, the location is so dangerous that design and construction need to make up for the risks at the site. It is unclear if that can happen.

References must be given with sufficient detail that they can be thoroughly checked.

When a statement within the draft SEIS is referenced to a supporting document a shortened name is used and no page number is cited. A reviewer must use the index to know the name of the document(s). Even then, the search for verification is complex without a detailed citation like any high-school student is expected to be capable of including in scholarly research.

For instance, the reference "LANL 2011" is used 46 times in the dSEIS. Looking at the online reference documents, one will find that the reference document labeled "LANL 2011" is actually 24 separate documents. In some cases a reference points to a photocopied supporting document numbering several hundred pages without citing a section or page number. Since the photocopied document cannot be word-searched the entire document would have to be visually scanned by the reviewer in order to check the reference. Page numbers for the references must be given so that they can be checked in a timely manner in order to complete the review within the short comment period. For this reason the SEIS must be withdrawn, rewritten, and re-released.

Reference documents must be correctly cited and publically available at the time of the release of the draft SEIS.

A statement in the Draft SEIS that is about Operations Impacts references (LANL 2010c), which is about Biological Assessment Summaries and is not the correct reference. Here's the quote:

Operations Impacts—Projected annual waste generation rates for operations at the Modified CMRR-NF and RLUOB are summarized in Table 4–34 (LANL 2010c), "LANL 2006b" is not referenced in the Draft SEIS but is included in the supporting documents. (CMRR-NF dSEIS Pg. 4-58)

The (LANL 2010c) reference mentioned above is about Biological Assessment Summaries and is not the correct reference. The word "waste" is not in that document.

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It is not necessary to provide page numbers for reference documents. In the *Final CMRR-NF SEIS*, for the convenience of the reader, subsections within the reference "LANL 2011" are provided.

To the extent practicable, NNSA made references available on the Internet, except where limited by copyright or security concerns. As with other elements of the public comment process, this was consistent with past practices for other LANL NEPA documents. In addition, the comment period was extended by 15 days and all late comments were considered in developing the *Final CMRR-NF SEIS*. Problems with links to references that may have been experienced during the public comment period were corrected as soon as they were identified. In addition, the references were placed in five DOE Public Reading Rooms in the area surrounding LANL and one in Washington, D.C., as identified in Chapter 9 of the *CMRR-NF SEIS* and the Notice of Availability for the *Draft CMRR-NF SEIS* (76 FR 24018) published on April 29, 2011. Refer to Section 2.2, NEPA Process, of this CRD for additional information.

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Following the official release of the Draft SEIS the Reference Documents were not available in their entirety. It was more than a week later before all of the documents were made available. The comment period should not commence until all the supporting material is available to the public.

The Draft SEIS is so capriciously written and so shoddily documented that the reviewer questions the seriousness of the Agency's attempt to comply with NEPA in their haste to rush through a Record of Decision.

Tribal notes must be included.

Tribal notes, similar to the *Greater Than Class C* EIS, must be included in this dSEIS. As the GTCC EIS states:

DOE and Tribal Representatives have been working cooperatively over the last decade to improve consultation and communication related to decision making. This is an ongoing dialog, and DOE is committed to formal and meaningful consultation and interaction, at the earliest practical stages in the decision-making process, consistent with DOE's American Indian and Alaska Natives Tribal Government Policy (DOE Order 144.1). (Pg. 1-48)

These Tribal Nations participated in the GTCC EIS consultation activities:

Acoma Pueblo, Acoma, NM
Cochiti Pueblo, Cochiti, NM
Jemez Pueblo, Jemez, NM
Laguna Pueblo, Laguna, NM
Nambé Pueblo, Santa Fe, NM
Pojoaque Pueblo, Santa Fe, NM
Santa Clara Pueblo, Española, NM
San Ildefonso Pueblo, Santa Fe, NM

The tribal text is included in text boxes in throughout the GTCC EIS and full narrative texts are provided in an Appendix. This CMRR-NF dSEIS must be withdrawn and released after Tribal Notes are included.

Describe the current status of plutonium shipping.

It is clear that LANL scientists must integrate closely with the work to be performed in the CMRR and this is used as a justification for co-location. The precedent of successfully working with SNL, LLNL, NTS, PTX, etc has already been set.

Please describe the current status of Pu shipments. Are Pu samples shipped to other DOE nuclear complex sites? Are any of these shipments because samples are being analyzed offsite? Is Pu shipped for experiments at other facilities? Any and all shipments must be analyzed in the SEIS. Is shipment of Pu a required capability for NNSA, independent of CMRR? If so, why must the CMRR be co-located with PF-4? Will the Lab have larger capacity with the NF as opposed to shipping the samples offsite? Will the NF be safer than shipping these samples? Will the NF cost more than shipping these samples?

All impacts of NF construction on the Consent Order must be analyzed.

Cleanup of the existing mess must be the priority – not the new Nuclear Facility.

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204-34 Additional information has been added to Chapter 5, Section 5.7, Consultations with Agencies and Federally Recognized American Indian Nations, of the *Final CMRR-NF SEIS*. Tribal notes are not a required part of NEPA documents; however, they are a desirable addition to any NEPA analysis.

204-35 Shipments of actinides and other radioactive materials to and from LANL would occur as part of performing a variety of stockpile stewardship and other activities at multiple LANL facilities. The 2008 *LANL SWEIS* (DOE 2008a) addresses impacts from transporting these materials.

204-36 As addressed in Section 2.5, Cleanup and Waste Management, of this CRD, funding decisions on major Federal programs and projects at LANL, such as environmental restoration activities, are made by Congress and the President, and are beyond the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. However, NNSA does not consider compliance with the Consent Order optional and is not linking Consent Order compliance with decisions about constructing and operating the proposed CMRR-NF. NNSA intends to continue conducting the environmental restoration program at LANL regardless of whether it decides to construct and operate the proposed CMRR-NF as analyzed in the *CMRR-NF SEIS*. Closure of Material Disposal Area C and Material Disposal Area G will take place consistent with the Consent Order process, in accordance with decisions reached by NMED. For information on the annual progress of LANL's ongoing environmental restoration program, refer to LANL environmental surveillance reports, which can be accessed at <http://www.lanl.gov/environmental/all/docs/reports/>.

A minor realignment of Pajarito Road would be carried out as part of construction of the Modified CMRR-NF as described in Chapter 2, Section 2.6.2.1. The impacts of this realignment are included as part of the overall analysis of impacts in the *CMRR-NF SEIS*.

The commentor refers to the planned construction of a new transuranic waste staging area along the Pajarito Corridor at TA-63, to characterize and certify transuranic waste for offsite disposal. The new facility was addressed in the 2008 *LANL SWEIS* (DOE 2008a) and will replace a number of buildings and fabric domes at TA-54. Design work for the facility is ongoing. NNSA expects that transuranic waste generated at the CMRR-NF would be packaged at the CMRR-NF and characterized and certified at the new transuranic waste staging area at TA-63. Characterization and certification of transuranic waste could also take place at the CMRR-NF or another LANL or offsite location.

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DOE made a commitment to cleanup the legacy waste sites at LANL when it signed the Consent Order with the New Mexico Environment Department on March 1, 2005. The Order requires cleanup of certain sites by December 31, 2015. Analyze the impacts of construction activities for NF on cleanup activities, including those at the nearby Material Disposal Area C (MDA C).

- DOE proposes to realign Pajarito Road in order to accommodate the new NF. Impacts of this realignment must be included in this SEIS
- Impacts on possible excavation of MDA C must be analyzed as a connected action to the realignment.
- The closure plans for MDA C and MDA G have not been decided. How can the impacts to the closure plans of these, or any site, be known until the closure plan itself is known?
- Impacts on proposed waste operations at TA-63 must be analyzed.
- Explain how it is known that that all Consent Order milestones will be met while \$5 billion is being spent on construction of the NF.

We request that construction on the NF not start until all requirements of the Consent Order are met.

Present waste processing and disposal facilities are failing and must be analyzed as connected actions.

DOE must analyze impacts to all other facilities that are required to support operations at the NF. Uncertainties surround the current support facilities. For example,

- DOE recently postponed a new Radioactive Liquid Waste Treatment Facility because the estimated costs increased from \$100 million to \$350 million;
- DOE's plans for a 63-acre expansion for low-level radioactive waste have been delayed for years; Area G will be closed in 2015 under the Consent Order; and
- DOE proposed a new Transuranic Waste Facility (TRUWF) to replace operations at Area G, but subsequently withdrew the proposal.

DOE must fully analyze all alternatives, including no construction of the NF, if these facilities are not available.

From the Final Complex Transformation SPEIS October 2008 Summary Pg. S-38:

S.3.4.1.2.1 Los Alamos Upgrade Alternative

Los Alamos could support pit production requirements using existing and/or new facilities at TA-55, which is the current site for the Plutonium Facility (PF-4). The planned CMRR Facility would be located in TA-55. In addition, LANL has several existing and planned facilities, all of which are included in the No Action Alternative, capable of supporting plutonium operations, including: the Radioactive Liquid Waste Treatment Facility, the solid waste characterization and disposal site (in TA-54), the Sigma Building (in TA-03), the Radiochemistry Facility (in TA-48), a new radiography facility (in TA-55), and a new solid-waste staging facility.

These facilities are examples of facilities that must be included in this SEIS. Upgrades to the electrical system are connected actions and must be analyzed!

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As summarized in Section 2.5, Cleanup and Waste Management, of this CRD, the CMRR-NF and RLUOB would be designed, constructed, and operated to accommodate their projected waste volumes. Sufficient capacity exists at LANL or at offsite facilities to manage all of the projected waste associated with any of the alternatives included in the *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. The impacts associated with transportation of radioactive and nonradioactive wastes to offsite treatment or storage facilities have been estimated for all alternatives (see Chapter 4, Sections 4.2.13, 4.3.13, and 4.4.13). It is expected that waste transportation would occur using trucks, and standard and available types of containers (for example, drums, boxes) and shipping packages (for example, TRUPACT II).

Regarding the concerns expressed about LANL support facilities:

- DOE expects that RLWTF will be available to treat liquid wastes generated from various LANL facilities, using the existing capabilities of RLWTF or any future upgrades (DOE 2008a).
- Only a 63-acre portion of Area G containing Material Disposal Area G and other waste disposal and management capabilities would be closed consistent with remediation decisions reached by NMED for Material Disposal Area G pursuant to the 2005 Consent Order. Waste management operations would be transitioned to other LANL locations. For example, the transition of low-level radioactive waste disposal operations to Zone 4 within Area G was assessed in the 2008 *LANL SWEIS* (DOE 2008a). As noted in the *CMRR-NF SEIS*, low-level radioactive waste disposal may occur at Area G or at offsite DOE or commercial locations. (The *CMRR-NF SEIS* conservatively analyzes transportation impacts assuming all low-level radioactive waste is transported off site for disposal.)
- The CMRR-NF would be designed, constructed, and operated to accommodate the projected transuranic waste volumes for the facility. NNSA expects that required characterization and certification to meet transuranic waste disposal criteria would be performed at the planned new transuranic waste facility at TA-63. LANL began preliminary design of the new facility at TA-63 in October 2010, with completion targeted for the end of 2015. Impacts from transitioning transuranic waste support activities from TA-54 to TA-63 were addressed in the 2008 *LANL SWEIS* (DOE 2008a). Characterization and certification of transuranic waste could also take place at the CMRR-NF or another LANL or offsite location.

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Where will the wastes go?

To use DOE terminology: what is the "Path Forward?" Given the anticipated lack of disposal facilities for low-level radioactive, toxic, and hazardous waste at LANL, DOE must detail where that waste will be disposed, how it will be transported to an off-site facility, and the impacts to the communities along the route. Please describe the routes. DOE must specify how many shipments will occur by truck, train, or barge. Further, it must specify how many shipping containers will be needed, their costs, and whether they already exist or whether new containers will have to be developed and manufactured. WIPP closes in 2035.

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Any analysis must include DD&D of the existing CMR Building.

The 2004 Record of Decision (ROD) for the CMRR Project stated the existing CMR building would be DD&D'd in its entirety. However, the actual implementation of these decisions is dependent on DOE funding levels and allocations of the DOE budget across competing priorities, including construction of a new NF.

204-38

At the time it was built, the existing CMR was the largest building in New Mexico at 550,000 square feet. The 2004 ROD stated DOE would submit a work plan; but it does not specify to whom the work plan would be submitted. DOE must provide its DD&D work plan as part of its NEPA analysis. We will review the plan now in order to ensure that the DD&D activities will become part of the complete NEPA analysis.

Update impacts to endangered species.

Include impacts to the Mexican Spotted Owl. The effects on the spotted owl of the extremely high pore gas samples for many solvents in TA-50 core zone must be analyzed.

204-39

Update the status of compliance with all applicable federal, state and local statutes and regulations.

Include all international agreements, and required Federal and State environmental permits, consultations, and notifications.

- What portions of the NF will need to be RCRA permitted?

204-40

Intentional destructive acts must be independently evaluated.

Provide a reference to an analysis that substantiates that the probability of an airplane crash during overflight does not exceed 10-6/yr (i.e., one in a million) conservatively calculated.

204-41

There needs to be a rigorous independent review of this document by an independent professional organization in order to increase public confidence in the conclusions, which a new dSEIS should incorporate.

Provide an unclassified overview of the classified appendix, omitting details, but including at least answers to the following questions:

- a. Does the appendix include consideration of attacks using aircraft?
- b. In determining risks from terrorist attacks, does the appendix assume continued funding for government agencies other than NNSA, such as the Transportation Security Administration?
- c. Does the appendix estimate the consequences of a successful terrorist attack? If so,

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- As discussed in Chapters 2 and 4, adding to or modifying the existing electrical distribution infrastructure at LANL to support the requirements of the proposed CMRR-NF are analyzed in the CMRR-NF SEIS (for example, adding an electrical substation to TA-50).

204-38 To the extent known, impacts associated with DD&D of the existing CMR Building are analyzed in Chapter 4, Section 4.5.1, of the *CMRR-NF SEIS*. As indicated in the 2004 ROD associated with the *CMRR EIS* (69 FR 6967), the actual implementation of DOE's decision to DD&D the existing CMR Building would depend on DOE funding levels and allocations of the DOE budget across competing priorities. It should also be also noted that DOE is conducting a risk reduction effort at the existing CMR Building, which includes removal of some existing equipment and contamination. These efforts will reduce the levels of impacts from eventual DD&D of the CMR Building. As stated in Chapter 1, Section 1.7, of the *Draft CMRR-NF SEIS* in response to a similar scoping comment and as stated in the 2004 ROD, a work plan for DD&D would be prepared at the appropriate time; however, it is not required for NEPA analysis and is not available to be included as a part of this document. Detailed planning and analysis is not practical at this point because this work is potentially 10 or more years in the future.

204-39 Impacts on endangered species are evaluated in Chapter 4, Section 4.3.7.4, of the *CMRR-NF SEIS*. LANL is responsible for ensuring that all activities are reviewed for compliance with all applicable site plans that are found in LANL's *Threatened and Endangered Species Habitat Management Plan*, which was updated in April 2011 (LANL 2011b). The plan includes Areas of Environmental Interest for the Mexican spotted owl and the southwestern willow flycatcher. In addition to consultation with U.S. Fish and Wildlife Service (See Chapter 5, Section 5.7), owl surveys are done annually. No Mexican spotted owls have been observed in any potentially impacted areas where construction activities would occur, including in TA-50. In addition, the gas sampling referred to by the commentor is related to investigations associated with remediation of Material Disposal Area C in TA-50 and is not related to areas of TA-50 that would be effected by the proposed construction of the CMRR-NF at TA-55. Refer to Chapter 3, Section 3.7.4, of the *CMRR-NF SEIS*.

204-40 Chapter 5 of the *CMRR-NF SEIS* summarizes environmental requirements, agreements, and permits that relate to consolidation and relocation of mission-critical chemistry and metallurgy research capabilities at LANL. Compliance

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have these potential consequences been brought to the attention of the President and Congress for consideration in decisions on nuclear weapons policy?

Provide a rigorous independent review of the classified appendix by an independent professional organization with appropriate clearances and include in the SEIS an unclassified summary of that assessment. Please include the identity of the organization and the amount budgeted for the review as an assurance that the review is independent and thorough.

What emergency response services are going to be available should a successful attack happen? What will be the impacts of an accident or attack during transportation? What emergency response services are going to be available should this happen?

The JASON report on "rare events" in the analysis of intentional destructive acts must be considered.

Describe the Intentional Destructive Acts models used in this dSEIS. From the JASON Report:

"Rare events" specifically refers to catastrophic terrorist events, including the use of a weapon of mass destruction or other high-profile attacks, where there is sparse (or no) historical record from which to develop predictive models based on past statistics...One problem is that rare events are rare. There will necessarily be little or no previous data from which to extrapolate future expectations in any quantitatively reliable sense, or to evaluate any model. In the extreme, how can the probability of an event that has never been seen or may never even have been imagined be predicted?... There is no credible approach that has been documented to date to accurately anticipate the existence and characterization of WMD-T threats...The combined urgency of the rare event threat, the difficulty of evaluating rare event models, and the complexity of social sciences problems has led some to advocate the suspension of normal standards of scientific hypothesis testing, in order to press models quickly into operational service. While appreciating the urgency, JASON believes such advice to be misguided... There is danger in premature model building and the use of such models, to the exclusion of careful data collection.

What was the probability of the rare event of Fukushima? What was the probability of the rare event of the Las Conchas Fire? Modeling for this type of event must be recognized for what it is, and not relied upon as the only way to assess risk.

All potential impacts from postulated accidents must be analyzed.

Recent Nuclear Facility procurement documents request equipment that can withstand 27,000 rem. The Request For Information projects a "Design Basis Accident Environmental Conditions" for "One (1) accident estimated at 27,000 rem over the 50-year life of the CMRR-NF facility." Describe this accident. All analyzed accidents must be described in detail.

- Impacts to tourism must be analyzed if there is an accident.

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with applicable Federal and state environmental requirements is assessed in annual LANL site environmental reports, which may be accessed at <http://www.lanl.gov/environmemntal/all/docs/reports/>.

In response to similar comments, the text in the *Final CMRR-NF SEIS*, Appendix C, Section C.3.2, has been revised to more clearly reflect the consideration of an airplane crash into the CMRR-NF. The largest aircraft that is considered to have a conservative probability greater than 1 in 1 million per year of accidentally crashing into the CMRR-NF is a general aviation aircraft. References were added to support this conclusion, including the *DOE Standard: Accident Analysis for Aircraft Crash into Hazardous Facilities* (DOE 2006) and a site-specific technical evaluation of the potential for aircraft crashes (LANL 2011a).

As indicated in Chapter 4, Section 4.2.10.3 of the *CMRR-NF SEIS*, substantive details of terrorist attack scenarios, security countermeasures, and potential impacts are not released to the public because disclosure of this information could be exploited by terrorists to plan attacks. NNSA considered a range of possible terrorist or intentional destructive acts and performed a detailed analysis of selected scenarios. Selected scenarios provide a reasonable range of events, including those with the largest expected impacts.

NNSA and DOE engage their own technically qualified staff and subject matter experts to prepare the SEIS along with qualified contractors. The analyses include the evaluation of accidents and intentional destructive act impact analyses. NNSA does not intend to pursue an independent external review of the analysis in the *CMRR-NF SEIS*.

NNSA has an extensive program related to preventing terrorist threats. This includes ongoing evaluations of facilities and security forces to prevent successful attacks. In evaluating intentional destructive acts, the probability of a given scenario occurring is not a factor in the analysis. Therefore, the programs and funding of other entities, such as the Transportation Security Administration is not a relevant factor. The intentional destructive acts appendix presents consequences projected to occur in the event of a successful attack. The results of these analyses will be reviewed and considered by NNSA in making its decision on the CMRR-NF and are shared, as appropriate, with senior Administration officials and Congress.

JASON is an independent scientific advisory group established in 1960 that provides consulting services to the U.S. government on matters of defense

***Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
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- Impacts to property values must be analyzed.
- How would accidents at nearby facilities impact the Nuclear Facility and vice versa?

204-44
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Emissions from the utilities must be reexamined.

The NF is now twice the size than analyzed in the 2003 EIS. The environmental impacts of larger boilers must be analyzed. Are the boilers larger for the larger NF? Do we need a new RLUOB permit?

204-45

Analysis of the Pajarito Road re-alignment must be included in a new dSEIS.

This road re-alignment is currently a categorical exclusion. Instead, it should be analyzed in a new dSEIS as a "connected action."

204-46

This SEIS should be supplemented with annual updates.

Because the NF project may last over ten years, updates to this SEIS should be prepared annually, analogous to the LANL SWEIS yearbook. They should list the changes and/or accuracy of the estimates made in this SEIS, with public notification and the opportunity to request a paper copy.

204-47

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science and technology. A 2009 JASON report responded to a request by the U.S. Department of Defense to conduct an evaluation of the Nation's ability to anticipate the risk of rare events, specifically catastrophic terrorist events, including the use of a weapon of mass destruction or other high-profile attacks, where there is sparse (or no) historical record from which to develop predictive models based on past statistics (JASON 2009). Substantive details of terrorist attack scenarios, security countermeasures, and potential impacts are not released to the public because disclosure of this information could be exploited by terrorists to plan attacks. Similarly, the details of the analysis of intentional destructive acts that was performed for the *CMRR-NF SEIS* cannot be disclosed.

Comment noted.

Global climate change and drought.

Of course it is not just military threats that can deeply impact our national security, it can also be global climate change, with perhaps particular relevance for LANL at this very time. The Lab and the Los Alamos townsite have faced mandatory evacuation for the second time in two years due to wildfire. We comment on that threat later, but here speak on the question of the prioritization of national needs. Over the last five years the nation and world have faced an increasing number of natural disasters, including the Las Conchas Fire. While it's currently impossible to link one specific natural disaster to global climate change, there is increasing scientific thought that global warming is responsible for increasing the probability that such events occur.³⁵ If so, then global warming, in combination with a century plus of mistaken forestry management that suppressed all fires, threatens national security by threatening the Lab itself, and, in the extreme, public health could have been adversely affected had the Las Conchas Fire widely burned on LANL property.

204-48

With respect to the Fukushima Daiichi Nuclear Power Plant accident, Section 2.8, Nuclear Accidents, of this CRD points out the large differences between the Fukushima Daiichi Nuclear Power Plant and the proposed CMRR-NF. The Fukushima Daiichi Nuclear Power Plant accident involved a very large earthquake followed by a tsunami, which affected the emergency cooling systems of a number of large boiling-water reactors at a nuclear power station. Neither the CMRR-NF nor the existing CMR Building contains nuclear reactors; the quantities of radioactive material that could be involved in a severe accident are orders of magnitude smaller than those at the Fukushima Daiichi Nuclear Power Plant reactors. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Appendix C of the *Final CMRR-NF SEIS*.

In its Complex Transformation Record of Decision NNSA wrote in response to a public comment that the Supplemental Programmatic EIS had failed to address impacts on global warming:

The SPEIS assesses the direct, indirect, and cumulative environmental impacts of the No Action Alternative and reasonable alternatives for the proposed action. The assessment of impacts includes, where appropriate, the direct and indirect contributions to the emission of greenhouse gases resulting from operation and transformation of the nuclear weapons complex. ...

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL and are historically common occurrences. The frequency of a large fire encroaching on LANL is estimated to be 1 in 10 years, as provided in the *2008 LANL SWEIS*, Appendix D (DOE 2008a). As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the *2008 LANL SWEIS*, Appendix D (DOE 2008a). NNSA does not consider the CMR Building to represent a significant risk due to wildfires because it is primarily constructed of noncombustible materials and is surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. The

³⁵ See, for example, *Scientists: Extreme Weather Link 'Can No Longer Be Ignored'*, Steve Connor, The Independent UK, July 2, 2011 <http://readersupportednews.org/news-section2/312-16/6469-scientists-extreme-weather-link-can-no-longer-be-ignored>

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Overall, the release of greenhouse gases from the nuclear weapons complex constitutes a miniscule contribution to the release of these gases in the United States and the world. Overall U.S. greenhouse gas emissions in 2007 totaled about 7,282 million metric tons of CO₂ equivalents, including about 6,022 million metric tons of CO₂...

NNSA considers the potential cumulative impact of climate change in making decisions regarding its activities, including decisions regarding continuing the transformation of the nuclear weapons complex. Many of these decisions are applicable to the broad array of NNSA's activities, and therefore are independent of decisions regarding complex transformation. NNSA considered its contributions to the cumulative impacts that may lead to climate change in making the programmatic decisions announced in this ROD. These decisions will allow NNSA to reduce its greenhouse gas emissions by consolidating operations, modernizing its heating, cooling and production equipment, and replacing old facilities with ones that are more energy efficient. Many of these actions would not be feasible if NNSA had selected the No Action Alternative, which would have required it to maintain the Complex's outdated infrastructure. Federal regulations and DOE Orders require the Department of Energy to follow energy-efficient and sustainable principles in its siting, design, construction, and operation of new facilities, and in major renovations of existing facilities. These principles, which will apply to construction and operation of a UPF at Y-12 and the CMRR-NF at LANL, as well as to other facilities, include features that conserve energy and reduce greenhouse gas emissions.³⁶

We take issue with NNSA's statement that "the release of greenhouse gases from the nuclear weapons complex constitutes a miniscule contribution to the release of these gases in the United States and the world." But we recognize that other things NNSA and DOE do to help mitigate greenhouse house emissions. But we can't help but note the irony that new nuclear weapons facilities will be LEEDS certified as green bomb-making plants.

As a reminder of what the underlying intent is that requires this review of the CMRR-Nuclear Facility:

The purposes of this Act [the National Environmental Policy Act] are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will

³⁶ Record of Decision for the Complex Transformation Supplemental Programmatic Environmental Impact Statement—Operations Involving Plutonium, Uranium, and the Assembly and Disassembly of Nuclear Weapons, NNSA, Federal Register / Vol. 73, No. 245 / Friday, December 19, 2008 / Notices, <http://www.federalregister.gov/articles/2008/12/19/E8-30193/record-of-decision-for-the-complex-transformation-supplemental-programmatic-environmental-impact>

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CMRR-NF would be at least as resistant to the effects of wildfire as the existing CMR Building. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF.

204-44 Summaries of accident scenarios, accident consequences, and accident risks are presented for the *CMRR-NF SEIS* alternatives in Chapter 4, Sections 4.2.10.2, 4.3.10.2, and 4.4.10.2. Analysis details are presented in Appendix C. None of the accidents evaluated for the Modified CMRR-NF or the CMR Building would result in doses to the public at the level cited by the commentor. However, as indicated in Section 4.2.10.2, seismically induced accidents at the 2004 CMRR-NF would result in large doses to the public and is the reason that facility design has been modified. Appendix C of the *Final CMRR-NF SEIS* has been revised to sections on the potential land contamination that could result in the LANL area following a severe earthquake (Section C.6), and to show the combined impacts from such an earthquake on all of the nuclear facilities in TA-55 (Section C.7).

204-45 Air quality impacts from construction of the CMRR-NF and operation of the CMRR-NF and RLUOB are addressed in Chapters 4, Sections 4.2.4.1 and 4.3.4.1, of the *CMRR-NF SEIS*. Air quality impacts from continued operation of the CMR Building and operation of RLUOB are summarized in Section 4.4.4.1. Although the largest air quality impacts would potentially result from excavation and construction activities, rather than facility operations, criteria pollutant concentrations would not exceed the most stringent standards during construction activities and transport of materials to and from the site. The analysis for the Modified CMRR-NF is different from that presented for the 2004 CMRR-NF. The Modified CMRR-NF includes the use of seven emergency backup generators and these represent the largest potential source of air pollutants. As shown in Table 4-20, calculated concentrations for criteria pollutants would be far below regulatory standards. No additional impact analysis is necessary, nor is a new permit for RLUOB required.

204-46 See the response to Comment 204-36 regarding realignment of Pajarito Road.

204-47 NNSA notes the comment. The 2008 *LANL SWEIS* addresses activities at the existing CMR Building and NNSA's intent to replace it with new capabilities. Activities pertaining to construction and operation of existing facilities (for example, the CMR Building) and new facilities (for example, RLUOB, a new

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prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man...³⁷

This will fall on deaf ears, but how we wish that the money invested into the Nuclear Facility were redirected into combating global climate change instead, which could circle back to contributing to the physical safety of the Lab itself. But even more important than the ~\$6 billion put into CMRR construction will be LANL's long-term deeper entrenchment into nuclear weapons programs that the Nuclear Facility will catalyze. We believe this will harm LANL, and therefore the nation, in the long run through opportunities missed.

Last December University of Arizona scientists published a major study that concludes that the American West may be entering a prolonged drought.³⁸ At the same time the CMRR project requires 16 million gallons of water each year for its operation. This calls into question whether it's appropriate to use precious water resources to expand nuclear weapons production at the possible expense of regional communities and the environment. It further calls into question whether expanded nuclear weapons production at Los Alamos is feasible given a possible long-term drought and rising climate warming punctuated with catastrophic forest fires, given that LANL and the Los Alamos townsites have had to be hurriedly evacuated twice in eleven years. Given that the Nuclear Facility is slated to operate until 2075 a new dSEIS should analyze the effects that possible climate change and prolonged drought may have on its operations.

A New dSEIS should analyze what effects long-term drought and climate warming might have on CMRR-Nuclear Facility operations.

It's possible, but still not yet known, that the Las Conchas Fire and the 2000 Cerro Grande Fire, in combination with forestry thinning and other fire preventative measures at the Lab, have essentially fireproofed LANL for now (however, countervailing that is the apparent fact that the Las Conchas Fire burned through substantial portions of the Cerro Grande Fire scar). The CMRR-Nuclear Facility is slated to be operational until 2075. A new dSEIS should analyze the effects that long-term drought and climate warming might have on CMRR-Nuclear Facility operations.

The methodology used for studying wildfires should be included in this analysis. Of particular importance would be an examination of what conditions permitted some of the same areas near the Lab to burn twice in the last eleven years and how effective wildfire mitigation efforts are in this increasingly dry climate.

How would the Nuclear Facility be secured in the event of an overwhelming wildfire?

³⁷ The National Environmental Policy Act of 1969, as amended, Sec. 2 [42 USC § 4321], <http://ceq.hss.doe.gov/nepa/regs/nepa/nepaeqia.htm>

³⁸ "A 1,200-year perspective of 21st century drought in southwestern North America," C.A. Woodhouse et al, <http://www.pnas.org/content/107/50/21283.full>

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CMRR-NF, if constructed), the transition to new facilities, and the disposition of the existing CMR Building are being addressed within framework of the annual LANL SWEIS Yearbooks. The current yearbook can be accessed at <http://www.lanl.gov/environment/nepa/sweis.shtml>.

NNSA acknowledges the commentor's concerns that climate change may increase the frequency of wildfires and decrease the availability of water. In response to public comments, Chapter 3, Section 3.4.4, of the *Final CMRR-NF SEIS* has been revised to include a description of the types of environmental changes that could occur in the southwestern United States due to climate change. A discussion of potential impacts that could result at LANL from climate change and that addresses water usage has been added to Chapter 4, Section 4.1.

The CMR Building and the TA-55 Plutonium Facility were not included in the 2008 LANL SWEIS as facilities that present a significant risk due to wildfires because these facilities are largely constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. The CMRR-NF would be at least as resistant to the effects of wildfire as the existing CMR Building. Therefore, even if the frequency of wildfires is increased by global climate change, these facilities would not be directly affected. Chapter 4, Sections 4.2.4.2, 4.3.4.2, and 4.4.4.2 present the impact analyses associated with greenhouse gases. As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

The *CMRR-NF SEIS* includes analyses of potential accidents and their consequences involving the CMRR-NF or CMR Building, including the impacts of a large facility-wide fire that engulfs the entire facility. The results of the analysis are presented in Chapter 4 of the *CMRR-NF SEIS* and the details of the analyses, including assumptions about accident frequencies, are presented in Appendix C. As discussed in the response to Comment 204-43, wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. In accordance with DOE

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The effects of a very large fire must be examined in a new dSEIS. The Las Conchas fire is reported to be the largest documented fire in New Mexico history. A new dSEIS must consider the possibility that another fire may occur burning Lab property. How would the Nuclear Facility be secured in the event of an overwhelming wildfire?

What are the consequences of power transmission lines or transformers going down or burning during a wildfire (or serious seismic event) resulting in loss of power to the CMRR-NF? How long will backup generators in the Central Utility Building run without being resupplied with fuel or maintained? Are these backup generators diesel engine powered? How long will the engine's air filters remain unclogged in the presence of particulates in smoke as experienced during the Las Conchas and Cero Grande Fires?

Given the wildfires is Los Alamos the right location for the Nuclear Facility and expanded nuclear weapons operations?

At the time of this writing it is estimated that the direct cost to combat the Las Conchas Fire is over \$20 million, and the fire is still burning. The long-term costs to remediate the area may top \$1 billion. Is Los Alamos the right location for the Nuclear Facility and expanded nuclear weapons operations if at some point in the future the funds to protect such a facility from the consequences of catastrophic wildfires are no longer available?

- End of Comments -

Thank you for your consideration,

Jay Coghlan
Executive Director

Scott Kovac
Research and Operations Director

John Witham
Communications and IT Director

CC: John Tegtmeier, CMRR SEIS Document Manager
Roger Snyder, NNSA LASO
Elizabeth Withers, DOE AL

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requirements such as DOE Order 420.1b, the CMRR-NF would be designed, constructed, and operated using physical and administrative controls to prevent or mitigate the unintended release of radioactive materials to the environment. Design features would include such items as backup diesel-powered generators; heating, ventilation, and air conditioning systems with standard dust-type filters or specialty filters, including high efficiency particulate air filters; fire suppression systems and fire barriers; and other facility health, safety, and security equipment as required and appropriate. Safety-related issues pertaining to the CMRR-NF and other nuclear facilities at LANL are subject to oversight by DNFSB. A summary of emergency preparedness and security provisions at LANL is provided in Chapter 3, Section 3.11.6, of the *CMRR-NF SEIS*. Refer to the response to Comment 204-32 for more information.

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Attachment 1

Excerpts from “THE ESSENTIALS OF NEPA” by Wildlaw.org

Under NEPA, an EA or EIS must include a review of the environmental impacts from all reasonable alternatives. It is the duty of the agency to develop and analyze the alternatives to the proposed action. The agency does not have to look at every conceivable alternative, only those reasonable ones that will meet the same goals and objectives of the proposed one. Also, the existence of a reasonable, but unexamined, alternative that is sufficiently similar to another alternative that the agency did analyze will not void the agency's NEPA analysis. However, the existence of only one reasonable alternative that the agency failed to look at will void the agency's decision...

"The alternative section is 'the heart of the environmental impact statement,' 40 C.F.R. 1502.14; hence, '[t]he existence of a viable but unexamined alternative renders an environmental impact statement inadequate.' *Citizens for a Better Henderson v. Hodel*, 768 F. 2d 1051, 1057 (9th Cir. 1985). While the practicalities of the requirement are difficult to define, NEPA provides that all agencies of the Federal Government shall, to the fullest extent possible, '[s]tudy, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources.' 42 U.S.C. 4332(2)(E). Whether a particular EIS has met this demand can best be determined by its purpose, which is to 'ensure that federal agencies have sufficiently detailed information to decide whether to proceed with an action in light of potential environmental consequences, and [to] provide the public with information on the environmental impact of a proposed action and encourage public participation in the development of that information.' *Kunzman*, 817 F. 2d at 492; *see also Citizens for a Better Henderson*, 768 F. 2d at 1056.

"As a result an agency must look at every reasonable alternative, with the range dictated by the 'nature and scope of the proposed action,' *Block*, 690 F.2d at 761, and 'sufficient to permit a reasoned choice.' *Methow Valley Citizens Council v. Regional Forester*, 833 F. 2d 810, 815 (9th Cir. 1987), *rev'd on other grounds sub nom. Robertson v. Methow Valley Citizens Council*, 490 U.S. 332 (1989)."

A particularly instructive case is *Friends of the Bitterroot, Inc. v. U.S. Forest Serv.*, No. CV-90-76-BU, 25 E.L.R. 21186 (D. Mt. 1994). There, even though the Forest Service identified and considered seven alternatives, the court held that the Forest Service failed to comply with NEPA because the agency failed to consider just one additional reasonable alternative, namely an alternative to protect roadless areas. The agency claimed that such an alternative would not further the purposes of the proposed action, but the court disagreed. The court held:

"In Count II of their complaint, as amended, plaintiffs contend the Trail Creek EIS fails to adequately analyze all reasonable alternatives, including a less environmentally damaging alternative that would exclude logging and road building activity in existing roadless areas within the Beaverhead National Forest. Plaintiffs maintain the EIS should have addressed an alternative exempting the Beaver Lakes roadless area from the timber sale in order to preserve that area's value as secure wildlife habitat. In response,

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defendants assert the alternative would not have met the management goals, standards, and objectives of the Beaverhead National Forest Plan. Defendants further maintain the development of such an alternative would not have added any new information to the EIS.

"NEPA requires an EIS provide information in detail and consider every reasonable alternative to a proposed action. *Citizens for a Better Henderson, supra*, 768 F.2d at 1057; see 42 U.S.C. 4332(2)(c)(iii). An agency's range of alternatives is reviewed under a 'rule of reason' standard that 'requires an agency to set forth only those alternatives necessary to permit a reasoned choice.' *California v. Block*, 690 F.2d 753, 767 (9th Cir. 1982) ('The touchstone for [a court's] inquiry is whether an EIS' selection and discussion of alternatives fosters informed decisionmaking and informed public participation.'). Additionally, NEPA does not require a separate analysis of alternatives which are not significantly distinguishable from alternatives actually considered or which have substantially similar consequences. *Northern Plains Resource Council v. Lujan*, 874 F.2d 661, 666 (9th Cir. 1989). As a result, an agency's consideration of alternatives is sufficient if it examines an appropriate range of alternatives, even if it does not consider every available alternative. *Headwaters, Inc. v. Bureau of Land Management*, 914 F.2d 1174, 1181 (9th Cir. 1990).

"In the case sub judice, the Forest Service examined seven alternate courses of action with respect to the Trail Creek project: six 'action' alternatives (Alternatives B, C, D, E, F, and G) and one 'no action' alternative (Alternative A). The 'action' alternatives proposed timber harvesting in varying locations, amounts, and methods in the Trail Creek area. Moreover, the action alternatives all called for varying degrees of timber harvesting in the Beaver Lakes roadless area.

"Defendants maintain the plaintiffs' preferred alternative 'would not have met the management goals, standards, and objectives defined in the Beaverhead National Forest by the Beaverhead Forest Plan.' Specifically, defendants maintain that 'because the management decisions to harvest timber in those areas have already been made at the Forest Plan level it did not need to be revisited.'

"The fact the Beaverhead Forest Plan designates certain land as suitable for timber management does not, however, obligate the Forest Service to proceed with the timber harvesting, nor does it preclude the Forest Service from exercising its discretion to consider other courses of action. Accordingly, to the extent defendants maintain an alternative aimed at preserving the Beaver Lakes roadless area would be 'pointless,' based upon the goals of the Beaverhead Forest Plan, the court concludes defendants' summary judgment motion is not well taken. **Defendants' position is contrary to NEPA's underlying tenet, i.e., that agencies consider all reasonable alternatives so as to ensure an EIS fosters informed decision making.** See *Idaho Conservation League v. Mumma, supra*, 956 F.2d at 1519-20.

"The Forest Service cannot deny there is some benefit to be derived from considering an alternative that preserves the Beaver Lakes roadless area. Plaintiffs, as well as the Montana Department of Fish, Wildlife & Parks, whose considerable expertise in the area of wildlife management is undisputed, expressed concerns that preservation of the Beaver Lakes roadless area warranted full consideration in the Trail Creek NEPA

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process given the area's high security value for wildlife. Moreover, plaintiffs have alleged the roadless areas provide wildlife corridors essential for maintaining the biological diversity in the Northern Rocky Mountains.

"Given the contentious and long-standing debate in the State of Montana regarding the preservation of roadless lands and wilderness designation, the court concurs with plaintiffs' assertion that the NEPA process would have been properly serviced by development of an action alternative that preserved roadless lands in the Trail Creek area. Such an alternative would have afforded the opportunity for scientific and public participation and debate regarding the delicate balance between preserving natural resources and timber management.

"Accordingly, the EIS' failure to address an alternative preserving existing roadless lands in the Trail Creek area renders compels this court to REMAND this matter for further administrative proceedings." – End of excerpt - <http://www.wildlaw.org/Eco-Laws/nepa-txt.html>

Bolded emphases added that form the skeleton of our argument (and case law) that NNSA has failed to provide a credible range of reasonable alternatives as required by NEPA.

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Nuclear Watch New Mexico

Attachment 2

Additional Reasonable Alternatives that a new dSEIS should analyze

Nuclear Watch New Mexico's preferred alternative:

Alternative #4 (sequential from the three so-called alternatives that NNSA presented in the flawed dSEIS)

- Do not build the Nuclear Facility.
- Decontaminate and demolish the old CMR Building.
- Consolidate CMR missions in the Rad Lab and PF-4.

Alternative #5

- Do not construct a replacement facility to house the capabilities planned for the CMRR-NF.
- Do not continue to perform analytical chemistry, material characterization, and actinide research and development activities in the CMR Building.
- Install SNM safes
- Further consolidate operations into existing facilities, particularly the new 200,000 square feet Rad Lab and PF-4.

Alternative #6

- Do not construct a replacement facility to house the capabilities planned for the CMRR-NF.
- Do not continue to perform analytical chemistry, material characterization, and actinide research and development activities in the old CMR Building.
- Consolidate CMR missions at the Rad Lab and PF-4.
- Build an SNM vault at TA-55.
 - This vault would free up floor space at PF-4 and CMR.
 - This vault would help de-inventory CMR and PF-4.
 - It will provide for enhanced safe and secure storage of special nuclear materials.

Additional Alternative #7

- Do not construct a replacement facility to house the capabilities planned for the CMRR-NF.
- Continue to perform analytical chemistry, material characterization, and actinide research and development activities in the CMR Building, but make extensive facility upgrades needed to sustain CMR programmatic operations for another 20 to 30 years.
 - All the proposed "extensive facility upgrades" must be listed and the impacts of these upgrades must be analyzed.
 - The CMR Hazard Reduction (as mentioned in the National Nuclear Security Administration/ Readiness in Technical Base and Facilities, FY 2011 Congressional Budget, p. 161) activities must be listed and the impacts of these activities must be analyzed.

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- The CMR Risk Mitigation and Consolidation activities (as mentioned in the NNSA/ Readiness in Technical Base and Facilities, FY 2011 Congressional Budget, p. 160) must be listed and their impacts analyzed.
- Analyze the impacts of all current and proposed projects to extend the life of the CMR, including roofing work, exhaust fans, HEPA filters, structural and safety systems, and elevator repairs.
- Build an SNM vault at TA-55.
- Further consolidate operations into existing facilities, particularly the new 180,000 square feet Rad Lab and PF-4.

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Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico

Attachment 3

**Additional Background on the CMRR-Nuclear Facility and
Expanded Plutonium Pit Production**

NNSA must justify why a ~\$5 billion new Nuclear Facility is needed. We maintain that the Nuclear Facility has always been about directly supporting expanded pit production. For a current example, from NNSA's own FY11 Stockpile Stewardship and Management Plan (SSMP):

Existing Los Alamos plutonium facilities are not sustainable and do not provide an inherent manufacturing capacity sufficient for the range of possible future scenarios...

Path Forward...

- Complete the design and begin construction of the Chemistry and Metallurgy Research Replacement **Nuclear Facility** at Los Alamos (a facility that conducts plutonium research and development and provides analytical chemistry and materials characterization to all plutonium programs such as surveillance, manufacturing, and plutonium disposition.) Plan and program to complete construction no later than 2020, and **ramp up to full operations in 2022.**
- **Increase pit processing capacity and capability at the adjoining PF-4** (part of the main plutonium facility) at Los Alamos to demonstrate pit reuse by 2017 and manufacturing by 2018-2020. **Plan and program to ramp up to a manufacturing capability of up to 80 pits per year in 2022.** Complete required investment in PF-4 infrastructure and waste processing capabilities in time to support expected plutonium capability in 2022.³⁹

Concerning whether LANL's plutonium facilities are sustainable, we agree that the old CMR Building is not, at least for operations with Hazard Category 2 special nuclear materials (SNM). However, not only is PF-4 clearly sustainable, but it has in fact already been retrofitted with additional glovebox lines and equipment to achieve expanded production capability of up to 80 plutonium pits per year, as evidenced by the following:

LANL 08 Performance Evaluation Report

Pit Manufacturing Equipment

Measure 1.13 Build Six New W88 Pits & Install Equipment in FY 2008 to increase Pit Capacity to 80 Pits per Year by the Operational Date of a CMRR-Nuclear Facility (Incentive/Base)

Expectation Statement:

Build six new W88 pits and install equipment in FY 2008 to increase pit capacity to 80 pits per year by the operational date of a CMRR-Nuclear facility.

Completion Assessment:

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³⁹ NNSA FY11 SSMP, p. 23-24,
http://www.nukewatch.org/importantdocs/resources/Stockpile_Stewardship_and_Management_Plan_2010.pdf (parenthesis in the original, bolded emphasis added)

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Nuclear Watch New Mexico

LANS [Los Alamos National Security, LLC] has submitted completion evidence for award of full fee. NNSA has validated appropriate and timely completion.⁴⁰

All that is lacking for the desired “range of possible future scenarios,” that is “to ramp up to a manufacturing capability of up to 80 pits per year in 2022,” are the expanded SNM materials characterization and analytical chemistry capabilities needed to directly support expanded pit production. This is where the CMRR NF comes in. But while various high-level documents have blessed construction and operation of the CMRR NF, none have approved expanded plutonium pit production. The 1999 LANL Site-Wide Environmental Impact Statement set that level at 20 pits per year. Since that time, in one form or the other, the Modern Pit Facility EIS, the Complex 2030 Programmatic EIS, the 2008 LANL Site-Wide EIS, and the Complex Transformation Supplemental PEIS have all set out to formally expand plutonium pit production, but in each case failed to do so.

For there to be truly impartial NEPA review without predetermination there must be analysis of the fundamental need of the Nuclear Facility given that: 1) there has been no decision to expand beyond the currently approved production rate of 20 pits per year; and 2) there is no foreseeable decision to do so anytime soon. In effect, NNSA has predetermined that there will be expanded plutonium pit production (see SSMP above), which in turn predetermines that the Nuclear Facility is necessary. A new draft SEIS should specifically examine the likelihood that there will be a formal decision to expand pit production, and the need for the Nuclear Facility in the absence of such a decision.

A capabilities study of LANL’s plutonium infrastructure is required. Some programs currently performed in PF-4 are scheduled to last for only a few more years. The ARIES and the MOX programs, for instance, are due to be completed by 2015, thus freeing up some floor space. Given that plutonium pit production is not being expanded (nor is likely to be expanded), there should again be rigorous review of whether the Nuclear Facility is truly needed and analysis of the feasibility of relocating old CMR missions to PF-4 and the Rad Lab while not building the Nuclear Facility. An update is needed to a 1997 analysis of “Alternatives for Increasing the Nuclear Materials Processing Space at Los Alamos for Future Missions.” Please update the tables that show the floor space requirements for each program and what facility could be used for which program and operation. Please update this report and include a revised table in a new dSEIS analogous to this 1997 table below.

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⁴⁰ LANL 08 Performance Evaluation Report, NNSA,
<http://www.doeal.gov/aso/GeneralDocs/FY%202008%20Performance%20Evaluation%20Report%20Final.pdf> (bolded emphases added)

***Commentor No. 204 (cont'd): Jay Coghlan, Executive Director
Nuclear Watch New Mexico***

Table 1. Category I Laboratory Space Requirements.

	Present PF-4	Future PF-4	Future CMR	Change
DP-Programs				
Pit Fabrication - General	11,400	11,500	2,200	2,300
Pit Fabrication - Disassembly	0	0	1,000	1,000
Pit Fabrication - Assembly	0	3,100	0	3,100
Pit Fabrication - Radiography	0	700	0	700
Pit Surveillance	2,300	0	4,500	2,200
Pu-238 Heat Sources & Recovery	6,000	6,000	0	0
Stockpile Stewardship Programs	2,300	2,300	0	0
Special Recovery Line	700	0	1,200	500
Actinide Research & Development	3,400	3,400	1,000	1,000
Non-DP Programs				
Pu-238 Heat Sources & Recovery	3,000	3,000	0	0
Neutron Source Mat'ls Recovery	800	800	0	0
Fissile Materials Disposition - ARIES	1,000	1,500	0	500
Fissile Materials Disposition - MOX	3,000	3,000	0	0
EM Technology Support	800	0	0	-800
Non-Proliferation Technologies	0	0	0	0
Support Functions				
Aqueous and Pyro Recovery	13,400	13,400	0	0
Mat'ls Management and Rad. Control	4,400	4,400	2,000	2,000
Waste Management	2,400	2,400	1,200	1,200
Analytical Chemistry - Metallography	4,700	2,600	1,500	-600
Contingency Space	0	1,500	700	2,200
Totals	59,600	59,600	15,300	15,300

Alternatives for Increasing the Nuclear Materials Processing Space at Los Alamos for Future Missions Author(s): Drew E. Kornreich & Nelson S. DeMuth, April 25, 1997, <http://www.fas.org/sgp/othergov/doe/lanl/lib-www/la-pubs/00326510.pdf>.

Updated needed mission floor space requirements must take into account the fact that the Rad Lab is nearly complete for operations. The table below from the 1997 study indicates that the Rad Lab can indeed absorb much of the old CMR Building's operations.

Nuclear Watch New Mexico closes by again repeating that between the Rad Lab and the fact that SNM materials characterization has already been relocated to PF-4 that the CMRR-Nuclear Facility is not needed and should not be built. PF-4 can and should be reconfigured as other missions are terminated to accept the analytical chemistry mission as well. This would conserve taxpayers' money and is more consistent in progress toward a future nuclear weapons-free world.

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Nuclear Watch New Mexico

Table 6. Future Light Laboratory and Office Space Requirements for CMR and TA-55.

	Req'd. Sq. Ft.	Total	Currently Avail.	Deficit
Light Lab. Space Requirements for CMR				
Cold Lab. For Dislocated TA-55 Functions	1,400			
Cold/light Lab. For Analytical Chem. Capacity	4,000			
Light Lab. Missions in Wing 2	6,000	11,400	6,000	5,400
Light Lab. Space Requirements for TA-55				
Cold Laboratory	21,300	21,300	12,200	9,100
Office Space Requirements for CMR				
	22,000	22,000	0 [†]	22,000
Office Space Requirements for TA-55				
Office	66,000	66,000	44,600	21,400

[†] Future offices will not be next to laboratories.

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Commentor No. 205: Don Hancock
Southwest Research Information Center



SOUTHWEST RESEARCH AND INFORMATION CENTER
 P.O. Box 4524 Albuquerque, NM 87106 505-262-1862 FAX: 505-262-1864

June 28, 2011

Mr. John Tegtmeier
 CMRR-NF SEIS Document Manager
 DOE/NNSA/LASO
 3747 West Jemez Rd.
 TA-3 Building 1410
 Los Alamos, New Mexico, 87544

VIA ELECTRONIC MAIL

RE: Comments on the Draft Supplemental Environmental Impact Statement (DSEIS) for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory (CMRR-NF, DOE/EIS-0350-S1)

Dear Mr. Tegtmeier:

Southwest Research and Information Center (SRIC), a 40-year-old nonprofit organization with more than 35 years experience in working on nuclear issues, submits these comments in response to the Department of Energy (DOE) National Nuclear Security Administration (NNSA) Notice of Availability (NOA). 78 *Federal Register* 24018 (April 29, 2011). These comments are in addition to letters from SRIC and others during the comment period, and oral testimony provided at the Albuquerque hearing on May 23, 2011. DOE must respond to these comments and all of the previous ones, as well as all other comments from other organizations and individuals.

The CMRR-NF Draft Supplemental Environmental Impact Statement (DSEIS) is fatally flawed legally, as a matter of public policy, and technically. The DSEIS does not provide an adequate basis for a final EIS. Therefore, the SEIS process must stop, and NNSA must start over with a new EIS process.

1. The DSEIS is the wrong document. DOE/NNSA must instead begin a new EIS process. On February 3, 2004, then NNSA Administrator Linton Brooks issued the Record of Decision (ROD) for the CMRR Project, based on the Final EIS. The decision was to implement:

“the construction and operation of a new CMRR facility within TA-55 at LANL. The new CMRR facility would include two buildings (one building for administrative and support functions, and one building for Hazard Category 2 SNM laboratory operations), both of which would be constructed at above ground locations (construction option 3). The existing CMR building would be decontaminated, decommissioned and demolished in its entirety (disposition option 3).” 69 *Federal Register* 6972 (February 12, 2004).

205-1

205-1 NNSA notes the commentor’s position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that a supplement to the *CMRR EIS* is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

As described in Chapter 1, Section 1.1 of the *CMRR-NF SEIS*, five alternatives were analyzed in the November 2003 *CMRR EIS* (DOE/EIS 0350) (DOE 2003b): (1) Alternative 1 (the Preferred Alternative): Construct a new CMRR Facility at Technical Area 55 (TA-55); (2) Alternative 2 (Greenfield Site Alternative): Construct a new CMRR Facility at TA-6; (3) Alternative 3 (Hybrid Alternative at TA-55): Construct new Hazard Category 2 and 3 laboratory buildings (above or below ground) at TA-55 and continue use of the CMR Building; (4) Alternative 4 (Hybrid Alternative at TA-6): Construct new Hazard Category 2 and 3 laboratory buildings (above or below ground) at TA-6 and continue use of the CMR Building; and (5) No Action Alternative: Continue use of existing CMR Building – no new building construction. The Preferred Alternative (Alternative 1) was selected for implementation in a 2004 ROD (69 FR 6967) for the *CMRR EIS*. In addition, in the 2008 ROD for the *Complex Transformation SPEIS* (73 FR 77644) NNSA reaffirmed the decision to construct and operate the *CMRR-NF* at LANL.

In addition, Chapter 2, Section 2.7, of the *CMRR-NF SEIS*, describes alternatives considered but dismissed from detailed analysis. These alternatives are: (1) alternative locations outside LANL; (2) extensive upgrades to the existing CMR Building; and (3) moving capabilities to other LANL facilities. For the reasons described in Section 2.7, these alternatives are not being revisited in the *CMRR-NF SEIS*; rather, the SEIS tiers from the previous decisions made in the ROD for the 2003 *CMRR EIS* and the 2008 *Complex Transformation SPEIS* and examines a more limited set of alternatives. Refer to Section 2.11, Alternatives considered, of this CRD for more information.

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Over the past seven+ years, DOE/NNSA has:

- 1) implemented one part of the ROD – the administration/support building was constructed;
- 2) continued to operate the CMR building, while maintaining, but not implementing, the decision to decontaminate, decommission, and demolish the building some years in the future after its various functions are transferred to other locations or otherwise terminated; and
- 3) decided *not* to construct any of the Nuclear Facility alternatives described in the FEIS.

The DSEIS states:

“Based on new information learned since 2004, the 2004 CMRR-NF would not meet the standards for a Performance Category 3 (PC-3) structure as required to safely conduct the full suite of NNSA AC and MC mission work. Therefore, the 2004 CMRR-NF would not be constructed.” at 1-10.

Based on the requirements of the National Environmental Policy Act (NEPA), 42 U.S.C. § 4321, et seq. and its implementing regulations, DOE/NNSA must decide how to proceed. DOE/NNSA does not want to discard the November 2003 FEIS because it is the basis for the Radiological Laboratory/Utility/Building (RLUOB) that has been constructed and will soon begin operations. But DOE/NNSA also does not want to be bound by the Nuclear Facility reasonable alternatives of that FEIS.

Furthermore, since 2004, DOE/NNSA has advocated constructing the Nuclear Facility. Therefore, it also appears that DOE/NNSA wants to limit its examination of alternatives because it has a pre-determined outcome of constructing Nuclear Facility.

The most straightforward NEPA-compliant proposed action now would be to start a new EIS process with the purpose and need being how to operate the CMR building and/or its functions for the next decade or more. The reasonable alternatives would include:

- “no action” – maintain some functions in the CMR building;
- “reduced operations” – terminate some of the CMR functions;
- “transfer operations” – consider other facilities at LANL, including the RLUOB, TA 55 Plutonium Facility, as well as other NNSA sites for CMR functions; and
- “proposed action” – construct a Nuclear Facility, with two construction options, that would begin operations in approximately 2023 and operate for several decades.

The option DOE/NNSA has chosen instead is to try to supplement an admittedly inadequate FEIS regarding the CMRR-NF, so that all of those reasonable alternatives cannot be considered. Such an action is clearly contrary to the requirements of NEPA, and it must stop.

Council on Environmental Quality (CEQ) regulations under the National Environmental Policy Act (NEPA) clearly state that alternatives including the proposed action are:

“the heart of the environmental impact statement. Based on the information and analysis presented in the sections on the Affected Environment (§1502.15) and the Environmental Consequences (§1502.16), it should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply

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defining the issues and providing a clear basis for choice among options by the decisionmaker and the public. In this section agencies shall:

- (a) Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.
- (b) Devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.
- (c) Include reasonable alternatives not within the jurisdiction of the lead agency.
- (d) Include the alternative of no action.
- (e) Identify the agency's preferred alternative or alternatives, if one or more exists, in the draft statement and identify such alternative in the final statement unless another law prohibits the expression of such a preference.
- (f) Include appropriate mitigation measures not already included in the proposed action or alternatives." 40 CFR § 1502.14 (emphasis added).

The DSEIS totally fails to fulfill the requirement to "consider all reasonable alternatives." The DSEIS in reality has only one reasonable alternative, which is the proposed action: construct the Nuclear Facility of 407,600 gross square feet divided between four floors plus a partial roof level by excavating to a depth of 58 feet or excavating to a depth of 130 feet and backfilling with 250,000 cubic yards of low-slump concrete to a depth of about 60 feet.

The other two alternatives in the DSEIS are "No Action Alternative (2004 CMRR-NF)" but it will not be constructed and therefore is not a reasonable alternative, and "Continued Use of CMR Building Alternative." Regarding the latter alternative, the DSEIS states:

"This alternative does not completely satisfy NNSA's stated purpose and need to carry out AC and MC operations at a level to satisfy the entire range of DOE and NNSA mission support functions. However, this alternative is analyzed in this *CMRR-NF SEIS* as a prudent measure in light of possible future fiscal budgetary constraints." at 1-13.

Thus, the alternative of continuing use of the CMR building is not a reasonable alternative, but is effectively a "no action" alternative. The reasonable alternatives of reducing operations by downsizing the CMR building and its functions, or transferring some or all functions to other locations and terminating other functions are not considered.

2. The DSEIS is legally flawed because the alternatives fail NEPA's "hard look" test. NEPA also directs that DOE take a "hard look" at the environmental impacts of its proposed action and compare them to alternative means of fulfilling the same purpose and need for agency action that may avoid or mitigate environmental harms or risks posed by that action. "What constitutes a 'hard look' cannot be outlined with rule-like precision, but it at least encompasses a thorough investigation into the environmental impacts of an agency's action and a candid acknowledgement of the risks that those impacts entail." *Nat'l Audubon Soc. v. Dept. of the Navy*, 422 F.3d 174, 185 (4th Cir. 2005).

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The DSEIS cannot take a "hard look" at all of the alternatives, because the document does not even include all of the reasonable alternatives. Nor does it technically provide a "thorough investigation" of the impacts of the proposed action, as will be discussed hereafter.

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3. The DSEIS has insufficient policy options because the Nuclear Facility is only one size with the capacity to support manufacturing of 80 plutonium pits per year.
In its 1999 ROD on the LANL Site-Wide EIS, DOE/NNSA stated:

"DOE will establish, over time, a pit production capability at LANL with a capacity of nominally 20 pits per year; this decision reflects an intent to establish a pit production capability at LANL within the existing floor space set aside for this operation (about 11,400 ft² [1060 m²]). This will eliminate the need to transfer several Technical Area-55 plutonium operations (to „make room" for pit production activities in Technical Area-55) either to the CMR Building, or to newly constructed nuclear space, as contemplated in the Site-Wide Environmental Impact Statement. Thus, the Preferred Alternative for Pit Production can be implemented without an expansion of the plutonium operations floor space at LANL." 64 *Federal Register* 50803 (September 20, 1999).

In its December 2008 ROD on the Complex Transformation Supplemental Programmatic EIS, DOE/NNSA stated:

"NNSA does not foresee an imminent need to produce more than 20 pits per year to meet national security requirements." 73 *Federal Register* 77648 (December 19, 2008).

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205-2

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF.

However, the Nuclear Facility would cost an estimated \$6 billion or more and would support expansion of LANL's capability to manufacture up to 80 plutonium pits per year from the year 2023 onward. SRIC believes that a manufacturing capability of 20 plutonium pits per year is more than sufficient to maintain the U.S. nuclear arsenal. With the entry in force of the new START Treaty with Russia, the U.S. is limited to 1,550 warheads. The LANL capability of 20 pits per year has been sufficient to maintain a larger nuclear arsenal than the U.S. will have in the future. Thus, there is no apparent reason for the plutonium pit manufacturing capability to increase. There is certainly not a demonstrated need to have as the only action option a 407,600 gross square feet Nuclear Facility. At a minimum, decisionmakers and the public deserve a range of policy options, not just to leave things as they are or construct the huge, expensive Nuclear Facility. Such a range of options should be included in the new EIS process.

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Irreversible and irretrievable commitments of resources are addressed in Chapter 4, Section 4.8.3 of the *CMRR-NF SEIS*. The focus of the analysis is on commitment of materials, land, mineral, and energy resources. Financial resources are beyond the scope of the analysis.

4. The DSEIS has insufficient policy options regarding commitment of resources.
CEQ regulations under NEPA require consideration of "any irreversible or irretrievable commitments of resources which would be involved in the proposal should it be implemented." 40 CFR § 1502.16. In addition to the NEPA requirements, decisionmakers and the public must understand the commitment of resources required by the Nuclear Facility, especially given present concerns regarding the national debt and deficit spending.

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The cost of constructing and operating the Nuclear Facility is unknown, but current estimates are up to approximately \$6 billion for construction. Such a large expenditure is certainly a substantial commitment of resources. Decisionmakers and the public should have other, lesser cost options, which should be included in the new EIS process.

5. The DEIS is technically flawed because there are major impacts of the Nuclear Facility that are not accurately described and analyzed.

A. Nuclear Facility operations for 50 years or more will generate substantial amounts of radioactive and hazardous waste that must be stored at LANL, and the impacts are not analyzed in the DSEIS.

The DSEIS calculates that the Nuclear Facility and RLUOB annual waste generation rates are 88 cubic yards of transuranic (TRU) waste; 2,666 cubic yards of low-level waste (LLW) and mixed LLW; and 344,000 gallons of radioactive liquid. at 4-59. For 50 years, that would total 4,400 cubic yards of TRU; 133,300 cubic yards of LLW/MLLW; and 17,200,000 gallons of radioactive liquid.

The DSEIS states that the TRU waste would go to the Waste Isolation Pilot Plant (WIPP), the LLW/MLLW would go to the Nevada Test Site (NTS) or a commercial disposal site, and that the liquid waste would go to TA-50 for treatment. at 4-58 to 4-61.

However, WIPP is scheduled to end disposal operations by 2030, so for most or all of the Nuclear Facility's lifetime, WIPP will not be available for TRU waste disposal. DOE has no plans for another TRU disposal site. NTS and commercial disposal sites may or may not be available for all of the Nuclear Facility's lifetime. Thus, an adequate EIS would analyze the impacts of all of the TRU and LLW/MLLW staying at LANL, which the DSEIS does not even consider.

Moreover, the DSEIS does not accurately calculate the amount of waste that would result from the Nuclear Facility's operation. The CMRR-NF would be integral to the Plutonium Facility operations and is essential for production of 80 plutonium pits per year. Thus, the resulting increased waste generation from increased pit manufacturing would only occur if the NF is operational. The DSEIS does not include the data about the waste generation from the Plutonium Facility or any analysis of the impacts of the increased amounts of waste. An adequate EIS must consider the total and cumulative environmental impacts of the Nuclear Facility and interrelated plutonium operations.

B. Nuclear Facility operations would inhibit or prevent the cleanup missions of LANL, which is not described or analyzed in the DSEIS.

LANL is under a Consent Order with the New Mexico Environment Department, which, among other things, seeks to clean up waste sites, including at Area G. Disposal of LLW generated by the Nuclear Facility "could occur on site while Area G continues to accept waste." at 4-59. However, under the Consent Order, disposal at Area G must end years before the Nuclear Facility would begin operations in 2023. If the DSEIS is correct that LLW would go to Area G, the Nuclear Facility would delay closure of Area G and prevent the cleanup mission of that site.

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205-4 The cost to build and operate the proposed CMRR-NF is not within the scope of the CMRR NF SEIS, but it will be one aspect that NNSA takes into consideration when making its decision.

205-5 As summarized in Section 2.5, Cleanup and Waste Management, of this CRD, the CMRR-NF and RLUOB would be designed, constructed, and operated to accommodate the projected waste volumes to be generated at the facilities. Sufficient capacity exists at LANL or at offsite facilities to manage all of the projected waste associated with any of the alternatives included in the *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. Section 2.5 of this CRD discusses the situation regarding the availability of WIPP for disposal of TRU waste. The possibility of offsite low-level radioactive waste disposal facilities not being available in the future is speculative and not appropriate for consideration in the SEIS. The impacts associated with transportation of radioactive and nonradioactive wastes to offsite waste management facilities have been estimated for all alternatives (see Chapter 4, Sections 4.2.13, 4.3.13, and 4.4.13, of the *CMRR-NF SEIS*).

DOE expects that RLWTF will be available to treat liquid wastes generated from various LANL facilities, using the existing capabilities of RLWTF or any future upgrades.

Only a 63 acre portion of Area G containing Material Disposal Area G and other waste disposal and management capabilities would be closed consistent with remediation decisions reached by NMED for Material Disposal Area G pursuant to the 2005 Consent Order. Waste management operations would be transitioned to other LANL locations. For example, the transition of low level radioactive waste disposal operations to Zone 4 within Area G has been assessed in the 2008 *LANL SWEIS* (DOE 2008a). As noted in the *CMRR-NF SEIS*, low level radioactive waste disposal may occur at Area G or at offsite DOE or commercial locations. (The *CMRR-NF SEIS* conservatively analyzes transportation impacts assuming all low level radioactive waste is transported off site for disposal.)

The commentor links the generation of waste from an assumed increase in pit production at TA-55 Plutonium Facility to the proposed CMRR-NF project. Please see the response to comment number 205-2.

Chapter 4, Section 4.6, of the *CMRR-NF SEIS* includes a cumulative impacts analysis of waste management requirements associated with projected future needs including both the proposed CMRR-NF and other LANL facilities

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The DSEIS should commit that LANL operations will not delay closure of Area G and include that commitment in the EIS.

C. The Nuclear Facility would impact tribal concerns, which are not adequately described and analyzed in the DSEIS.

The DSEIS mentions some tribal issues, but notably ignores two major concerns - cleanup of the contamination at LANL and increased plutonium pit production. The Pueblos have supported cleanup because of their concerns about air and water pollution that affects their sacred lands and the health of their people. Tribal members also have expressed concerns about the impacts of increased pit production because of additional waste, contamination, and transportation that would occur.

The EIS must describe and analyze tribal concerns and explain how the alternatives and mitigation efforts address those concerns.

6. The DEIS is technically flawed because it does include analysis of decommissioning of the CMRR-NF.

The total amount of waste generated and total cost of the Nuclear Facility include the decontamination, decommissioning, and demolition of the facility. The DSEIS provides no estimates on the amount of waste that would be generated by decontaminating, decommissioning and demolishing the Nuclear Facility. The DSEIS also provides no cost estimates for those activities.

SRIC understands that estimating waste amounts and costs 60 years or more in the future would be orders of magnitude estimates. But that fact should be acknowledged in an adequate EIS, and some estimates of the range of costs should be made based on actual historic practices.

7. The DSEIS public participation process has been grossly inadequate.
SRIC has participated in dozens of EISs done by DOE, NNSA, and other federal agencies. The poor public participation process was among the worst that we have experienced and shows a marked lack of interest and/or significant lack of ability by DOE/NNSA.

Some of the many examples of a poor public participation process include the following.

- A. Despite discussions with DOE/NNSA officials about the public process before the NOA was released, an inadequate 45-day public comment period and only three public hearings were noticed.
- B. Time and resources that could have been used by SRIC and other organizations and individuals to promote turnout at the hearings and preparation of comments had to be diverted into additional efforts to secure an extension of the comment period and additional hearings in Albuquerque and Taos.
- C. DOE/NNSA then granted only an inadequate 15-day extension of the comment period.
- D. DOE/NNSA held only one additional hearing and that May 23 Albuquerque hearing was not adequately noticed 15 days in advance, as required by DOE's NEPA regulations at 10 CFR 1021.313(b). The *Federal Register* notice of the Albuquerque hearing was published on May 16. The postcard announcing the Albuquerque hearing was received by SRIC on May 19.

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including the TA-55 Plutonium Facility. Sufficient capacity is expected to be available on site or off site to treat and dispose of all of the projected amounts of radioactive waste. Refer to Section 2.5, Cleanup and Waste Management, of this CRD, for more information.

NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

See the response to comment 205 5 for the status of Area G.

205-7

Regarding the potential impacts of an increase in the level of pit production, the commentor is again referred to the response to comment number 205-1. In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order.

Chapter 3, Section 3.10, of the *CMRR-NF SEIS* has been updated to include additional information on the minority and low income populations surrounding LANL. The potential impacts on the general population from construction, operations, and transportation would be small as indicated in the impact analyses presented in Chapter 4, Sections 4.2, 4.3, and 4.4. As discussed in Section 4.3.8 and 4.4.8, there are not expected to be any significant impacts on cultural resources within LANL as a result of implementing these alternatives. As discussed in Sections 4.3.4, 4.3.6, 4.4.4, and 4.4.6, there are not expected to be any significant impacts on air or water quality as a result of implementing these alternatives. As discussed in Sections 4.3.13 and 4.4.13, there are not expected to be any significant impacts on transportation routes or traffic in the area surrounding LANL as a result of implementing this alternative. Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives, while waste management is addressed in Sections 4.2.12, 4.3.12, and 4.4.12. As indicated in Sections 4.2.11, 4.3.11,

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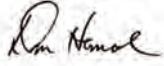
- E. At the Albuquerque hearing on May 23, SRIC's representative was rudely interrupted by the facilitator less than 5 minutes into his presentation. The facilitator had first announced that speakers would have 5 minutes, then decided to limit their time to 3 minutes. Based on the number of people registered to speak, there was adequate time for 5 minutes or more for each speaker. Facilitators at many other NEPA hearings have had much less rude and intrusive ways of having speakers wind up their comments.
- F. DOE/NNSA later held a "meeting" in Taos, but did not provide for public comment on the DSEIS.
- G. Despite announcing in the *Federal Register* and at the public hearings that comments could be emailed to NEPALASO@doeal.gov, that email address did not accept comments from more than 4,000 separate individuals around the nation. In addition, several people in New Mexico contacted SRIC during the public comment period to complain that their comments to the email address were not accepted.

Each of those examples could have easily been avoided or better handled by DOE/NNSA, as other agencies have done. SRIC and other representatives of citizen organizations discussed most of those matters with LASO officials before the NOA was issued and during the public comment period to try to avoid the problems. Thus, the reasonable conclusion is that DOE/NNSA were not interested in an adequate, effective public participation process or that they were not competent to carry out such a process.

Conclusion

SRIC is aware that many other people are commenting on additional aspects of the DSEIS. SRIC's comments and those of all other persons must be fully considered. If DOE/NNSA adequately considers the comments, the DSEIS will be withdrawn and scoping for a new EIS will be carried out.

Sincerely,



Don Hancock

205-9
cont'd

and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives. Also, impacts from a special pathways analysis have been included in Sections 4.3.11 and 4.4.11.

205-8 As discussed in Chapter 2, Section 2.10.2.2, DD&D of the new CMRR-NF would be considered at the end of its lifetime, designed to be 50 years. For either the 2004 CMRR-NF or the Modified CMRR-NF, impacts of DD&D of the CMRR-NF are expected to be comparable to those of DD&D of the CMR Building. Although activities involving radioactive materials that would be performed at the CMRR-NF are similar to those currently performed at the CMR Building, construction and operation of the CMRR-NF would reflect over 50 years of experience in facility design and operation and contamination control, with implementation of pollution prevention and waste minimization practices. An appropriate NEPA analysis would be conducted prior to commencing DD&D.

205-9 NNSA notes the commentor's concerns about the public outreach process. NNSA's implementation of public participation activities for review of the *Draft CMRR-NF SEIS* was consistent with past practices for other NEPA documents prepared for LANL. NNSA announced a 45 day comment period to provide sufficient time for interested parties to review the *Draft CMRR-NF SEIS*. In response to requests for additional review time, the comment period was extended by 15 days to a total review time of 60 days (76 FR 28222). All comments submitted to NNSA were considered in preparing the Final CMRR NF SEIS.

DOE regulations state that "DOE shall hold at least one public hearing on DOE draft EISs. Such public hearings shall be announced at least 15 days in advance. The announcement shall identify the subject of the draft EIS and include the location, date, and time of the public hearings" (10 CFR 1021.313(b)). NNSA published a Notice of Availability for the *Draft CMRR-NF SEIS* in the *Federal Register* on April 29, 2011 (76 FR 24018). That notice stated that the public review and comment period would continue until June 13, 2011 and announced public hearings to be held in Los Alamos, Española, and Santa Fe on May 24, 25, and 26, respectively. On May 6, 2011, NNSA published a Federal Register notice (78 FR 28222) to extend the comment period 15 days and to add a hearing in Albuquerque. While the Federal Register notice appeared a week before the Albuquerque public hearing, a notice of the Albuquerque public hearing

Commentor No. 205 (cont'd): Don Hancock
Southwest Research Information Center

was published in the Albuquerque Journal on May 8 and 19, 2011, meeting the requirement for 15 day advance notice.

The length of time given to commentors to speak at public hearings was predicated based on the number of anticipated commentors. Time was available to provide additional comments after all requested commentors spoke. In addition, other methods were available to provide public comments. Please refer to Section 2.2, NEPA Process, of this CRD for more information.

After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR-NF project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period. All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*.

Although many emails were received through the project email address, there were approximately 4,500 submittals that were attempted, but not successfully received by that method. Paper copies of these comments were later transmitted to NNSA and were fully considered in preparing the *Final CMRR-NF SEIS*. Responses to these comments can be found in Campaign AA.

Commentor No. 206: Geoffrey H. Fettus, Senior Project Attorney
Natural Resources Defense Council



June 28, 2011

Via Electronic Mail

Mr. John Tegtmeier
 CMRR-NF SEIS Document Manager
 Department of Energy – Los Alamos Site Office
 3747 West Jemez Road
 Los Alamos, New Mexico 87544

RE: NRDC Comments on the Draft Supplemental Environmental Impact Statement For The Nuclear Facility Portion Of The Chemistry And Metallurgy Research Building Replacement Project At Los Alamos National Laboratory, Los Alamos, New Mexico (CMRR-NF SEIS)

Dear Mr. Tegtmeier:

The Natural Resources Defense Council (NRDC) writes today to comment on the Department of Energy's National Nuclear Security Administration's (DOE/NNSA) *Draft Supplemental Environmental Impact Statement For The Nuclear Facility Portion Of The Chemistry And Metallurgy Research Building Replacement Project At Los Alamos National Laboratory, Los Alamos, New Mexico* (CMRR-NF SEIS), DOE-EIS-0350-S1. 76 Fed. Reg. 24018 (hereinafter "Draft SEIS"). The Draft SEIS issued by DOE/NNSA is the wrong document. Rather, DOE/NNSA should have commenced work on a new Environmental Impact Statement (EIS) process for the wholly new decision proposed by the Draft SEIS.

NRDC Statement of Interest

NRDC is a national non-profit membership environmental organization with offices in Washington, D.C., New York City, San Francisco, Chicago, Los Angeles and Beijing. NRDC has a nationwide membership of over one million combined members and activists. NRDC's activities include maintaining and enhancing environmental quality and monitoring federal agency actions to ensure that federal statutes enacted to protect human health and the environment are fully and properly implemented. Since its inception in 1970, NRDC has sought to improve the environmental, health, and safety conditions at the nuclear facilities operated by DOE and the civil nuclear facilities licensed by the NRC and their predecessor agencies.

206-1

206-1

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS and that a full suite of alternatives should be re-evaluated. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

As described in Chapter 1, Section 1.1 of the *CMRR-NF SEIS*, five alternatives were analyzed in the November 2003 *CMRR EIS* (DOE/EIS-0350) (DOE 2003b): (1) Alternative 1 (the Preferred Alternative): Construct a new CMRR Facility at Technical Area 55 (TA-55); (2) Alternative 2 (Greenfield Site Alternative): Construct a new CMRR Facility at TA-6; (3) Alternative 3 (Hybrid Alternative at TA-55): Construct new Hazard Category 2 and 3 laboratory buildings (above or below ground) at TA-55 and continue use of the CMR Building; (4) Alternative 4 (Hybrid Alternative at TA-6): Construct new Hazard Category 2 and 3 laboratory buildings (above or below ground) at TA-6 and continue use of the CMR Building; and (5) No Action Alternative: Continue use of existing CMR Building – no new building construction. The Preferred Alternative (Alternative 1) was selected for implementation in a 2004 ROD (69 FR 6967) for the *CMRR EIS*. In addition, in the 2008 ROD for the *Complex Transformation SPEIS* (73 FR 77644) NNSA reaffirmed the decision to construct and operate the CMRR-NF at LANL. NNSA does not intend to revisit these decisions previously made in the *CMRR-NF SEIS*. The SEIS tiers from the previous decisions made in the RODs for the 2003 *CMRR EIS* and the 2008 *Complex Transformation SPEIS* and examines a more limited set of alternatives.

In addition, Chapter 2, Section 2.7, of the *CMRR-NF SEIS*, describes alternatives considered but dismissed from detailed analysis. These alternatives include: (1) alternative locations outside LANL; (2) extensive upgrades to the existing CMR Building; and (3) moving capabilities to other LANL facilities. Based on public comments, Chapter 2, Section 2.7 was revised to include more information on alternatives considered but not evaluated in detail.

Commentor No. 206 (cont'd): Geoffrey H. Fettus, Senior Project Attorney
Natural Resources Defense Council

Mr. John Tegtmeier
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A New EIS is Necessary.

On February 3, 2004, then-NNSA Administrator Linton Brooks issued the Record of Decision (ROD) for the CMRR Project, based on the Final EIS. 69 Fed. Reg. 6967 (February 12, 2004). This was the result of a multi-year process. The final agency action and decision implemented by the ROD was, quite simply:

[Th]e construction and operation of a new CMRR facility within TA-55 at LANL. The new CMRR facility would include two buildings (one building for administrative and support functions, and one building for Hazard Category 2 SNM laboratory operations), both of which would be constructed at above ground location (construction option 3). The existing CMR building would be decontaminated, decommissioned and demolished in its entirety (disposition option 3).

Id. at 6972 (February 12, 2004).

Over the past seven years, DOE/NNSA has:

- 1) Implemented one element of the ROD by constructing the administration/support building;
- 2) Continued to operate the CMRR building. But importantly, the agency has not implemented any aspect of the decision to decontaminate, decommission, and demolish the building as, we suspect, there has been no progress on transferring to other locations or simply terminating the various functions. Rather, the building has been maintained; and
- 3) Decided not to construct any of the Nuclear Facility alternatives described in the Final EIS.

Now, in light of this work subsequent to its Final EIS and the 2004 ROD, the latest iteration states:

Based on new information learned since 2004, the 2004 CMRR-NF would not meet the standards for a Performance Category 3 (PC-3) structure as required to safely conduct the full suite of NNSA AC and MC mission work. Therefore, the 2004 CMRR-NF would not be constructed.

Draft SEIS at 1-10.

The Department is well aware that it must comply with the National Environmental Policy Act (NEPA), 42 U.S.C. § 4321, et seq. and its implementing regulations. We agree that the current situation is somewhat unusual in that typically an agency proposes a major federal action, conducts the EIS process, including issuing a ROD, and ultimately implements a decision that

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***Commentor No. 206 (cont'd): Geoffrey H. Fettus, Senior Project Attorney
Natural Resources Defense Council***

Mr. John Tegtmeier
Department of Energy
June 28, 2011
Page 3

reflects input received during the NEPA process. Or, as happens in the rare instance, the agency proposes a major federal action, conducts the EIS process, including issuing a ROD, and decides – or a court decides – to not carry out the proposed major federal action.

But in this instance, the major federal action was proposed, the NEPA process concluded, the ROD issued, and the agency itself determined that a significant aspect of the program was unsafe and not an action that federal government will perform to conclusion. But rather than discard a clearly inadequate 2003 FEIS and begin again, DOE/NNSA has attempted to shoehorn its NEPA compliance into the current supplemental process. We surmise two reasons for continued reliance on the 2003 FEIS: (1) it is the compliance basis for the Radiological Laboratory/Utility/Building (RLUOB) that has been constructed and will soon begin operations; (2) DOE/NNSA does *not* want to be bound by the Nuclear Facility reasonable alternatives presented in the 2003 FEIS and its subsequently issued ROD, so it issued the instant supplemental document with its even more limited, “tiered” set of alternatives in order to unlawfully constrain the agency’s examination of alternatives examined; and (3) DOE/NNSA limits its examination of alternatives because it has a pre-determined outcome that it has advocated since 2004 – constructing the Nuclear Facility. Specifically, in the Draft SEIS, DOE/NNSA limits its examination of alternatives to avoid grappling with how to operate the CMR building and/or its functions for the next decade or more and moves ahead with intentions advocated since at least 2004, building the Nuclear Facility.

The proposed action gives the appearance of having a pre-determined outcome. NEPA does not allow for such pre-determination, and instead requires the agency to undertake a “hard look” at all reasonable alternatives.¹

A far more straightforward and NEPA-compliant proposed approach would be to commence a new EIS process—with a newly thought out statement of purpose and need that reflects the current administration’s priorities – and a full examination of the following reasonable alternatives with all of their attendant environmental impacts (and associated opportunities to either mitigate or avoid those harms):

- “no action” – maintaining some functions in the CMR building;
- “reduced operations” – terminate some of the CMR functions;
- “transfer operations” – consider other facilities at LANL, including the RLUOB, TA 55 Plutonium Facility, as well as other NNSA sites for CMR functions; and
- “original proposed action” – constructing a Nuclear Facility, with two construction options, that would begin operations in approximately 2023 and operate for several decades.

The option DOE/NNSA has chosen is to try to supplement an admittedly inadequate FEIS regarding the CMRR-NF, making transparent its effort to avoid examination of a host of reasonable alternatives and end up constructing the CMRR-NF. That option is contrary to the

¹ “What constitutes a ‘hard look’ cannot be outlined with rule-like precision, but it at least encompasses a thorough investigation into the environmental impacts of an agency’s action and a candid acknowledgement of the risks that those impacts entail.” *Nat’l Audubon Soc. v. Dept of the Navy*, 422 F.3d 174, 185 (4th Cir. 2005).

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Commentor No. 206 (cont'd): Geoffrey H. Fettus, Senior Project Attorney
Natural Resources Defense Council

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requirements of NEPA and must cease. DOE/NNSA should return the drawing board and issue a new Notice of Intent to Prepare an EIS for an entirely new process, with a new statement of purpose and need and a new, rigorous examination of alternatives.

|| **206-1**
cont'd

If you have questions, please do not hesitate to contact me at (202) 289-6868. Thank you for considering our views on these important matters.

Sincerely,

/s/ _____
Geoffrey H. Fettus
Senior Project Attorney
Natural Resources Defense Council
1152 15th Street, NW
Suite 300
Washington, DC 20005
(202) 289-6868

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Commentor No. 207: Laura Watchempino

From: Laura Watchempino [5000wave@gmail.com]
Sent: Monday, June 27, 2011 3:29 PM
To: NEPALASO@doeal.gov
Subject: CMRR-NF SEIS

I am writing once again to state the need for a new EIS, rather than a Supplemental Environmental Impact Statement (SEIS) for a completely redesigned Chemical and Metallurgical Research Replacement Nuclear Facility (CMRR-NF) at Los Alamos National Laboratory (LANL) .

The original 2004 EIS for the new building is dated and requires a completely new assessment of environmental impacts based on a final new design for the CMRR-NF in a geologically unstable area that drains to the Rio Grande. The public health and safety risks of a new building for the processing of plutonium and nuclear materials to downwind and downstream communities must be a paramount consideration. LANL's historic discharges have disproportionately impacted Native and Hispanic New Mexicans along the Rio Grande

LANL recently settled a Clean Water Act lawsuit by Amigos Bravos and other community groups of against LANL to stop polluted run-off to the Rio Grande from over 2,000 dumpsites on LANL property. LANL's track record of disregard for human health and safety must be questioned and is another reason why a new EIS for the new CMRR-NF is required.

I also entered comments on the laptop computer provided at the public meeting in Albuquerque, NM on May 23, 2011.

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207-3

207-1 NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA has determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

207-2 Based on public comments, Chapter 3, Section 3.10, of the *CMRR-NF SEIS* has been updated to include additional information on minority and low-income populations surrounding LANL. The potential impacts on the general population from construction, operations, and transportation would be small as indicated in the impact analyses presented in Chapter 4, Sections 4.2, 4.3, and 4.4. As discussed in Section 4.3.8 and 4.4.8, there are not expected to be any significant impacts on cultural resources within LANL as a result of implementing these alternatives. As discussed in Sections 4.3.4, 4.3.6, 4.4.4, and 4.4.6, there are not expected to be any significant impacts on air or water quality as a result of implementing these alternatives. Sections 4.2.10, 4.3.10, and 4.4.10 of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

207-3 NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF. There are established programs at LANL that address liquid discharges and cleanup of past contamination. Liquid discharges through permitted outfalls are sampled and analyzed to evaluate compliance with permit conditions; results are reported annually in the LANL environmental

Commentor No. 207 (cont'd): Laura Watchempino

surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). A monitoring program is conducted at LANL (described in the 2008 *LANL SWEIS*, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, and Section 2.5, Cleanup and Waste Management, of this CRD, for more information on cleanup of past contamination.

Commentor No. 208: Pat Walsh

From: Pat Walsh [walshpat@earthlink.net]
Sent: Monday, June 27, 2011 11:11 PM
To: NEPALASO@doeal.gov
Subject: Fukushima, NE and Fukushima, NM

I am writing to inform you of my deep concern with your plans at Los Alamos National Laboratory. I have summarized some of my concerns in my subject line.

Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains. The original Environmental Impact Statement (2004) looked at a building designed to withstand only mild seismic events, but a 2007 study indicated a potential huge increase in ground motion activity, requiring major changes to the building design.

A new nuclear facility will detract from cleanup of the existing mess.

The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

And one last word: FIRE !!!!

Pat Walsh
 Port Washington, WI

208-1

208-2

208-1 NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. But there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 208 (cont'd): Pat Walsh

208-2 NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials, including vegetation, are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 209: Sheri Kotowski

June 27, 2011
Dear Mr. Tegmeier,

I live in the Rio Embudo Watershed located about 35 miles directly down wind from Los Alamos National Laboratory (LANL). My village and the entire watershed are currently inundated with smoke, ash and unknown contamination from the Las Conchas Fire. I have many concerns about the CMRR-NF currently under construction, but foremost is the senseless terrorizing of communities by posing such a risk as a nuclear bomb factory and storage facility in a major wild fire hazard zone. This is the 4th major fire threatening LANL over a 15-year period and only the beginning of climate change induced drought. This Bomb Factory clearly poses an unjustified local and global risk disguised as "national security" to our communities and our lands.

As the Las Conchas Fire is raging around LANL at this very moment, I want to ask you if you were here during the Cerro Grande Fire, the Dome Fire or the San Miguel Fire? So many people from LANL that I meet these days were not. Unlike the Cerro Grande Fire the Las Conchas Fire is a very immediate and swift moving fire. This drought driven fire has in less than 24 hours ravaged over 43,000 acres, same amount as the Cerro Grande consumed in 21-days. Spurred by this climate change induced drought the fire is charging with little relief in sight. Areas threatened by fire now include High Explosive (HE) Open Burn and Open Detonation sites. These areas are highly contaminated with HE and depleted uranium. Area G, an open-air radioactive waste storage unit is also threatened as well as canyons contaminated with PCB's, HE and toxic and radioactive heavy metals. At this point we have heard nothing about what contamination may be present in the plume of this fire.

I feel extremely threatened at the moment with this fire burning through legacy contamination still waiting to be cleaned up because of clean ups' low priority status all the while DOE continues to dump billions into the CMRR-NF, a facility designed to build more of something we do not need. LANL has never taken the threat of wild fire seriously despite all the major fires that will continue to threaten LANL. For example, in the FEMA Emergency Management Exercise that took place in 2009, citizens and Non-Governmental Organizations repeatedly requested that the scenario reflect a substantial wild fire, i.e. Cerro Grande. This did not happen because LANL felt that it was an unreasonably exaggerated scenario that could not possibly happen. It did and now we have the Las Conchas which is beginning to make Cerro Grande look like a stroll in the park.

DOE and NNSA must recognize the complete inadequacy of the Supplemental Environmental Impact Statement (SEIS) for the CMRR-NF project, halt construction activities and prepare a new Environmental Impact Statement. DOE/NNSA/LANL must return to the drawing table and do a complete EIS that addresses:

1. The 50% increase in scale and scope of the CMRR-NF. A SEIS by concept is meant to reflect only minor and inconsequential changes in a project, not changes that result in an over 10- fold increase in budget.

1. A Nuclear Facility and plutonium storage located in a region where wildfire is the number one and most likely hazard in Northern New Mexico.

209-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The waste storage domes in TA-54 are not the subject of the *CMRR-NF SEIS*. However, NNSA has taken actions to mitigate the risks of a wildfire on the domes. In 2000, the Cerro Grande fire burned a heavily forested canyon area to within about 0.75 miles (1.2 kilometers) of the waste storage domes, but none were burned and there were no radiological releases from the domes. The Las Conchas fire reached the southern border of LANL, but did not get within 2 miles (3.2 kilometers) of the domes. Additional fuel reduction has been conducted since the Cerro Grande fire, both to the vegetation surrounding TA-54 and within the domes themselves (for example, wooden pallets have been replaced with metal pallets), to further decrease the potential for a waste storage dome fire occurring as a result of a site wildfire. Furthermore, NNSA has an active program to remove the waste stored at Area G and ship it to WIPP for disposal.

Chapter 4, Section 4.3.1.7, of the 2008 *LANL SWEIS* summarizes a number of studies performed following the Cerro Grande fire to determine the impacts the fire had on the movement of contaminants (DOE 2008a). Preliminary monitoring data for the Las Conchas fire are available on the "Racer" website at <http://racernm.com/>. Additional monitoring data will be published in the LANL environmental surveillance reports typically published in the fall of each year for the previous year and available at "<http://www.lanl.gov/environment/all/esr.shtml>."

209-1

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209-3

**209-1
cont'd**

Commentor No. 209 (cont'd): Sheri Kotowski

2. All current and pending Seismic Reports indicating the possibility of a magnitude 8 earthquake. Current reports recognize that the fault line that the CMRR-NF sits on is capable of an earthquake of the same magnitude as the Fukushima earthquake in Japan earlier this year.

209-4

3. Emergency Management and Preparedness (EM&R) both at the LANL site and regionally, in the event of a magnitude 8 earthquake. An earthquake of this magnitude is likely to spur wild fire. LANL has continually failed to adequately address countless and repetitive infractions in EM&R, to the point now that audits are no longer available for public inspection.

209-5

4. The effects and impacts of climate change on the region in relationship to this facility, that includes fire risk and water consumption extending into the year 2025

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5. Negative socioeconomic and environmental impacts to agriculture that includes water usage and national security. One consideration would be, Northern New Mexico is on the verge of a farming renaissance. An example of the threatening use of "national security" would be taking water from farmland to keep making bombs. In 2010, LANL claimed that Open Burning in the hazardous waste permit was essential to "national security".

209-6

6. Impact to Prime Farmland. Many People in Northern New Mexico make their living and/or feed their families by working the land. A bomb Factory not only would place a huge burden on water consumption it also risks contamination to the land.

7. And produce a cost effective cradle to grave analyses of this project, including damages that would be incurred by a magnitude 8 earthquake and a wild fire. This would include the true cost of producing a plutonium pit and storing 6 metric tons of weapons grade plutonium.

209-7

The most outstanding issue is one of Local Security. I do not agree with the notion that bombs and weapons grade plutonium storage will provide security. Security is consistently having access to ample amounts of clean water, high quality food, good education and cultural integrity in a non-threatening environment. The CMRR-NF cannot provide any of this.

209-8

Finally, I question the wisdom in risking the condemnation of future generations from a nuclear accident at this facility or the wisdom in squandering water and life to make money from something we have no use for.

Thank you for your consideration.

Sincerely,

Sheri Kotowski
PO Box 291
Dixon, New Mexico 87527
serit@cybermesa.com

NNSA acknowledges the commentor's concerns that climate change may increase the frequency and intensity of wildfires and decrease the availability of water. Based on public comments, Chapter 3, Section 3.4.4, of the *CMRR-NF SEIS* has been revised to include a description of the types of environmental changes that could occur in the southwestern United States due to climate change. A discussion of potential impacts that could result at LANL from climate change and that addresses water usage has been added to Chapter 4, Section 4.1.

As noted above, the CMR Building and the TA-55 Plutonium Facility were not included in the 2008 *LANL SWEIS* as facilities that present a significant risk due to wildfires because these facilities are largely constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum (DOE 2008a). The CMRR-NF would be at least as resistant to the effects of wildfire as the existing CMR Building. Therefore, even if the frequency of wildfires is increased by global climate change, these facilities would not be directly affected. As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

209-2 NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

209-3 NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

Commentor No. 209 (cont'd): Sheri Kotowski

209-4

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 209 (cont'd): Sheri Kotowski

209-5 Chapter 4, Section 4.6.4, of the 2008 *LANL SWEIS* describes the LANL emergency management and response program. LANL personnel maintain the necessary apparatus, equipment, and Emergency Operations Center to respond effectively to virtually any type of emergency, not only on the LANL site, but throughout the local community as well. The program operates in accordance with applicable Federal requirements, including DOE Order 151.1C, *Comprehensive Emergency Management System*. Routine coordination between LANL staff and offsite agencies is primarily handled through the Los Alamos County Local Emergency Planning Committee, which meets monthly and is headed by the Los Alamos County Emergency Manager. LANL personnel provide training at no cost to a variety of county-associated response entities.

209-6 Information was added to Appendix C, Section C.6, of the *CMRR-NF SEIS*, that describes potential land contamination following a severe, beyond-design-basis earthquake and fire. The analysis presented in Section C.6 indicates that offsite contamination above levels that may require remediation could occur if this accident were to occur at the existing CMR Building or the 2004 CMRR-NF. If this accident were to occur at the Modified CMRR-NF, no land outside of TA-55 is projected to be contaminated above the screening level. Section C.6 also describes the potential impacts and costs of offsite contamination above screening levels.

As described in Chapter 5, Section 5.3, the Price-Anderson Act, which was signed into law in 1957, provides for payment of public liability claims in the event of a nuclear incident. See Section 5.3 for more information.

As described in Chapter 3, Section 3.5.7, no prime farmland soils have been designated in Los Alamos County. The closest areas of prime farmland are located approximately 7.5 miles (12 kilometers) east and 10 miles (16 kilometers) south of LANL, adjacent to the Rio Grande. With respect to water use, construction and operation of the Modified CMRR-NF would exceed that under the other alternatives. But as shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

Commentor No. 209 (cont'd): Sheri Kotowski

- 209-7** The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.
- 209-8** Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 210: Dr. Rosemary Ann Blanchard

From: R BLANCHARD [rosemary_blanchard@msn.com]
Sent: Wednesday, June 29, 2011 1:28 AM
To: nepalaso@doeal.gov
Cc: senator_bingaman@bingaman.senate.gov; senator@tomudall.senate.gov; info@martinheinrich.com; writemartin@mail.house.gov; seanbmarcus@gmail.com
Subject: Comment on Draft CMRR-Nuclear Facility SEIS -- This is no time to be expanding plutonium production at Los Alamos

To the US Department of Energy:

At the current time it is extremely irresponsible to even consider the expansion of plutonium pit production at Los Alamos as the current wildfire situation, which is part of a recurrent pattern for this area, makes clear that the Los Alamos plateau is not a safe place to be building plutonium-based armaments, storing plutonium-based products and creating plutonium-contaminated waste. As a person who lives downwind and downstream from Los Alamos, I believe that the continued expansion of plutonium-based weapons production at that site is a direct threat to my health and wellbeing and that of my family. You too easily forget that Los Alamos is upwind and upstream from some of the most densely populated metropolitan areas in New Mexico. It is once again proving itself not to be a safe place to build up plutonium contamination.

Even before this recurrent fire proved once again what a hazardous area the Los Alamos plateau is for dirty work with plutonium, research by credible nuclear watchdog organizations had demonstrated that the justification for expanding the CMRR Nuclear Facility as presented in the SEIS was flawed, in adequate and contradictory. The report from Nuclear Watch New Mexico, which appears below, is incorporated into my own testimony on this matter because it is well researched, cogent and clear. Given the questionable logic behind the expansion of nuclear weapons construction at this time, it is particularly egregious to place at risk the health and wellbeing of the people of New Mexico who bear the brunt of the risks associate with the CMRR Nuclear facility.

In their analysis, Nuclear Watch New Mexico stated:

The Draft CMRR-Nuclear Facility SEIS is deficient because:

Purpose and need is not reexamined. The Draft SEIS claims, "The purpose and need for NNSA action [to build the Nuclear Facility] has not changed since issuance of the 2003 CMRR EIS. NNSA needs to provide the physical means for accommodating the continuation of mission-critical AC [analytical chemistry] and MC [materials characterization] capabilities at LANL beyond the present time in a safe, secure, and environmentally sound manner." Summary page 8 (S-8). But the NNSA's own recently released FY 2011 Strategic Plan states, "Many things have

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210-1 The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4 CMR Mission, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

210-2 Responses to comments submitted by Nuclear Watch New Mexico can be found in letter 204. Issues raised by the commentor are addressed in Section 2.2, NEPA Process, Section 2.3, Programmatic Direction and Decisions, and Section 2.4, CMR Mission, of this CRD. As discussed in Chapter 1, Section 1.5, of the *CMRR-NF SEIS*, NNSA is not planning to revisit either the need for

Commentor No. 210 (cont'd): Dr. Rosemary Ann Blanchard

changed since the last National Nuclear Security Administration (NNSA) Strategic Plan was published in 2004,” immediately pointing to President Obama’s April 2009 Prague speech in which he called for a future world free of nuclear weapons. Thus, on a broad level the purpose and need of the Nuclear Facility, slated to operate as long as “toward the end of the twenty-first century” (S-16), should be examined in how it helps or obstructs to reach that lofty goal.

At the same time, Obama’s Prague speech called for rigorous interim maintenance of the U.S. nuclear stockpile, and his April 2010 Nuclear Posture Review (NPR) specifically endorsed constructing and operating the CMRR-Nuclear Facility as one of “the following key investments [that] were required to sustain a safe, secure, and effective nuclear arsenal.” However, one thing the NPR did not do was to raise LANL’s level of plutonium pit production from the currently sanctioned level of up to 20 plutonium pits per year, despite repeated attempts by the NNSA to do so. Nevertheless, the Nuclear Facility is to be built with 22,500 sq. ft. of plutonium processing space, the size of which a 2007 NNSA-commissioned study explicitly linked to a future production rate of 50-80 plutonium pits per year. That same study also assumed that new design nuclear weapons, the so-called Reliable Replacement Warheads (RRWs), would be produced, requiring expanded plutonium pit production.

NNSA’s FY 2011 Strategic Plan further states (p. 10), “As requirements for new or expanded capabilities emerge, our reinvestment strategy will use accepted life cycle management standards to integrate maintenance and replacement schedules with needs for new facilities and capabilities.”

So what are these needed new or expanded capabilities, if indeed we are seeking a future world free of nuclear weapons? If these needs exist, NNSA must explain why plutonium pit production must be expanded? If expanded production is not needed, then why is the CMRR-Nuclear Facility needed?

Current and proposed “Life Extension Programs” seek to extend the service lives of the W76 and W78 ballistic missile warheads and the B61 bomb. But these programs are scheduled for completion before the CMRR-NF’s operational date of 2022, so the facility is of no use to them. Taxpayer money misdirected into the CMRR-Nuclear Facility would be better put into maintenance and upgrades of existing facilities and programs.

The Draft SEIS for the CMRR-NF fails to offer and analyze realistic alternatives.

After careful reevaluation of NNSA’s contemporary purpose and need for plutonium pit production, a new document should be prepared that analyses a broader set of alternatives for meeting that purpose. Two of the Alternatives given in this April 2011 draft are unworkable, which automatically skews analysis in favor

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the CMRR-NF or relocating the CMR capabilities at another site. NNSA has addressed the CMRR-NF in a series of NEPA documents since the 2004 ROD for the *CMRR EIS* that announced its decision to locate a two-building CMRR Facility at TA-55. The *Complex Transformation SPEIS* (DOE 2008b), which addressed transforming the nuclear weapons complex into a smaller, more efficient enterprise, also addressed the location for manufacturing and research and development involving plutonium. In the ROD for that document, NNSA announced its decision that that mission would remain at LANL and its decision to construct and operate the CMRR Facility at LANL. Based on these decisions and the authorization for the project and appropriation of funding, NNSA intends to proceed with the CMRR-NF planning process.

The CMR Building and the CMRR-NF provide capabilities as described above. As described in Chapter 1, Section 1.2, of the CMRR-NF SEIS, NNSA’s ability to perform these capabilities has been curtailed because of safety restrictions at the existing CMR Building; some types of materials characterization work have been suspended because of these limitations.

Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation’s nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

210-3

The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements. CEQ and DOE NEPA regulations and implementing procedures (40 CFR 1502.9(c) and 10 CFR 1021.341(a) – (b), respectively) require preparation of an SEIS if there are substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or its impacts. The regulations state that an agency may also prepare a supplement when the agency determines that the purposes of NEPA will be furthered by doing so. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the

Commentor No. 210 (cont'd): Dr. Rosemary Ann Blanchard

of the NNSA's preferred alternative. A reasonable alternative to consider is to not build the Nuclear Facility; continue to perform analytical chemistry, material characterization, and actinide research and development activities in the old CMR Building; and make facility upgrades to that building that are needed to sustain programmatic operations for another 20 to 30 years. Crucial to the validity of this alternative is an analysis of the impacts of all current and proposed projects to extend the life of the CMR, including roofing work, exhaust fans, HEPA filters, structural and safety systems, and elevator repairs.

The CMR upgrade alternative was included in NNSA's Notice of Intent to prepare the supplemental EIS, but was not considered in the draft. The cost of CMR upgrades was offered in the 2003 EIS as the reason why the CMR upgrade alternative would not be considered. But costs for the replacement Nuclear Facility have now skyrocketed such that it is now eminently reasonable to make a business case for upgrading the old CMR Building (which would also push back costs for decontaminating and demolishing it) and not build the Nuclear Facility.

Nuclear Watch NM's preferred alternative, which we have already proposed in our Scoping Comments on this SEIS, is to not build the Nuclear Facility; D&D the old CMR Building; and consolidate CMR missions in the new 185,000 square-foot Rad Lab and PF-4. In addition to arguing that this is the appropriate alternative for NNSA to follow we also that it meets the test of being a reasonable alternative such that NNSA must analyze it.

A possible option to our preferred alternative: The CMRR-NF is being designed with a vault for safe and secure storage of up to 6 metric tons of special nuclear materials (SNM). NNSA's claimed need for the Nuclear Facility should be de-linked from any possible need for a new SNM vault. NNSA should consider not building the Nuclear Facility while building a standalone vault. That vault could perhaps free up floor space at PF-4 (further obviating the need for the Nuclear Facility) and help de-inventory both it and the old CMR Building of materials at risk in a seismic event. Materials characterization and analytical chemistry could then be performed in PF-4 and the Rad Lab.

To be a credible analysis the NNSA must develop a greater spectrum of reasonable alternatives, which could include various combinations of the following:

- Do not construct the CMRR-NF.
- Continue to perform analytical chemistry, material characterization, and actinide research and development activities in the CMR Building, but making extensive facility upgrades needed to sustain CMR programmatic operations for another 20 to 30 years.
- Do not continue to use the old CMR.
- D&D the half of the CMR that was determined to be over a seismic fault.

level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SPEIS* ROD (73 FR 77644). The No Action Alternative in the *CMRR-NF SEIS* is based on the decision made following preparation of the original *CMRR EIS* in 2003. Another alternative addresses the alternative of continuing to use the CMR Building, although its continued use would not fully meet NNSA's stated purpose and need.

The alternative of distributing analytical chemistry and materials characterization capabilities among multiple facilities at LANL was considered, but not analyzed as a reasonable alternative. Because of the quantities of special nuclear material involved, to fully perform the analytical chemistry, materials characterization, and plutonium research capabilities, facilities would need to be classified as Hazard Category 2 and Security Category 1. RLUOB was not intended as a nuclear-qualified space to handle Hazard Category 2 or 3 levels of nuclear material. Thus, NNSA would not operate RLUOB as anything other than a radiological facility, which would significantly limit the total quantity of special nuclear materials that could be handled in the building. As a result, analytical chemistry and materials characterization operations requiring Hazard Category 2 and 3 work spaces could not be carried out in RLUOB. Using space and capabilities in the TA-55 Plutonium Facility would interfere with performing work currently being conducted there and reduce the space available in the building that could be used to conduct future DOE and NNSA mission support work. Use of other locations at LANL would introduce new hazards for which the facilities were not designed and would not conform to the objective of collocating plutonium operations near the TA-55 Plutonium Facility. Performing work at a location remote from the TA-55 Plutonium Facility would necessitate periodic road closures and heightened security to enable transport of materials between the facilities. In addition, other facilities would not have the available space, vaults, and engineered safety controls and requirements for this type of work. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

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Commentor No. 210 (cont'd): Dr. Rosemary Ann Blanchard

- Keep the nuclear materials inventory in the CMR low enough so that seismic requirements are less stringent. Operate it as a DOE Hazard Category 3 facility meaning that it has under 900 grams of plutonium-239 equivalent.
- Do not build the Nuclear Facility but do build a standalone SNM vault. This could help free up floor space at PF-4 and CMR and lower the amounts of "materials at risk" in the event of accidents or seismic events.
- Consider the most efficient use of the new 185,000 square-foot Rad Lab (which will be ready for operations in less than two years) and PF-4 for relocating old CMR activities

This draft SEIS should be withdrawn until the details of the Shallow Excavation Option are better understood. The cost-saving Shallow Option, in which the foundation would be constructed in a geologic layer above the poorly welded tuff layer, is not a mature concept, and it is not yet known if this option is safe. The draft SEIS fails to accurately analyze how impacts to the environment from this option may be different.

There are more new seismic investigations currently underway at the Lab. This draft SEIS must be withdrawn and rewritten after the results of these new investigations are known. Proceeding with design before seismic risks are better known will only repeat the process that led to the need for this Supplemental EIS.

Final Note: Although proponents of the CMRR-Nuclear Facility constantly point to the benefits of job creation, the SEIS itself states the socioeconomic impact of this new facility is minimal.

Concerning construction jobs, "Peak direct (790 workers) plus indirect (450 workers) employment would represent less than 1 percent of the regional workforce and would have little socioeconomic effect." (S-39, parentheses in the original.) The average number of construction jobs is 420 over nine years. (From Table2-1, Summary of CMRR-NF Construction Requirements, p. 2-15.)

Facility personnel would not change from existing levels, just their location, "Approximately 550 workers would be at the CMRR Facility (Modified CMRR-NF and RLUOB); they would come from the CMR Building and other facilities at LANL so the facility would not increase employment or change socioeconomic conditions in the region." (S-39, parentheses in the original)

Nuclear Watch NM argues that far more jobs could be created through other efforts, and not through a ~\$6 billion dollar plutonium investment that will lock in Los Alamos' future to the hopefully shrinking business of nuclear weapons research and production.

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The concerns expressed by the commentor about the Shallow Excavation Option not being a mature alternative appear to refer to statements in Chapter 1 and Chapter 2, Section 2.6.2.1, of the *Draft CMRR-NF SEIS* indicating that there was more uncertainty in the design of the Shallow Excavation Option because that design had not reached the same level of maturity as the Deep Excavation Option. In 2011, a review of the requirements for the design of the CMRR-NF identified an opportunity to reduce the amount of additional excavation and concrete fill required for the Deep Excavation Option by raising the bottom of the basemat to near the original design elevation. The overall building height would remain the same, but the top of the roof would be higher above ground than it was in the conceptual and preliminary design. At the current level of design maturity, this approach, known as the Shallow Excavation Option, appears to provide some reductions in construction impacts and cost without affecting other building design requirements. Both construction options require the same sets of safety controls and are expected to remain close in offsite environmental consequences as shown in the analyses contained in this SEIS. At this time, both construction options are being considered by NNSA. As the design studies continue and more details become available, one option or the other may be judged to have significant advantages in the time and/or cost expected for executing the excavation phase of construction that will facilitate NNSA's selection of a preferred construction option. Whichever alternative or option is selected, the CMRR-NF must meet the design standards for a Performance Category 3 (PC-3) facility. PC-3 structures, systems, and components are those for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials. Design considerations for this category are to limit facility damage as a result of design-basis natural phenomena events (for example, an earthquake) so that hazardous materials can be controlled and confined, occupants are protected, and the functioning of the facility is not interrupted (DOE 2002b). As indicated in the *CMRR-NF SEIS*, the Deep Excavation Option would have greater impacts from construction than the Shallow Excavation Option, but the operational impacts would be the same for either option.

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NNSA is not considering the alternatives in the *CMRR-NF SEIS* to create jobs; rather, these alternatives are being considered to meet the purpose and need as stipulated in Chapter 1 of the SEIS.

Commentor No. 210 (cont'd): Dr. Rosemary Ann Blanchard

I hope that you will give serious consideration to the analysis by Nuclear Watch New Mexico and to the situation on the ground at Los Alamos which makes clear that this is an unsafe site for continued development of plutonium-based materials.

Sincerely,

Dr. Rosemary Ann Blanchard
1727 Los Jardines Pl., NW
Albuquerque, NM 87104
rosemary_blanchard@msn.com
rblnchr@csus.edu

Response side of this page intentionally left blank.

Commentor No. 211: Tim Eisenbeis

From: Tim Eisenbeis [ateisen@gwtc.net]
Sent: Wednesday, June 29, 2011 1:17 AM
To: nepalaso@doeal.gov
Subject: I oppose the CMRR-NF

I am writing to inform you of my deep objection to this project on every count: environmental, cost, national security and moral. Nothing justifies this kind of spending when states and the federal governments are so near to shutting down for lack of funds. We, the American citizens do not need more plutonium pits nor shiny new nuclear weapons. They endanger us and can only serve to eventually blow up /incinerate the wonderful world we hope to hand off to our 2 teenage boys.

Tim Eisenbeis, 47
Marion, SD 57043

Tim Eisenbeis
44373 280th St.
Marion, SD 57043

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211-1

NNSA notes the commentor's opposition to pit production and nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 212: Patrick Brunmeier

From: patrick brunmeier [pbrunmeier@hotmail.com]
Sent: Tuesday, June 28, 2011 11:12 PM
To: nepalaso@doeal.gov
Subject: No new plutonium facility at Los Alamos National Laboratory

I write to urge you to disregard the proposition of a new plutonium facility at Los Alamos National for the following reasons (at least):

I believe that expanding the United States' nuclear weapons production capabilities is in contradiction to President Obama's stated goal of a world free of nuclear weapons.

The Department of Energy (DOE) is already struggling with prioritizing taxpayer funds intended for CLEANUP, not a new bomb plant that is dangerous, expensive, destabilizing and damaging to the environment.

PS I write as two nuclear facilities are being threatened by flooding in the US; and another is being threatened by fire; and the meltdown continues in Japan; and three active facilities are threatened in the geologic Subduction Zone of the Pacific Northwest; and as other nations are stopping or curtailing their nuclear production.

patrick brunmeier
200 Sheldon
mt shasta, CA 96067

212-1

212-2

212-1 NNSA acknowledges that there is substantial opposition to the development and testing of nuclear weapons and their components and that President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

212-2 NNSA acknowledges the commentor's concern about potential nuclear accidents at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 213: Beata Tsoisie-Pena
Tewa Women United

June 14, 2011

Mr. John Tegtmeier
CMRR-NF SEIS Document Manager
Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM. 87544

Dear Mr. Tegtmeier,

In regards to the Supplemental Environmental Impact Statement we, as members of downwind and downriver impacted communities, request that all construction and work on the new CMRR is halted until a new Environmental Impact Statement (EIS) is released, reviewed, and communicated to the impacted populations. As the surrounding communities health and well being is directly affected by the environmental consequences of such a facility, there needs to be a significant increase in the way that we are receiving information, opportunities for direct input, and direct involvement in decision making procedures. Additional scoping meetings need to be held in every community within a 100-mile radius of Los Alamos National Labs, Sandia National Labs, the WIPP sites, and in Uranium mining communities both in state and out of state. Public comment should be allowed as ongoing throughout the finalization of this process considering the changes in size, scope and cost of the proposed CMRR facility. We also request that more in-depth and comprehensive responses to all public comments are published alongside each other on the website and in the new EIS in order to facilitate understanding and to maintain transparency on the actual impact of these comments.

It is vital that the state permits LANL will be applying for, and those they are exempt from, be included in the new EIS; with specific information therein regarding what will be released into the environment on a daily/regular basis. Information needs to be included that details the longevity of any radioactive or other toxins that will be released as a result of this new building. The lifespan of this facility (and the old one) must be taken into account in order to assess not only short term releases but also include the plan for decommissioning the building and/or improving it in 50 years, and what will be done with the waste generated in that time. Financial assurance needs to be guaranteed so that our communities are guaranteed cleanup, containment, disposal and treatment of accidental and/or routine releases and exposures. The adjacent pueblos and communities along waste transport routes do not have the capacity or emergency response training necessary to deal with an accident. We request a complete analysis of what support facilities, as well as their capacity and capabilities, will be needed for the proposed CMRR-NF, including the cost and any additional environmental impacts or changes as a result of the need for this increased support. Parallel to what happened to the communities adjacent to the Trinity Site (Tularosa Basin), where there was no plan in place to determine the impact of a nuclear explosion on local populations, and who now face cancer rates four times the national average. People in these communities have suffered and continue to suffer the irreparable harm resultant of the Trinity test with no help from the federal government. There needs to be solid information that ensures there will be zero harm on our well being as a result of this industry.

The cost of the CMRR-NF is now 4.5 billion and rising. This is money that could be used for the benefit and prosperity of New Mexico citizens. Use it instead on health care, green energy, education, land conservation and preservation, public transportation and other endeavors that would stimulate lasting economic growth. Federal funds should be used to support and uplift our poorest communities rather than be filtered into the richest county in the nation, with concentrated dollars going to corporations profiting from unusable weapons. The jobs created by construction of this facility will end upon its completion, and does not contribute to a sustainable economy.

We, as members of impacted communities, oppose the compartmentalization of public commentary. Of major concern is how comments are labeled as being "beyond the scope of the CMRR- EIS", because this does not leave room for our worldview and knowledge held by land-based people, regarding the holistic implications of what is being done to THEIR LAND. In addition to not holding equal value to the knowledge and contributions of local communities, the manner in which the technical material is presented, only serves to disenfranchise a population suffering from economic, social, educational and linguistic disparities. This is documented in the CMRR- EIS public comments that reference that more time is needed for comment, community education and outreach, and comprehensive, in-depth health studies. Another problematic factor is the methodology in which the public's comments were responded to. The comments were superficially abstracted, and the commenter's were instructed to refer back to the EIS document. This sort of response allowed for a one-dimensional understanding of what the commenter's were asking or stating. Much of the cultural commentary was disregarded and never addressed in this summarization. It trivialized their statements, concerns, and inquiries about the EIS by responding in a way that directed them back to the document. This serves to end dialogue rather than enhance it, and denies the public a meaningful response to their comments. It inappropriately patronizes the general population, and unfairly discredits the knowledge bases of our community experts on these matters.

213-1 NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

NNSA's implementation of public participation activities for review of the *Draft CMRR-NF SEIS* was conducted in compliance with applicable laws and regulations, and was consistent with past practices for other NEPA documents prepared for LANL. NNSA announced a 45-day comment period to provide sufficient time for interested parties to schedule their review of the *Draft CMRR-NF SEIS* around other commitments. In response to requests for additional review time, the comment period was extended by 15 days to a total review time of 60 days (76 FR 28222). All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*.

During the comment period, NNSA made the SEIS references available in five DOE Public Reading Rooms located in New Mexico and one in Washington, DC. To the extent practicable, NNSA made references available on the Internet, except where limited by copyright or security concerns.

As with previous LANL NEPA documents, the public hearings were held at regional venues near LANL (Los Alamos, Española, and Santa Fe). In response to requests for additional public hearings, NNSA also held a fourth public hearing in Albuquerque (76 FR 28222), and an informational meeting was held in Taos. Public hearings near uranium mining communities were not conducted because these facilities would not be impacted by construction and operation of the CMRR-NF. Public hearings near WIPP were not conducted because the volumes of transuranic waste to be disposed of at WIPP would be similar to those currently sent to WIPP due to operation of the existing CMR Building, and therefore, would not constitute an appreciable change in activity at WIPP.

For people who were unable to attend the hearings due to schedule conflicts or who could not travel to the hearing locations, NNSA provided a number of additional ways to comment on the draft SEIS. Comments on the draft SEIS could be submitted by U.S. mail, email, a toll-free telephone line, and a toll-free fax line. All comments submitted were considered in preparing the *Final CMRR-NF SEIS*. Responses to comments on the *Draft CMRR-NF SEIS* are included

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Commentor No. 213 (cont'd): Beata Tsosie-Pena

Based on the findings in the Los Alamos Historical Document and Retrieval Assessment report (LAHDRA), which states that airborne plutonium releases in early production years at LANL exceed those of Hanford, Rocky Flats, and Savannah River combined, making us the most polluted nuclear site in the nation (LAHDRA, 2011). This fact warrants LANL's immediate action on legacy waste clean up before any new facility can be built that will only add to this contamination; in accordance with the 2005 New Mexico Environmental Departments consent order. We demand that detailed and widespread comprehensive health studies are carried out to determine the health impacts of the legacy waste already produced and released on all potentially impacted communities. We are in support of Concerned Citizens for Nuclear Safety and Nuclear Watch New Mexico's statement that, "The Department of Energy (DOE) must explain the impacts of diverting funds away from cleanup, renewable energy, and nonproliferation programs at LANL for a new manufacturing facility for plutonium pits or "triggers" for nuclear weapons called the CMRR."

An EIS statement will only be relevant if the current standard of reference for determining safe levels of exposure to both workers and the general population is discontinued. This current standard is based on "reference man", a hypothetical male model which endangers the majority of the population in its' limitations. This standard does not protect women, children, the elderly, people of color, the unborn fetus, or any other demographic that falls outside of these narrow parameters from harm. If the agencies responsible for the EIS continue to use these inadequate ways of measuring contamination, then it endangers and threatens local populations. This model of reference is limited in its' focus on male human life. The new EIS report needs to factor in the impacts on the plant, insect, and animal communities with whom we share a delicate ecology. Our water, air and soil health are vital considerations that need to be included in any revised impact statements.

In addition, the current EIS standards of measurement are unsatisfactory because it does not include impacts of multiple/cumulative exposures to radiological, toxic, and hazardous materials. The unique pathways of exposure that land-based people face as a result of growing and harvesting our own food, hunting, fishing, gathering wild plant-life, being outdoors for longer periods of time, livelihoods that include ranching, pottery, woodwork, natural pigments, the harvesting of forest materials, drinking, bathing, and irrigating with water, harvesting rainwater, breathing air, and ceremonial cultural practices within the pueblos all need to be analyzed, considered and respected. This needs to be done by creating meaningful dialogue and processes with local communities at a state and national level. All communities requesting a public hearing and informative sessions should be granted, and comments should be ongoing given the reasons we have stated and lack of public outreach.

Updated seismic hazards analysis from 2007 have showed a dramatic increase in seismic motion and activity. In light of the recent nuclear catastrophe in Japan, it is apparent that even with extensive planning and state of the art facilities, far reaching long term damage to the planet and future generations cannot be ignored. Los Alamos National Laboratories is the only facility of its kind that is in close proximity to residential areas. We reject the National Nuclear Security Administration, CMRR Federal Project Teams statement that "no other facility or site in the U.S. can fulfill its mission." We are here to say that we are not an expendable population and are no longer held to the fallacy that the southwest is a national sacrifice zone for the nuclear industry.

We have stated reasons for the new EIS, but feel it is also necessary to express our opposition for the need for a new CMRR building in the first place. The cost is too high, it will use too much of our water that we need for agriculture and home use, historical impacts and legacy waste have yet to be addressed, and the region is unsuitable seismically, geographically, and culturally for the continuation of the nuclear industry in the Jemez Mountain Plateau. We hope and pray that LANL may shift its focus from an industry whose core is based on destructive values and a culture of violence to one that respects the sustainability of life.

As people who live in the shadow of this industry and who do not share its values, we ask that LANL's shift in mission begin with open dialogue and sincere consideration of our requests and concerns. Let this shift in mission begin with recognizing that this new facility is not needed or wanted here. We pray that our concerns are not trivialized and silenced as has been done in the past, and that we can continue living here, while healing from the damage that has already been enacted upon us. We look forward to furthering this discussion and to creative solutions to this issue that we are all affected by and involved in together.

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in the *Final CMRR-NF SEIS* and therefore, are posted on the *CMRR-NF SEIS* website at <http://nnsa.energy.gov/nepa/cmrrseis>.

The accident calculation methodology used in the SEIS estimates the total population dose (sum of the individual doses to all members of the affected population) within a 50-mile (80-kilometer) radius of LANL. As described in the 2008 *LANL SWEIS* (Volume 3, Book 1, Page 2-17), a 50-mile (80-kilometer) radius is commonly used in EISs because this distance has been shown to encompass the significant impacts on the public. Samples measured at varying distances from emissions sources show that the concentration of radionuclides decreases with the distance from the source. The 50-mile (80-kilometer) radius is accepted by regulatory agencies such as the U.S. Nuclear Regulatory Commission and DOE because, at this distance, the concentration of airborne radionuclides and toxic chemicals is very small.

The accident that would result in the largest population dose for a 50-mile (80-kilometer) radius region of influence, the TA-54 waste storage dome wildfire, also was analyzed using a 100-mile radius region of influence. The analysis shows that extending the region of influence out another 50 miles (80 kilometers) increases the affected population by 300 percent, while the population dose increases by only 13 percent. This shows that the radiation dose to individuals in the 50- to 100-mile range (which includes the city of Albuquerque) is very small relative to the dose to individuals within 50 miles of LANL (DOE 2008a).

Chapter 6 of the 2008 *LANL SWEIS* describes applicable environmental permits for facilities at LANL. NNSA cannot put a copy of permits in the SEIS because they have not been applied for yet. NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF. Chapter 4 of the *CMRR-NF SEIS* describes the potential releases from the CMRR-NF and the environmental impacts of these releases on air quality, water resources, and human health. Annual impacts can be multiplied by 50 years to estimate total impacts from 50 years of operation. Decommissioning of the CMRR-NF is discussed in Chapter 4, Section 4.5, Facility Disposition.

As described in Chapter 5, Section 5.3, the Price-Anderson Act, which was signed into law in 1957, provides for payment of public liability claims in the event of a nuclear incident. See Chapter 5, Section 5.3, of the *CMRR-NF SEIS* for more information.

Commentor No. 213 (cont'd): Beata Tsosie-Peña

Beata Tsosie-Peña
Tewa Women United
Environmental Health and Justice
PO Box 397
Santa Cruz, NM. 87567

Luis J. Peña
Una Resolana/TWU
#93 S. Santa Clara
Española, NM. 87532

David F. Garcia
Una Resolana
Route 4 Box 345
Española, New Mexico

Jean Nichols
La Comunidad
PO Box 237
Peñasco, NM 87553

Corrine Sanchez
Tewa Women United
P.O. Box 397
Santa Cruz, NM 87567
corrine@tewawomenunited.org

Rosalía Triana
Una Resolana
PO Box 2921
Española, NM 87532

Juan Montes
P.O. Box 855
Questa, NM 87556

Clarissa A. Durán
CSO del Norte/Una Resolana
11 Private Road 1333
Española, NM 87532

Enrique Martinez
Tewa Women United
Environmental Health and Justice
Rt4 Box 224
Española, NM 87532

Rudolfo & Isis Serna
Mutant Root Artist Collaborative
211 Montclair NE
Albuquerque, NM 87108

Patricia Trujillo
Una Resolana/Mujeres Activas en Letras y Cambio
Social
PO Box 958
Española, NM 87532

Norma Navarro
PO Box 1262
Alcalde, NM 87511

Thomas Hodge
21 Sudeste Place
Santa Fe, NM 87508

Gina Morishige
1504 Hickox Street
Santa Fe, NM 87505

Murray Decio
1032 Don Diego Ave
Santa Fe, NM 87505

Laura Clearman
2210 Miguel Chavez Road
Santa Fe, NM 87505

Elyse Rohrer Budiasch
2491 Sawmill Road Apt 5R
Santa Fe, NM 87505

Veronica Clare
1903 Siringo Road, Apt 1E
Santa Fe, Nm 87505

Marissa Loya
PO Box 329
Santa Fe, NM 87604

Jennifer Harris
PO Box 72259
Albuquerque, Nm 87195

Lisabeth Harward
2433 Cardenas NE
ABQ, NM 87110
11 Private Rd. 1333, Espanola, NM 87532

Michelle Peixinho and
Jessica Frieschette-Gulfrund
Española Valley Women's Health
P.O. Box 157
Española, NM 87532

Teresa Chavez
Tewa Women United
Environmental Health and Justice
600 San Ildefonso
#101 Los Alamos NM 87544

Everette A. Rael
Tewa Women United
Environmental Health and Justice
30108 NBU 1
Española, NM. 87532

Lily Martinez-Rael
30108 NBU 1
Española, NM 87532

Robert Chavez
H.O.P.E./ Think Outside the Bomb/Tewa Women United
EJ
P.O. Box 916
Ohkay Owingeh (San Juan Pueblo) NM. 87566

Myrriah Gómez, Pojoaque resident
Ph.D. Student
University of Texas at San Antonio
One UTSA Circle
San Antonio, TX 78249-0643
myrriah.gomez@utsa.edu

213-4 Transportation between offsite facilities and the CMRR-NF would be similar to that historically associated with the existing CMR Building. Therefore, changes to existing emergency response capabilities would not be needed. Support facilities are described in Chapter 2, Section 2.6.2. The environmental impacts associated with the support facilities and activities are included in those presented in Chapter 4. The results in Chapter 4 show minor impacts on humans and the environment. Impacts from historic above ground nuclear testing are outside the scope of the *CMRR-NF SEIS*.

213-5 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. See Section 2.7, Economic Impacts, of this CRD for information on the economic impacts as evaluated in the *CMRR-NF SEIS*.

213-6 All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*. Comments on activities outside the scope of the *CMRR-NF SEIS* are not applicable to the analysis presented in the *SEIS*. NNSA provided responses to all in-scope comments received on the *CMRR-NF SEIS*. Rather than duplicate information, these responses often refer the commentor to sections of the *CMRR-NF SEIS* where the answer to the question is located.

213-7 NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

As summarized in Chapter 3, Section 3.11.4, of the *CMRR-NF SEIS*, a number of health effects studies have been completed or are underway for LANL. Chapter 4, Section 4.6.1, of the 2008 *LANL SWEIS* provides additional detail on these studies. See the Centers for Disease Control and Prevention (CDC)

Commentor No. 213 (cont'd): Beata Tsosie-Pena

website (http://www.cdc.gov/nceh/radiation/brochure/profile_los_alamos.htm) for more information on the status of the LAHDRA study.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

213-8 The DOE Office of Environmental and Policy Guidance recommended that DOE personnel and contractors use the risk factors recommended by the Interagency Steering Committee on Radiation Standards (ISCORS), stating that, for most purposes, the value for the general population (0.0006 fatal cancers per rem) could be used for both workers and members of the public in NEPA analyses (DOE 2003a).

Recent publications by both the Biological Effects of Ionizing Radiation Committee and the International Commission on Radiological Protection support the continued use of the ISCORS-recommended risk values. *Health Risks from Exposure to Low Levels of Ionizing Radiation: BEIR VII Phase 2* (National Research Council 2006) reported fatal cancer risk factors of 0.00048 per rem for males and 0.00066 per rem for females in a population with an age distribution similar to that of the entire U.S. population (average value of 0.00057 per rem for a population with equal numbers of males and females). ICRP Publication 103 (Valentin 2007) recommends nominal cancer risk coefficients of 0.00041 and 0.00055 per rem for adults and the general population, respectively, and estimates the risk from heritable effects to be about 3 to 4 percent of the nominal fatal cancer risk. Accordingly, a risk factor of 0.0006 LCFs per rem was used in the *CMRR-NF SEIS* to estimate risk due to radiation doses from normal operations and accidents.

The United Nations Scientific Committee on the Effects of Atomic Radiation, the International Atomic Energy Agency, and the International Commission on Radiological Protection all support the view that, "the standard of environmental control needed to protect man to the degree currently thought desirable will

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ensure that other species are not put at risk,” (IAEA 1997). Therefore, the analysis of human health impacts would be indicative of the potential impacts on plants and animals. Impacts on air, water, soil, and ecological resources are evaluated in Chapter 4 of the *CMRR-NF SEIS*.

- 213-9** Chapter 4, Section 4.6, of the *CMRR-NF SEIS* describes cumulative impacts for public and occupational health and safety. Chapter 5, Section 5.6, of the 2008 *LANL SWEIS* includes estimates of human health risks for specific receptors, including a Los Alamos County resident whose entire diet consists of locally produced foodstuffs, a user of outdoor recreational resources, and a special pathways receptor who relies heavily on fish and wildlife for subsistence. These estimates of human health risk are for operation of all LANL facilities (including the CMR Building) under the alternatives evaluated in the 2008 *LANL SWEIS* (DOE 2008a).
- 213-10** Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage (see Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS*). See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.
- 213-11** NNSA does not consider any population expendable or any region of the country a national sacrifice zone. NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. This included options for moving the CMR capability to another location. In the 2008 ROD for the *Complex Transformation SPEIS* (73 FR 77644), NNSA reaffirmed the decision to construct

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and operate the CMRR-NF at LANL. For the reasons described in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*, these alternatives are not being revisited.

213-12 NNSA acknowledges that there is substantial opposition to the nuclear weapons mission and that President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 214: Richard Johnson

Comments on the CMRR SEIS

This is insanity! As a citizen I am given the “opportunity” to comment on my governments plan to construct a huge facility for the design, manufacture and storage of nuclear bombs just 26 miles from my home and just 2/3 of a mile from a fault line. I am supposed to tell my government if this is or is not a good idea. In the interest of good governance this fact alone should be a deal breaker for the CMRR. Due to past volcanic activity in the proposed construction site the tuff layer of soil contains a high concentration of volcanic ash and therefore is unstable. The cost-saving so called Shallow Option is unproven. Seismic investigations are currently in process at the lab. Until these investigations can be completed no decision to go forward should be made.

Besides the insanity of build this nuclear facility 2/3 of a mile from a known fault line, there is a total lack of need for a new generation of nuclear weapons. Our current arsenal of nuclear warheads is more than enough of a deterrent and is more than adequate to get the job done if the need should ever arise. Our nation has been getting along with creating approximately 20 needless pits per year. Why expand that production capacity by four times with this new NF when our nation is supposedly seeking a future world free from nuclear weapons? Expanding US capacity would certainly breed distrust and compromise our efforts for nuclear nonproliferation and nuclear arms reduction.

Another reason not to go forward with this project is that our nation simply can't afford to rebuild a plutonium pit production complex at this time. In 2004 when LANL first proposed building the CMRR our country never perceived that we would be in the financial mess that we find ourselves in today. In 2004 the estimated cost to build this nuclear facility was estimated to be \$600 million. With a current estimated price tag of \$6 billion to upgrade the existing facility we need to put the brakes on. This investment will lock in Los Alamos' future to the hopefully shrinking business of nuclear weapons research and production. There are much more strategic uses of our nations scientific and creative resources. If we want to get serious about spending cuts defunding the CMRR would be a good place to start.

As I am getting ready to submit these comments on this proposed CMRR Nuclear Facility, Los Alamos National Laboratory is once again threatened by a massive, out-of-control wildfire that already exceeds the Cerro Grande Fire of 11 years ago. Los Alamos today is under a state of emergency and mandatory evacuation. The Laboratory is surrounded by dense, steep and distressed Ponderosa forests. We know very well that these forests can easily propagate catastrophic crown fires that are very difficult to contain. Add in the likelihood of prolonged drought, low humidity and unpredictable winds and the risks of expanded plutonium pit production at LANL will only become more risky in the ensuing years. Water in these mountains of the Southwest is always precious and often in short supply. This arguably unnecessary facility is slated to consume 16 million gallons of water per year.

While the CMRR-SEIS considers the threat of a site-wide fire at the Lab, it only

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214-1 NNSA notes the commentor's opposition to the CMRR-NF project and nuclear weapons. It should be noted that a plutonium pit is only one component of a nuclear weapon. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements

Commentor No. 214 (cont'd): Richard Johnson

addresses fires that are seismically induced or that begin within the Nuclear Facility itself. The threat of wildfire like we are experiencing today is not comprehensively considered nor does this document address the Lab's ability to respond in the event of mass evacuations and the loss of the power grid. A complete analysis of this very real threat needs to be undertaken before there is another wildfire.

Respectfully submitted,

Richard Johnson
968 Camino Oraibi
Santa Fe, NM 87505
rico@newmexico.com

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for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

214-2 A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

214-3 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

214-4 Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 214 (cont'd): Richard Johnson

- 214-5** As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information.

Commentor No. 215: Rose Ann Kaiser

From: rakaiserolvm@juno.com
Sent: Tuesday, June 28, 2011 12:51 PM
To: nepalaso@doeal.gov
Subject: CMRR

Dear Mr. John Tegtmeir
Los Alamos, NM
U.S. DOE/NNSA Los Alamos Site Office

I am writing to you with a heavy heart and a great deal of sadness about the proposed Chemistry and Metallurgy Research Replacement (CMRR) project in Los Alamos, NM. I'm trying to find words to describe my reaction to this new venture. Insane? Stupid? Wasteful? Hypocritical? I think all those words probably fit this proposal. Truly, I don't mean to be disrespectful to any of the people involved in this venture, I mean my criticism for the proposal itself, so please don't take this personally. I'm sure you are in this with the best of intentions, but I do so disagree with everything the proposal stands for.

We preach to other weaker nations that they dare not produce nuclear weapons, and here we are with a huge stockpile capable of destroying the entire planet, and now proposing to waste billions more on building more "triggers"?!?! This is a scandalous situation! One that our president and military giant of the past, Dwight Eisenhower, warned us against -- the dangers of the U.S. military industrial complex. What he warned against has all come true. We continue to spend enormous amounts of money on ways to destroy one another along with our planet, instead of ways to build the earth and its peoples. Is that insane or what?!?! And surely no one still believes that lame old excuse that we need more and more nuclear development for our own safety and protection, do they!? That's nonsense. Instead, it's pushing us headlong into destroying ourselves as a nation and as a free people.

We wring our hands, moaning and groaning, over our out-of-control monumental deficit, cutting corners and trying to balance budgets on the backs of the poor, middle class, and most vulnerable people in our country and our world, and at the same time we want to waste all this money on more "triggers" when, I understand, we already have more than enough stockpiled at the Pantex Facility in Texas. And even if in our madness we think we need more, our present Lab has the ability to continue producing more than we could ever possibly make use of..

215-1

215-1

NNSA acknowledges that there is substantial opposition to nuclear weapons. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 215 (cont'd): Rose Ann Kaiser

I apologize if the tone of my letter offends you. I don't mean any disrespect for you as a person. I only hope that all those responsible for this proposal and its implementation will reconsider this ill-advised waste of money.

Thank you for your consideration.

Rose Ann Kaiser
rakaiserolvm@juno.com

Response side of this page intentionally left blank.

Commentor No. 216: Nicole Rund

From: Nicole Rund [nicole.rund78@gmail.com]
Sent: Tuesday, June 28, 2011 12:49 PM
To: John Tegtmeier
Cc: Nicole Rund
Subject: CMRR-NF SEIS Comments

6/28/2011

With ever-increasing economic struggles at home, workers' rights being taken away and life in general going down the toilet, we DO NOT NEED more government funding of nuclear facilities. As a society, as humans on the brink of disaster, we must move from a stance of war and mass killing to a stance of peace and harmony. We don't need new pits for plutonium production, we need better schools. We don't need to be continuously prepared to kill all 6 billion people simultaneously, we need better health care. We don't need to be poised to strike like a cobra with deadly intensity, we need to take of the earth and nature for our generation and many generations to come. By expanding plutonium production we are basically assuring mutually assured destruction, whether it be a quick nuclear bomb to destroy an "enemy" or a slow painful sickening death that destroys American people through contamination of our soil, water or air. Either way, I want NO part of it!

Nicole Rund
San Diego, CA 92115

216-1

216-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 217: Don Hyde

From: don hyde [hydedw@gmail.com]
Sent: Tuesday, June 28, 2011 12:01 PM
To: NEPALASO@doeal.gov
Subject: CMRR-NF SEIS

Dear Mr. John Tegtmeier, CMRR-NF SEIS Document Manager:

Our federal government has been publicly stating for decades the need to reduce the number of nuclear warheads among the possessing nations, and rightfully so! Non-proliferation is and has been our policy.

Therefore, WE DO NOT NEED THIS EXPANSION OF THESE PLUTONIUM PITS ("pit-build, pit-surveillance, pit-certification," etc.)!

WE DO NOT NEED THIS PROPOSED FOUR-FOLD EXPANSION OF PITS!

We, also, should not be wasting \$6 billion for a new CMRR-NF!

As previous radiological and other contamination at and unfortunately around Los Alamos has not been cleaned-up, AS USUAL BY NUCLEAR ACTIVITIES, no work on a new CMRR facility should commence..

Therefore, I respectfully request that this SEIS be scrapped and a new EIS be developed for a safe upgrade of the

CMR.

Thank you, Don Hyde
 PO Box 3051
 Gallup NM 87305

217-1

217-1

NNSA acknowledges that there is substantial opposition to nuclear weapons. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

217-2

217-3

217-1
cont'd

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

217-2

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

217-3

NNSA intends to continue to implement actions necessary to clean up past contamination at LANL regardless of decisions made on the proposed construction of the CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 218: John Stratton

From: John Stratton [jstrat@ashland.edu]
Sent: Tuesday, June 28, 2011 11:28 AM
To: nepalaso@doeal.gov
Subject: Plutonium Pit Facility at Los Alamos

Expanding the United States' nuclear weapons production capabilities is wrong-headed. We continue to believe that we alone can build our own security. We should be, as the President and many others have said, working to create a world without nuclear weapons.

Further, as I understand the details of the current proposal, it puts the environment at significant risk. Once again we appear to be willing to risk the health of minorities and indigenous peoples.

I agree with others who say that one of the alternatives to be considered should be "taking no action," as all of the currently considered actions support building this facility which will endanger the environment and contribute to nuclear proliferation.

John Stratton
213 Samaritan Ave.
Ashland, OH 44805

218-1

218-1

NNSA acknowledges that there is substantial opposition to nuclear weapons and their components and that President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

218-2

218-2

Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. These impacts would be minor. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

218-3

218-3

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 *CMRR EIS* (69 FR 6967).

Commentor No. 219: Virginia J. Miller

From: Virginia J Miller [vjmopus@cybermesa.com]
Sent: Tuesday, June 28, 2011 10:11 AM
To: NEPALASO@doeal.gov
Subject: Comments on the draft SEIS for proposed CMRR-NF at LANL

John Tegtmeier, CMRR-NF
 SEIS Document Manager
 NNSA Los Alamos Site Office
 Los Alamos, New Mexico

I strongly oppose any further construction of the CMRR-NF at LANL. There is simply no reason to build a facility to manufacture 80 pits a year when a Jason study argues that existing pits in nuclear weapons will last 80 years or more, while our nation upholds U.S. nuclear treaty obligations and works for global nuclear abolition. Therein lies our greatest security. A complete, new Environmental Impact Statement is needed, including a true "No Action" alternative of not building the CMRR-NF at all, especially in an earthquake zone.

The costs of attempting to build a plutonium pit production facility in a geologically unstable area is just too great. It will take resources away from cleanup efforts of legacy wastes at LANL and just add to the radioactive contamination and health risks. Robin Collier, President of NGO Cultural Energy captured the views of technical experts willing to speak up about "the extreme dangers of a nuclear facility in an earthquake zone." Robert H. Gilkeson, registered geologist, stated after intensive research that the SEIS must be retracted by DOE because it does not provide accurate knowledge of the seismic hazard. It is incomplete and inadequate underestimating and misrepresenting the seismic hazard at the site of the proposed CMRR-NF.

Six key parameters must be investigated in order to characterize the seismic hazard needed for an effective building design: the fault locations, the fault geometry, the direction of the slip on the faults, the maximum magnitude of an earthquake, the rate at which earthquakes reoccur on the faults, and kappa, a key parameter for ground motions at specific LANL sites. Field studies are required to obtain this information. LANL scientists recommended these studies in 1995, 2007 and 2009, but the studies were not done. Gilkeson said "DOE must perform the field studies that are identified as important by the LANL scientists in order to calculate the seismic hazard."

I support a true "No Action" alternative in a new EIS. Thank you for your careful attention.

Virginia J. Miller
 125 Calle Don Jose
 Santa Fe NM 87501

219-1 NNSA notes the commentor's opposition to the construction of the CMRR-NF. A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

219-2 Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 *CMRR EIS* (69 FR 6967).

219-3 NNSA intends to continue to implement actions necessary to clean up past contamination at LANL regardless of decisions made on the proposed construction of the CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

219-1

219-2

219-3

219-2
 cont'd

Commentor No. 219 (cont'd): Virginia J. Miller

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Responses to comments made by Robert H. Gilkeson and CCNS can be found in comment letters 241 and 315. The 2007 and 2009 probabilistic seismic hazard analyses represent the best knowledge to date on the seismic hazard at LANL, with the uncertainties appropriately incorporated. The results of these evaluations have been included in the design of the CMRR-NF and, as such, incorporated into the estimated cost of the facility.

Dozens of mapping studies of the Pajarito fault system have been conducted, including state-of-the-art, high-precision mapping in the vicinity of LANL, as discussed in response to comment 241-10. In addition, numerous paleoseismic trench investigations have been conducted at 17 sites over the past 20 years. Additional study of these areas would likely improve our understanding of the fault and could help reduce uncertainties in the inputs, but these studies are not a prerequisite to conducting a probabilistic seismic hazard analysis or determining design-basis ground motions at LANL. The uncertainties in regards to fault geometry, rupture behavior, and sense of slip on the Pajarito fault system were fully recognized and addressed in the range of inputs to the probabilistic seismic hazard analysis. Preferred maximum magnitudes for both simultaneous and synchronous ruptures were estimated using the same general approach, which has a sound technical basis, as discussed in the response to comment 241-15.

Commentor No. 220: Mary Lou Kraft

From: Mary Kraft [mitzi919@yahoo.com]
Sent: Tuesday, June 28, 2011 10:15 AM
To: NEPALASO@doeal.gov
Subject: LANL

Do not bring any more plutonium into our State. We do not want the new pit facility || 220-1
Mary Lou Kraft

220-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 221: Joanna Graham

From: Joanna Graham [jograham@lmi.net]
Sent: Wednesday, June 29, 2011 12:29 AM
To: John Tegtmeier
Cc: Joanna Graham
Subject: CMRR-NF SEIS Comments

6/28/2011

Mr. John Tegtmeier, CMRR-NF SEIS Document Manager, USDOE, NNSA, Los Alamos Site Office, 3747 West Jemez Rd., Los Alamos, NM 87544

How much more bad news about nukes gone awry can we take? Please do not license a new plutonium facility (not to mention that it's time for nuclear weapons to GO AWAY; they make the world less safe, not more so, as should be clear to everyone by now).

How sad (or possibly, from a cosmic view, funny) that human beings are so clever without, apparently, the capacity for forethought. We are not long on earth as a species, as our human-caused climate change intersects with our ongoing fascination with splitting the atom.

I hope there is no major disaster this time around. Please don't make things even worse than they already are.

Joanna Graham
Berkeley, CA 94702

221-1

221-1

Although a number of commentors expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 222: Virginia Trujillo

From: Virginia Trujillo [vatiav@aol.com]
Sent: Wednesday, June 29, 2011 12:03 AM
To: NEPALASO@doeal.gov
Subject: Are we listening?

I do believe that nature is weighing in on the question of whether Los Alamos laboratory should flex even more muscle in its capability to destroy human life. First there was Japan (Hiroshima and Nagasaki) more than half a century ago. Then Japan again in its futile attempt to withstand natural forces in its efforts to safely harness this destructive force. And to further punctuate the point...the fires that have erupted in N.M. over this weekednd. Sunday evening from my vacation home in Santa Fe, I could see the see the western horizon red rimmed... this could be seen as an eery preview of a different fiery eruption from Los Alamos Nuclear Laboratory if unrelenting seismic forces have their way with supposedly indestructible concrete vaults. I was able to board a plane the next day and escape from Santa Fe and head for California. But in a worst case scenario, escape? Who? Where? Why?

I wonder what the ultimate motive is for this leming-like drive to anhilate the planet. Perhaps if we understand the motive we can stop it at its roots. Maybe we should be listening more intently to nature.

Virginia Trujillo
 3201 Pueblo San Lazaro
 Santa Fe, New Mexico 87505

222-1

222-1

NNSA notes the commentor's concern about the accident that occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant. But there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 223: Claudia Ziermann

From: claudia ziermann [suwish37@yahoo.com]
Sent: Tuesday, June 28, 2011 11:49 PM
To: nepalaso@doeal.gov
Subject: No more nuclear weapons facility!!

Please stop everything nuclear before it's too late!!!!!!!!!!!!!!!

It's not worth the risk...if things go wrong.....

OPEN your eyes and look around.....!!!!

Are we killing ourselves and our children-??

claudia ziermann
1020 calle venezia
san clemente, CA 92672

223-1

223-1

Comment noted.

Commentor No. 224: Lisa Putkey

Mr. John Tegtmeier
 CMRR-NF SEIS Document Manager
 NNSA Los Alamos Site Office
 3747 West Jemez Road
 TA-3 Building 1410
 Los Alamos, New Mexico, 87544
 E-mail: NEPALASO@doeal.gov

June 28, 2011

Dear NNSA,

My name is Lisa Putkey and for the past year I've been living in Chimayo, NM (downwind of LANL) and volunteering with a youth organization called Think Outside the Bomb. We are a national network that works to educate, train, and mobilize youth around environmental justice issues in their communities, focusing on the impacts of the nuclear-military-industrial complex.

I have been told that writing these comments is a waste of my time. That it won't make a difference. That you are already moving forward with the construction of the CMRR-NF, probably awarding Bechtel the billions. I've been to the "public comment" periods that you that you do a horrible job of community outreach for. Seen my community members spill out their hearts as you watch your stop watch ready to cut them off. We usually don't receive replies to our comments and they are mostly considered "not applicable." There is no dialogue and then the decision is made for us. The whole EIS process seems to be a façade for you to cross off "involved local communities" on your list before moving forth with a wasteful, unnecessary suck of resources, violating the earth and putting communities at risk to turn a profit. How can you expect downwind multilingual communities to digest two encyclopedia sized binders of EIS technical information in such a short period? Communities that also don't just happen to be low income with struggling education systems, drug abuse problems, high unemployment, and more than curious health complications. But we're not supposed talk about the interconnections between LANL, its projects, and the social ills of our communities. The fact that 10 years after the original EIS was completed, during which time the size and scope of the CMRR project changed, a telling seismic study of the site was released, and the cost of construction skyrocketed 1000%, you are doing only a SUPPLEMENTAL EIS and getting away with it is criminal. Please cease all construction on the CMRR until a new Environmental Impact Statement is completed; you yourselves don't even know how to construct it yet! The following are reasons why I and many others feel that the CMRR-NF should not be built. It may just bounce off your ears, but know that our voices are making ripples in the community. ☹️

Science is not infallible; unexpected mistakes, accidents, and natural disasters do happen. As I type this a fire rages at the border of Los Alamos and the entire city has been evacuated. The 2000 Cerro Grande Fire burned up parts of Area G at LANL and spread radioactive toxins in a thick black plume that went all the way to Taos. Afterwards, San Ildefonso Pueblo members were warned to not burn wood from trees on Pueblo land

224-1

NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The proposed CMRR-NF is not being constructed at this time; there are several factors (such as environmental consequences and cost) that NNSA will take into consideration when making its decision. 40 CFR 1503.3, "Specificity of Comments," identifies the nature of comments to be received on an EIS. Comments on an EIS or on a proposed action shall be as specific as possible and may address either the adequacy of the EIS or the merits of the alternatives discussed or both. NNSA acknowledges the commentor's concern that public comments in hearings may be deemed "not applicable" to the NEPA comment process required in Section 1503.3. However, each comment is heard and/or read and responses to comments pertaining to the EIS are provided in this CRD.

In accordance with CEQ "Regulations for Implementing the Procedural Provisions of NEPA, Commenting, Inviting Comments" (40 CFR Part 1503.1), after preparing a draft EIS and before preparing a final EIS, the agency shall request comments from the public, affirmatively soliciting comments from those persons or organizations who may be interested or affected. Section 1503.4, Response to Comments, specifies that an agency preparing a final EIS shall assess and consider comments both individually and collectively, and shall respond to those comments.

In response to requests for additional review time, the comment period was extended by 15 days to a total review time of 60 days. NNSA believes this allows a sufficient period of time to provide comments on the *Draft CMRR-NF SEIS*. All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*.

NNSA is aware of the issues that local communities struggle with, such as education and drug abuse. NNSA has an outreach program to interact with the communities near LANL and takes its social responsibilities seriously.

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

224-1

224-2

Commentor No. 224 (cont'd): Lisa Putkey

indoors because they had been contaminated with radioactive materials. The GTCC EIS Pueblo Views on Environmental Resource Areas states that "The Cerro Grande fire also increased post-fire storms' runoff flows in some drainages more than 1,000 times the pre-fire levels. These higher runoff flows increased erosion and moved radioactive and hazardous materials downstream towards the Pueblo people." Natural disasters do happen, and will only increase with global warming. There are many fires ablaze in the southwest right now thanks to the climate-change-induced drought we experienced this year. Severe weather conditions and natural disasters will only increase over the years to come as a result of Global Warming. In a time with the Fukushima nuclear power plant crisis, and the Nebraska plant threatened with flooding, we should not be expanding and entrenching nuclear weapons facilities. We should especially not be doing so at a site that resides on a layer of fragile volcanic ash over intersecting fault lines. A 2007 study showed that seismic activity is going to increase in this site that lies between a dormant volcano and a rift valley, with canyon fingers that flow to the Rio Grande. The only seismically safe option is to not build the CMRR-NF in Los Alamos.

Scientific interest is driven increasingly by the interests of corporations and military and is taken for granted as the gap between the layman and technician grows, leaving science an undemocratic sphere controlled by a handful of experts and power holders. This is true at LANL where the priority over the next 15 years will be Bechtel's cash cow, the CMRR. I believe LANL should instead prioritize clean-up of legacy waste and sciences that are life-sustaining. Furthermore, Federal funding to Northern New Mexico would be better spent on education, healthcare, green jobs, and investment in the youth.

The nuclear legacy in the United States is one of racism and environmental injustice. From mining to power to weapons to waste, the nuclear chain has had extreme health and environmental consequences for the communities surrounding and working at the numerous nuclear sites across the U.S. The radioactive burden has been placed disproportionately on indigenous communities and communities of color. Los Alamos National (Nuclear Weapons) Laboratory is located on the seized native land of the San Ildefonso Pueblo, on top of mountains that are sacred to the surrounding indigenous Pueblos. The predominantly Native and Chicano Espanola Valley in which I live and work, lies down wind of Los Alamos. The land, air, and water have suffered due to both routine and accidental releases from the lab's activities. The communities understand that they have been impacted by the LANL operations; there are antidotal stories of cancers and strange illnesses. Yet in the past 68 years there have been no government health studies conducted of residents in the Espanola Valley.

According to the Los Alamos Historical Document Retrieval and Assessment (LAHDRA) Project, a 13- year research effort by the Center for Disease Control and Prevention, radioactive plutonium releases into the community from LANL during a five-year period of time exceed all releases from the entire existence of Hanford, Savannah River, and Rocky Flats (which was closed due to contamination) facilities combined. To ask this historically poisoned community to now bear the burden of a 6 metric ton vault for plutonium, which will triple their current holding capacity is an environmental injustice.

224-2

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1 of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

224-2
cont'd

224-3

Regarding the commentor's seismic concerns, the geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

224-4

224-5

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers

224-6

Commentor No. 224 (cont'd): Lisa Putkey

The CMRR-NF poses major environmental and health threats to communities in Northern New Mexico with more emissions, waste generated and water usage. LANL will create more toxic waste, when they have still failed to clean-up their routine and accidental contamination from the past. For example, Area G is one of the LANL sites where radioactive, toxic and hazardous waste lies buried in unlined trenches dug into the volcanic geologic formations. Area G is leaking and in need of intensive evacuation and clean-up.

In my vision of social change the voices of downwinders are central to nuclear policy decisions and LANL should be accountable to Northern New Mexico, taking responsibility for clean-up and thorough public investigations on how the health of the Northern New Mexicans have been affected by their operations. I would like to see Northern New Mexican community members with access to the resources to do their own environmental monitoring.

CMRR-NF will quadruple U.S. ability to produce new plutonium pits, the cores of nuclear weapons. A new facility that will "modernize" nuclear weapons actually means building *new* nuclear weapons, the opposite of disarmament. While President Obama's rhetoric calls for nuclear disarmament and international cooperation, the CMRR-NF sends a contradicting message to the international community and erodes US credibility. In this nuclear age, the United States has a legitimate need for security. The manner in which the United States seeks to secure itself through military supremacy, however, creates a self-perpetuating culture of violence that is unsustainable, negates the security of those it aims to protect, and encourages others to follow suit. The goal of security and freedom from fear is in reality undermined by the policies of nuclear deterrence and preemption, and US funding and effort would better be spent on disarmament, strengthening global cooperation, and programs of social uplift, which are cut as federal funding rolls to the war machine.

Lastly I work with youth and being only 25 years old myself, we think about the future that the NNSA is leaving for us, and with your current escalation of nuclear weapons facilities, it is a grim future. Please, clean-up, don't build-up. We in the Espanola Valley need good green jobs, not Bechtel's crumbs. We want a healthy environment in which to raise our families, not a poisoned one continually at risk of nuclear catastrophe.

Sincerely,

Lisa Putkey

Organizer, Think Outside the Bomb
 Email: lisaputkey@gmail.com
 Phone: 650-303-1353
 Mailing Address: 1940 Willow Way
 San Bruno, Ca 94066

224-7

occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

224-8

NNSA acknowledges the commentor's concerns that climate change may increase the frequency of wildfires and decrease the availability of water. Based on public comments, Chapter 3 has been revised to include a description of the types of environmental changes that could occur near LANL due to global climate change.

224-3

The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Chapter 1, Section 1.5, identifies the decisions to be supported by the *CMRR-NF SEIS*. This does not include decisions on LANL legacy waste cleanup. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

224-9

Regarding the commentor's concern about funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense, education, healthcare, and "green jobs") and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

224-4

Chapter 3, Section 3.10, of the *CMRR-NF SEIS* has been updated to include additional information on the minority and low-income populations surrounding LANL. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority or low-income populations, including Native Americans and Hispanics, under any of the alternatives.

224-5

It is not within the scope of the *CMRR-NF SEIS* to perform a government health study of the residents in the Española Valley. However, Chapter 3, Section 3.11.4, shows the cancer rates for the counties surrounding LANL

Commentor No. 224 (cont'd): Lisa Putkey

and the Agency for Toxic Substances and Disease Registry issued a study of the health effects of LANL operations, in 2006, and concluded that, "Overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities. In some time periods, some cancers will occur more frequently and others less frequently than seen in reference populations. Often, the elevated rates are not statistically significant" (ASTDR 2006). Chapter 3, Section 3.10, of the *CMRR-NF SEIS* has been updated to include additional information on the minority and low-income populations surrounding LANL. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority or low-income populations, including Native Americans and Hispanics, under any of the alternatives. See also response to comment 224-4.

224-6 The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF.

224-7 In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Chapter 2, Section 2.2.6, of the 2008 *LANL SWEIS* summarized progress made in environmental restoration since 1999 (DOE 2008a) and more-recent progress is summarized in Section 2.5, Cleanup and Waste Management, of this CRD. For more information on LANL's ongoing environmental restoration program, please see the latest environmental surveillance report, which can be accessed at <http://www.lanl.gov/environment/all/docs/reports/>. Cleanup of Material Disposal Area G in TA-54 and the methods being used to bury low-level radioactive waste there are beyond the scope of the *CMRR-NF SEIS*.

Commentor No. 224 (cont'd): Lisa Putkey

- 224-8** NNSA has taken responsibility for cleanup of LANL, and has signed a Consent Order to accomplish this goal. Please see Section 2.5, Cleanup and Waste Management, of this CRD for more information regarding this agreement. NNSA publishes an annual report available to the public that summarizes the environmental surveillance activities at LANL, as noted in the previous response to comment 224-7. While NNSA does not provide monitoring equipment to the community, NNSA does work with the Northern New Mexico Citizens Advisory Board (NNMCAB). NNMCAB is a DOE-chartered site-specific advisory board whose purpose is to provide independent advice and recommendations to DOE regarding LANL's corrective action and waste management activities and associated environmental issues. It is composed of citizens representing the communities and pueblos of northern New Mexico. NNMCAB holds monthly public meetings and has chartered a number of subcommittees to address waste management, environmental surveillance, monitoring, and remediation. More information regarding NNMCAB can be found at <http://www.nnmcab.energy.gov/>.
- 224-9** NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.
- A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.
- Regarding cleanup and funding priorities, refer to response to comment 224-3.

Commentor No. 225: Allen Ferguson

From: Allen Ferguson [arf2d@earthlink.net]
Sent: Tuesday, June 28, 2011 3:16 AM
To: NEPALASO@doeal.gov
Subject: LANL CMRR-NF SEIS

Mr. John Tegtmeier
Document Manager
U.S. Department of Energy
National Nuclear Security Administration

Dear Mr. Tegtmeier:

This is to provide you with my comments concerning the Supplemental Environmental Impact Statement (SEIS) concerning the proposed Chemistry and Metallurgy Research Replacement project (CMRR) at LANL.

My first comment is that although there is some mention in the draft SEIS of enhanced fire protection systems, it appears that insufficient inquiry and analysis has been done concerning the potential environmental and human health effects of a major wildfire on the proposed facility and associated operations and facilities. This issue of course is brought to the fore by the Las Conchas fire that is now raging near, and threatening, the Lab and the Los Alamos townsite. A similar wildfire threat occurred in the year 2000 (the Cerro Grande fire), and that should have provided the impetus for a thorough analysis of direct and indirect effects of wildfires on the proposed structure and associated structures and operations. Moreover, the possible conjunction of wildfire and other major disastrous or disruptive events, such as earthquakes or terrorist attacks, should be carefully analyzed and considered. For example, it would seem that a wildfire might provide good cover for a terrorist attack or an effort by some individual, organization or foreign government to seize critical nuclear materials or information. Likewise, the confluence of a major earthquake and a serious wildfire could unleash forces not yet contemplated or carefully analyzed, but that are possible and could prove disastrous.

My second comment is that the draft SEIS makes it clear that new information since 2004 has resulted in design changes to better protect the proposed CMRR facility from the results of seismic events. This necessarily means that there is genuine concern on NNSA's part about the potential effects of seismic events on the proposed facility. While the plans to use more steel and concrete may help to mitigate the potential effects of earthquakes of a magnitude of up to 7, more intensive earthquakes are possible. It would seem that the recent Fukushima earthquake experience in Japan teaches that earthquakes of unprecedented magnitude can and do occur. Also that one system failure resulting from such an

225-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Chapter 4 of the *CMRR-NF SEIS* presents the potential human health impacts of the proposed alternatives. These impacts have been determined to be small under all of the proposed alternatives except in the event of a severe accident such as a severe earthquake. If such an earthquake were to occur, it would be expected to severely damage the 2004 CMRR-NF or the existing CMR Building under the No Action and Continued Use of CMR Building Alternatives as discussed in Chapter 4, Sections 4.2.11 and 4.4.11, of the *CMRR-NF SEIS*. Assuming this earthquake were to occur at the Modified CMRR-NF, as indicated in Section 4.3.11, the consequences would be much lower and the risk to the public would be small. The CMRR-NF SEIS addresses the potential for intentional

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Commentor No. 225 (cont'd): Allen Ferguson

event can lead to others. If, as NNSA has found, there is a fault running beneath the current CMR facility, and the proposed CMRR facility is only about a mile away from the CMR, this is inherently a dangerous situation, and the possibility of an earthquake damaging the CMRR facility (if it is placed in TA-55 as proposed) cannot be eliminated. Even if the chance of such an event is very small, the magnitude of its potential adverse effects on the environment and human health are so great that such a plan should be abandoned.

My third comment is that there seems to be a serious inconsistency in the draft SEIS report. Specifically, the continued use of the existing CMR building is considered a possible viable alternative to the construction of a new CMRR facility, particularly from a fiscal point of view (see p. S-19 of the draft Summary). However, the draft then entirely rejects as an alternative "extensive upgrades to the existing CMR Building" because the extensive improvements that had been proposed for the CMR facility "would be only marginally effective in providing the operational risk reduction and program capabilities required . . ." and needed seismic upgrades would be technically infeasible. (p. S-20.) These two conclusions seem to imply that while the continued use of the existing CMR facility in its present condition (or with relatively minor improvements) would be a viable alternative (although it "would result in very limited AC and MC capabilities at LANL over the extended period"), continued use of the same facility with extensive upgrades would not be a viable alternative. This makes no sense. The conundrum it creates seems to be tailored to support a foregone conclusion, namely that the modified CMRR plan is the only way to go. That is, true alternatives were not seriously considered.

My fourth comment is to point out the extreme danger to public health and the environment posed by the the draft SEIS contemplating the continued use of the existing CMR facility for nuclear weapons and other nuclear work for several years into the future -- until a transition to the new facility is complete -- despite NNSA's conclusion that the CMR sits atop a seismic fault and was poorly constructed in the first place, by today's standards. In fact, the main presenter from NNSA at the informational meeting held in Taos a couple of weeks ago at one point referred to the existing CMR bulging as a "tinker toy" structure that would not withstand a seismic event. If this is the case, all nuclear material should be removed from that facility immediately and stored in some secure place or disposed of in the safest manner possible.

My fifth comment is that the process for obtaining public comment on the draft SEIS was unfair and unreasonable in that no formal hearing was held in Taos, or anywhere in Taos County, even though Taos is a community nearby to Los Alamos and many of whose residents have a great interest in what goes on at LANL.

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destructive acts in Chapter 4, Sections 4.2.10.3, 4.3.10.3, and 4.4.10.3, and Appendix C.

For seismic concerns, see response to comment 225-1.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. But there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

During the public comment period on the *CMRR-NF SEIS*, concerns were expressed regarding the alternatives considered in the *Draft CMRR-NF SEIS*, including the comment that the Continued Use of CMR Building Alternative could not really be considered a viable alternative for implementation. Chapter 2, Section 2.7, of the *Final CMRR-NF SEIS* has been expanded to include additional information on why it is not technically feasible to upgrade the existing CMR Building. This building is nearly 60 years old and parts of the building lie over a known fault trace. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR Project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number

Commentor No. 225 (cont'd): Allen Ferguson

Hearings were held in other affected and interested nearby communities, but not Taos, thereby leaving Taos citizens who wished to comment orally without an effective voice. This procedural defect should be cured by holding a public hearing in Taos.

It seems at least a theoretical possibility, based on factors such as those stated above, that a thorough, balanced and well reasoned SEIS would come to the conclusion that all proposed alternatives result in unacceptable levels of risk to human health and the environment. It also seems that such a result should not be automatically precluded based on purely procedural considerations. What happens if the conclusion is that none of the proposed alternatives is viable in terms of adequately protecting the environment and human health?

I appreciate your taking my comments on this extremely important topic into consideration.

Allen Ferguson
arf2d@earthlink.net
EarthLink Revolves Around You.

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of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

See the response to Comment 225-1.

There are several factors (such as environmental consequences of the alternatives and cost) that NNSA takes into consideration when making its decision. If it is determined that none of the alternatives are viable in terms protecting human health and the environment, then NNSA would need to reconsider the alternatives analyzed, with possible additional NEPA evaluations needing to be performed.

Commentor No. 226: Alice Ryan

From: Alice Ryan [aliceryan@yahoo.com]
Sent: Monday, June 27, 2011 11:18 PM
To: NEPALASO@doeal.gov
Subject: No to Plutonium Bomb Plant

No to any increase in nuclear armament.

Our taxpayer funding is For people-health care, education, housing and not for nuclear weapons.

Alice Ryan
 86 Eden Rd
 Stamford, Connecticut 06907

226-1

226-1

NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding the commentor's concern about funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense, education, healthcare, and housing) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 227: Anonymous

June 25, 2011

Hello,

I'd like to leave a comment about the Metallurgy lab at Los Alamos. I am a concerned citizen, a long-time northern New Mexico resident, and I am definitely encouraging you to not build this facility. Okay?

It's time for us to move in a different direction in this country and on this planet. Six billion dollars is a lot of money and we could apply that money and help ourselves with renewable energy and not moving in a way of weapons and weapons research and plutonium pit manufacturing. Alright?

So it's time guys. Let's move our energy and our funds in a different direction. Please do not continue to poison the earth and its residence with plutonium pit factories that are unnecessary.

Thank you so much. Have a great day.

Anonymous

227-1

227-1

NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding the commentor's concern about the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort.

Commentor No. 228: Claire Lovelace

From: nepalasoClaire Lovelace [claire]lovelace@embarqmail.com]
Sent: Monday, June 27, 2011 12:28 PM
To: nepalaso@doeal.gov
Subject: Opposition to new plutonium pit facility

I am totally opposed to NNSA's proposal for a new plutonium pit facility at Los Alamos.

First, our country does not need 80 new plutonium pits annually. Without a nuclear arms race, the production limit implemented by DOE in 1999 should be more than adequate.

In addition, building the pit would be a threat to the health and safety of people who live downwind and downstream. Plutonium is a well known carcinogen. It is a vicious pollutant as well. The impact on Native peoples and Hispanic New Mexicans at Los Alamos is already disproportionate.

The draft Supplemental Environmental Impact should be withdrawn; it is premature.

Claire Lovelace
 113 Heritage Place Dirve
 Jonesborough, TN 37659

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228-1 NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission, (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF.

228-2 The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the SEIS.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. As discussed above, see Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* for more information on the potential human health impacts of the proposed alternatives.

228-3 The environmental impacts analysis in Chapter 4 of the *CMRR-NF SEIS* evaluates potentially affected resource areas in a manner commensurate with the importance of the potential effects on each area. The potential impacts on environmental justice due to construction (except for the Continued Use of CMR Building Alternative) and operations are addressed in Sections 4.2.11, 4.3.11, and 4.4.11. These analyses show that the total minority, Native American, Hispanic, and low-income populations would not be subjected to disproportionately high and adverse impacts during implementation of any of the alternatives. There is no reason to withdraw the *CMRR-NF SEIS*.

Commentor No. 229: Carol Green

From: Carol E Green [cergreen@charter.net]
Sent: Tuesday, June 28, 2011 4:20 PM
To: NEPALASO@doeal.gov
Subject: Draft S-EIS for CMRR-NF: comment

Comment on the National Nuclear Security Administration's Draft Supplemental Environmental Impact Statement for the Chemistry and Metallurgy Research Replacement - Nuclear Facility at Los Alamos National Laboratory

As a United Methodist acting on our Social Principles regarding the universal elimination of nuclear weapons, I urge reconsideration of the construction of new bomb plants in the nuclear weapons complex of the United States.

The wildfires now threatening the vulnerable Los Alamos National Lab again, the current Fukushima, Japan revelation of the inadequacies of nuclear facilities, and the budget crisis of our nation beg the question: Why are new facilities being pursued?

The independent review by the JASON assures the reliability of the current U.S stock of plutonium pits for the next 100 years. Going for the capacity to produce 80 warheads/year violates the 1970 Nuclear Nonproliferation Treaty Article VI (to build down at "an early date"), the 1996 International Court of Justice 1996 opinion to meet that obligation, and Article VI of the U.S. Constitution that makes international treaties binding.

How can we demand that Iran, North Korea, or any other state (or non-state entity) not produce nuclear weapons when we ignore our nonproliferation promises?

How can we prepare to invest more than \$10 Billion on an over-sized CMRR-NF when funds are desperately needed for environmental restoration of weapons communities, schools, housing, education, job training, and other programs that make our world better?

A reasonable alternative is to asses upgrading facilities in place. This includes the Y-12 plant in Oak Ridge and the plans to construct a \$6.5 Billion Uranium Processing Facility to go along with the CMRR-NF. Stockpile surveillance and facility maintenance can be enhanced by upgrades to meet environmental, health, and safety (seismic, wildfire, tornado, dirty bomb, bio/cyber attack) requirements in a cost-efficient manner.

229-1

NNSA notes the commentor's opposition to the CMRR-NF project and the existence of nuclear weapons. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

229-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

229-2

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NNSA acknowledges the commentor's concern regarding the possibility of accidents at the proposed CMRR-NF (for example, could an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant happen at LANL). But there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 229 (cont'd): Carol Green

This S-EIS does not meet the NNSA's obligation to examine the full impact of these plans and ignores the calls to consider the reasonable alternative of upgrading in place in order to build down to zero.

Carol Green
3215 Tuckaleechee Pike
Maryville, TN 37803
Member of the Peace with Justice Ministry Team of the Holston Conference of the United Methodist Church

229-4
cont'd

229-2

Regarding the commentor's concern about the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information. NNSA reviewed pit lifetime studies and has concluded that degradation of plutonium in a majority of nuclear weapons will not affect warhead reliability for a minimum of 85 years. NNSA plans to continue studying plutonium aging through surveillance and scientific evaluation. NNSA will annually reassess the status of plutonium in nuclear weapons as the weapons laboratories continue to evaluate new data and observations (NNSA 2006a).

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission, (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

229-3

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Regarding funding priorities of the U.S. Government, see response to comment 229-1.

Commentor No. 229 (cont'd): Carol Green

229-4 Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive and not technically feasible. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the *SEIS* has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions, which were based on a number of considerations including cost, in two Records of Decision published in the *Federal Register* on December 19, 2008 (73 FR 77644 and 77656). The first ROD addresses operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and includes the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building. Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely.

Alternatives related to the Uranium Processing Facility at the Y-12 National Security Site in Tennessee are addressed in the *Site-Wide Environmental Impact Statement for the Y-12 National Security Complex* (DOE/EIS-0387) (DOE 2011a) and are beyond the scope of the *CMRR-NF SEIS*.

Commentor No. 230: Joanne Baek

From: joanne baek [joannebaek@yahoo.com]
Sent: Tuesday, June 28, 2011 5:06 PM
To: NEPALASO@doeal.gov
Subject: Prepare an EIS, Include an alternative for pursuit of deterrence via helping all the world's people

Mr. John Tegtmeier, CMRR-NF SEIS Document Manager, NNSAQ Los Alamos Site Office,
 3727 West Jeme Road, TA-3 Building 1410, Los Alamos, NM 87544
 NEPALASO@doeal.gov

Dear Mr. Tegtmeier,

As I write this from north of Taos, the air outside is thick with smoke from fires burning in the Los Alamos area. With strong winds, that fire spread quickly, even at one point going close to the Los Alamos Lab. With climate change, the risk of fire endangering the lab--the climate here becoming hotter, drier, and more windy--will only increase. If a fire is hard to contain today, tomorrow it may be impossible to contain. This is only ONE of many reasons that a completely new environmental impact study, assessment, and EIS is needed, not a SEIS. Furthermore, I believe, to be a true assessment and a responsible study, the options and alternatives of closing down all nuclear weapon or pit construction must be included as well.

Plutonium is a killing carcinogen. People working at the labs and downstream and living in the surrounding area are at risk from this and other products and byproducts of this production. Bombs, rather than protecting, also kill--that is their function. People all over the world are at risk from our nuclear weapon making, whether through deployment (accidental or intentional) or nuclear accident. The logic of building bombs to protect people's lives is faulty: it is the NOT building of bombs, particularly nuclear ones, which can protect people's lives.

The ultimate deterrence program is the program whereby people are socially invested and active in the improvement of lives for everyone in the world. It is not by "protecting oneself from others" that one succeeds in self-protection. Rather it is the caring about others and acting on that care (rather than building capacity to harm others) that creates bonds of friendship and mutual caring that is ultimately the best path to safety for all. Please include assessments of social costs and resulting destabiliation, and missed opportunities to stabilize the world, in assessing the costs and harm to human environment and our global relationships in your new EIS. If we were to pursue a role of helper in the world rather than that of a nation powerfully capable of harming, we could usher in profound stability and warlessness. Please put this alternative in your EIS. I believe you will find it to

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- 230-1** Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).
- NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.
- Chapter 1, Section 1.5, identifies the decisions to be supported by the *CMRR-NF SEIS*. The options and alternatives of closing down all nuclear weapon or pit construction are not within the scope of the SEIS.
- 230-2** The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.
- 230-3** Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable

Commentor No. 230 (cont'd): Joanne Baek

be the best option, and one with infinite possibility: wind turbine, solar, and other renewable energy research, could be new areas of specialty for the labs with great benefit everywhere in the world. And renewable energy sources is just one area of benefit to all that we could engage in for stabilizing our world and improving our safety and well-being.

Thank you for consideration of this perspective.

Sincerely,

Joanne Baek
PO Box 670
Arroyo Hondo, NM 87513

**230-3
cont'd**

future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Funding decisions regarding major Federal programs (for example, defense and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 231: Patricia Whalen

From: annyaish@annya-ishtara-dance.com
Sent: Tuesday, June 28, 2011 4:29 PM
To: Mr. John Tegtmeier
Subject: Comment on the Draft CMRR-NF SEIS

To Mr. Tegtmeier:

I am writing in regard to the CMRR-NF SEIS. I am against putting such a facility in Los Alamos for a number of reasons, some of which I will discuss in this letter.

First, Los Alamos is in a geologic fault zone which has been scientifically shown to have an enormous potential for an increase in seismic activity. Think of what recently happened in Japan-what a huge human and environmental catastrophe that has been. We would not want a similar occurrence here in the United States. Also the geologic complexity of the Los Alamos area would make it outrageously expensive to build the proposed facility to standards that could begin to meet any reasonable safety precautions. These two points plus the fact that Los Alamos is in a wildfire-prone area make it a completely unsuitable location for a hazardous facility such as the one proposed.

With these points in mind, the current EIS is out of date and inadequate. At the very least, a whole new EIS needs to be done. However, I believe that no manner of studies and safety precautions can adequately protect from the dangers of radioactivity associated with nuclear facilities. I worry about the health effects on people, animals, and plants downstream and downwind. This actually includes the whole planet. As we know, radioactivity levels all over the world have risen since the incident in Japan. This also occurred after the Chernobyl incident. I realize we are not talking about the same kinds of facilities here, but radiation is radiation and lasts for hundreds of thousands of years, never truly disappearing, and leaving many devastating effects in its wake.

Lastly, the need for a nuclear facility such as the one proposed is moot. Nuclear weapons are obsolete. They do not make a country which possesses them safer. They do not prevent terrorist attacks. On the contrary, they and all facilities associated with them provide potential terrorist targets. Nuclear weapons do not feed or heal people or other creatures. They do not provide any tangible benefit whatsoever.

So for all the reasons above, and more, I ask you not to build the CMRR-NF in Los Alamos or, in fact, anywhere at all.

Respectfully,
 Patricia Whalen

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231-1 NNSA notes the commentor's opposition to pit production and nuclear weapons, and concerns about seismic issues and wildfires.

Regarding seismic concerns, the geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as

facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

231-2 NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The commentor's concern regarding the health effects of radiation affecting the entire planet is beyond the scope of the *CMRR-NF SEIS*. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. Chapter 4 of the *CMRR-NF SEIS* presents the potential human health impacts of the alternatives. These impacts have been determined to be small under all of the alternatives, except in the event of a severe accident such as a severe earthquake. If such an earthquake were to occur, it would be expected to severely damage the 2004 CMRR-NF or the existing CMR Building as discussed in Chapter 4, Section 4.2.11 and 4.4.11, of the *CMRR-NF SEIS* and result in unacceptable consequences for the public. Assuming this earthquake were to occur at the Modified CMRR-NF, as indicated in Section 4.3.11, the consequences would be much lower and the risk to the public would be small.

231-3 NNSA notes the commentor's opposition to the CMRR-NF project and the existence of nuclear weapons. President Obama has stated a long-term goal of a world free of nuclear weapons. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain,

and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 231 (cont'd): Patricia Whalen

Commentor No. 232: Anne deBuys

From: Anne deBuys [anne.debuys@gmail.com]
Sent: Tuesday, June 28, 2011 8:54 AM
To: NEPALASO@doeal.gov
Subject: comments re CMRR

6/28/2011

To Whom it May Concern:

I would like to go on record in expressing the following comments regarding the proposed construction of the CMRR facility at Los Alamos National Laboratories.

A Complete, New Environmental Impact Statement is Needed, Not A Supplemental Environmental Impact Statement. The original Environmental Impact Statement in 2004 assessed a building designed to withstand only mild seismic events. A 2007 updated seismic hazards analysis showed a potential huge increase in seismic ground motion and activity. I understand that even Lab scientists have expressed grave concerns regarding this matter. Only a full Environmental Impact Statement can adequately study the full consequences of increased possibility seismic events might have on the proposed bomb plant.

232-1

This draft SEIS should be withdrawn until the details of the Seismic Risks are better understood and no more funds used for planning at this time.

Valid Alternatives Must Be Considered in the Supplemental Environmental Impact Statement. DOE must develop and consider new alternatives, including a true "No Action" alternative--not building the Nuclear Facility and upgrading the existing plutonium production building.

232-2

The Costs to Build a Plutonium Pit Production Complex Are Just Too High. The total original estimate for constructing the new nuclear weapons complex at Los Alamos National Laboratory was approximately \$600 million in 2004. The current estimate is \$5.8 billion.

232-3

The US does not need 80 new plutonium pits per year. Just as new seismic information has forced a re-evaluation of the construction, new cost information must force a re-evaluation of the cost.

Thank you for your consideration of the foregoing comments.

Anne deBuys
1815 San Felipe Circle
Santa Fe, NM 87505
(xxx) xxx-xxxx

232-1

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

232-2

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure,

Commentor No. 232 (cont'd): Anne deBuys

and environmentally sound manner (see Chapter 1, Section 1.3, of the CMRR-NF SEIS). The No Action Alternative included in the CMRR-NF SEIS is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967).

Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.2, NEPA Process, and Section 2.11, Alternatives Considered, of this CRD for additional information.

232-3

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission, (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 233: Carole Gorecki

From: Carole Gorecki [caroleg1776@yahoo.com]
Sent: Wednesday, June 22, 2011 6:29 PM
To: nepalaso@doeal.gov
Subject: Comments on CMRR SEIS

The NNSA's plan to construct new plutonium pits at the Los Alamos Labs is a bad idea. I have listed a number of different reasons why this plan would be harmful and costly:

The costs to build a plutonium pit production complex are too high. the money can be better spent on productive things to help and not to destroy people and things. I am against nuclear weapons.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

Carole Gorecki
36500 North Pointe Dr.
n/a
New Baltimore, MI 48047

233-1

233-1

NNSA notes the commentor's opposition to construction of the CMRR-NF and nuclear weapons. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Chapter 1, Section 1.5, identifies the decisions to be supported by the *CMRR-NF SEIS*. This does not include decisions on LANL legacy waste cleanup. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 234: Dr. F.D.C Sinclair

From: Fiona Sinclair [rumgumption@yahoo.com]
Sent: Tuesday, June 28, 2011 3:39 PM
To: nepalaso@doeal.gov
Subject: STOP NNSA in Los Alamos

I am deeply concerned by the proposed next phase of building the NNSA facility in Los Alamos, NM. As the Current fire situation demonstrates this is NOT the place for such activity. As the birthplace of the nuclear weapons industry New Mexico is well positioned to advocate for unilateral decommissioning of ALL nuclear facilities rather than ramping up the arms race with more nuclear weapons development. The pollution and hazards associated with such development far outweigh the benefits of shaping a clean and peaceful world.

Sincerely

Dr. F.D.C Sinclair

Fiona Sinclair
 PO Box 422
 Cleveland, NM 87715

234-1

234-1

NNSA notes the commentor's opposition to the CMRR-NF project and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1 of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The commentor's opinion on the cost-benefit of maintaining the Nation's nuclear weapon stockpile is noted.

Commentor No. 235: Sasha Pyle

Mr. John Tegtmeier, CMRR-NF SEIS Document Manager
USDOE/ NNSA
Los Alamos Site Office
3747 West Jemez Rd.
Los Alamos, NM 87544

I have lived in Northern New Mexico for most of my life. For nearly a quarter of a century I have been closely following the nuclear weapons complex and its production and waste agendas in my state. I have spent thousands of hours poring over environmental impact statements, maps, hydrologic and geologic studies; attending hearings and encouraging others to do so; testifying in Congress and meeting with elected and agency representatives in Washington, D.C.; reading, writing and editing reports, newsletters and fact sheets; and speaking publicly about the dangers posed to our fragile environment and our sinking economy by the wasteful and destructive programs of the Department of Energy and more recently its semi-autonomous National Nuclear Security Administration.

The United States has invested over six trillion dollars in the nuclear deterrent since World War II. We already have an enormous stockpile of weapons that can remain dependable for decades to come. If we continue to pour tax dollars into new weapons design and manufacture, what do we really get for this "investment"? The endlessly ballooning costs of each and every DOE program, the changes, alterations and scrapped designs, the buildings erected and then torn down, the warheads built, stored, maintained and then dismantled...these represent an appalling disregard for the public that foots the bill.

The proposed CMRR nuclear facility, in all its terrifying scale, represents the culmination of decades of wasteful and destructive practices by the weapons industry. The only purpose of this monstrosity is to enable a level of plutonium pit manufacturing that has nowhere been deemed necessary for national security. Enhancing our existing arsenal with new designs of warheads, or re-designed warheads boasting increased military capabilities, only serves to waste taxpayers' money, further pollute our land and water with dangerous chemicals and radioactive materials, and fly in the face of our nation's treaty obligations in a highly provocative and visible manifestation of the very proliferation we decry in other countries.

Is there a reason why the CMRR's environmental impact statement simply overlooks the option of scrapping this facility altogether? Why can the public not be provided this alternative to evaluate? When did this alternative get ruled out? And by whom?

It seems to me that the loss of a no-action alternative from the impact statement constitutes a flagrant violation of the National Environmental Policy Act, a piece of federal legislation that was designed to protect the public from the very real dangers that large-scale industrial facilities pose to health and natural resources.

235-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. In addition, the purpose and need for the CMRR-NF is not tied to the level of pit production.

Regarding the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

235-2

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 *CMRR EIS* (69 FR 6967).

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Commentor No. 235 (cont'd): Sasha Pyle

When DOE and NNSA hear “no” from the public and Congress on controversial facilities and programs, those facilities and programs continue to reappear under slightly different names and with expensive PR makeovers—over and over again, engendering the same tired theater of debate and bureaucratic wrangling that never seems to accomplish any meaningful policy decisions.

As I write today, Los Alamos National Laboratory is once again threatened by a massive wildfire, one that already dwarfs the 2000 Cerro Grande Fire in growth rate and potential destruction. I question whether Los Alamos is a safe place to construct any new facilities that would house large quantities of dangerous nuclear materials.

I absolutely dispute the need for this multi-billion-dollar boondoggle bomb factory and decry its location in a seismic hazard zone and tinder-dry high mountain woodland that may continue to be swept by massive wildfires as the Southwest enters a cycle of heightened drought.

Stop endlessly re-designing this unneeded facility and turn Los Alamos and the other national Labs toward work that actually needs to be done.

There is plenty to do in the realm of nuclear work, with on-going requirements to locate, track, isolate and stabilize existing weapons-grade nuclear materials, maintain our existing stockpile, and dismantle and dispose of excess weapons—which we possess in abundance if our international agreements are to be honored.

Cleanup of the national nuclear weapons complex is habitually underfunded, resulting in missed targets and deadlines, and widening environmental impacts of inadvertently dispersed radioactive and chemical materials that continue to threaten human life, wildlife, and natural resources near every site, currently functioning or used in the past, for bomb production. The Labs should actively work on accelerating cleanup and environmental remediation of DOE sites across the U.S.

There is also plenty of other work to do in this world, which would benefit greatly from the human intelligence and technically capable infrastructure that the Labs could provide. Water quality and harvesting; energy independence; improving, protecting and maintaining infrastructure; technologies that lead to more energy-efficient buildings and transportation modes; technologies for adapting to climate shifts; advances in medical technologies; breakthroughs in techniques for remediating environmental damages from the past—the list could be quite long.

If Northern New Mexico is so desperate for jobs that we would appear to welcome any program offering even meager employment, why can't the so-called brilliant minds at the Laboratory conceive of and launch beneficial programs and facilities offering said employment *without* the absurd waste of money and certain environmental damage posed by outdated and overblown ideas like this blundering CMRR facility?

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NNSA considers all public input obtained during the public comment period. NNSA must carry out its mission as assigned by the President and Congress.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility.

Commentor No. 235 (cont'd): Sasha Pyle

If average Americans all over this nation were really aware of how much of their weekly paychecks went to weapons programs that are cloaked from scrutiny by the magic words “national security”—without offering any tangible benefits to our real national security—the voices of outrage would be deafening indeed. Unfortunately, most people are too busy trying to make a living and survive in this perilous economy to take hundreds or thousands of hours to educate themselves about what is really going on at their national laboratories.

People would like to believe that the “experts” and “authorities” know what they are doing. Sadly, the deep channels that a huge flow of money over many decades has carved to the Labs for the purpose of weapons manufacturing have resulted in a “culture” of mindless resource gobbling with no accountability and no standard of practicality. Nothing could embody this tragedy more than the currently proposed CMRR facility.

More weapons and more nuclear waste, more precious resources wasted forever...the real cost of this program can only be measured in the road not taken. What could the United States do to better the futures of Americans and all peoples of the world? Would we benefit from cleaning up the badly contaminated weapons complex? Or should we keep fouling our land, air and water, adding to a mess that has been decades in the making? What do you think most people would prefer?

Turn this boat around now. Stop the CMRR nuclear building and the poorly conceived programs it would house, endlessly transforming needed resources into dangerous trash. The citizens of this nation, and of the world, deserve better.

Sasha Pyle
1672 Cerro Gordo Rd.
Santa Fe NM 87501
xxx-xxx-xxxx
sasha@visiblearts.com

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The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Chapter 1, Section 1.5, identifies the decisions to be supported by the *CMRR-NF SEIS*. This does not include decisions on cleaning up (remediating) DOE sites across the country or LANL legacy waste cleanup. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

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Commentor No. 236: Debi L. Taylor

From: Debi Taylor [debitaylortaos@yahoo.com]
Sent: Wednesday, June 29, 2011 12:52 PM
To: nepalaso@doeal.gov
Subject: Los Alamos Lab EIS Statement needed

Mr. Tegtmeier and Whom It May Concern:

The current fire in Los Alamos further proves the need for a new, complete Environmental Impact Statement. It is unconscionable that with the current state of the World reflected by the threats to numerous nuclear plants around the World that further production is even being considered. Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind or downstream (I reside in San Cristobal in Taos County). Federal Funds should be used to fulfill real human needs in New Mexico not spent on nuclear weapons that the World does not need and does nothing to support nuclear arms reduction. No place is safe for such manufacturing but certainly Los Alamos has proven to be an unsafe location. We may live in one of the poorest and unpopulated State of the United States but this in no way justifies sacrificing the well being of our people, our countryside and nation by building a plutonium pit complex in Los Alamos, a geologically unstable area, or anywhere!

Please help fight for a complete, new EIS and fight the building of a new nuclear facility. Let's focus our efforts on cleaning up the mess we already have.

Thank you for your efforts,

Debi Taylor
P.O. Box 146
San Cristobal, NM 87564

Debi L. Taylor
Assistant to William T. Brown
xxx-xxx-xxxx phone
xxx-xxx-xxxx fax
debitaylortaos@yahoo.com

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236-1 NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the SEIS.

Regarding the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the

Commentor No. 236 (cont'd): Debi L. Taylor

scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA intends to continue implementing those actions necessary to clean up legacy waste sites at LANL regardless of decisions made on the proposed construction of the CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 237: Bud Ryan

June 28, 2011

To Whom it May Concern,

Since the moment my wife and I moved into our house southwest of Madrid I have been concerned about LANL. When the Cerro Grande fire happened the huge plume of smoke almost made it seem that the fire was just a little more than a stones throw away from our property. And of coarse the people of New Mexico (and surrounding States) dodged a bullet when the fire thankfully did not make it to the thousands and thousands of barrels of nuclear waste that the Lab had stored above ground. Did LANL learn its lesson from the Cerro Grande Fire? – NO! because here it is now some eleven years later and there is yet another fire threatening the Lab and the thousands of barrels of nuclear waste that are STILL STORED there above ground. Let us hope and Pray that we are again Blessed and the fire does not burn any areas or buildings that contain dangerous nuclear materials.

I write this in my comments about the Chemistry and Metallurgy Research Replacement building because I want to show that LANL and the people who run it often do not make the most intelligent decisions. To continue to store any barrels of nuclear waste above ground after getting away with it once, shows to me arrogance coupled with ignorance, and now you are asking to build the new CMRR building within a mile of a seismic fault line in the aftermath of the Fukushima catastrophe. How does that make any sense whatsoever? For a species that was able to put a man on the Moon I can't believe that some of us are capable of doing something that stupid!

I would also like to know how any of the planned work that is to be done in this new building does not violate the Nuclear Non-Proliferation Treaty? And don't we already have over 10,000 "pits" stored at Pantex in Texas, so why do we need to build any more?

I do not want to see the CMRR building constructed in Los Alamos or anywhere else in the United States. I do not want my taxes or the taxes of my fellow Citizens wasted on projects whose aim is to create weapons with the potential to kill millions of my fellow sisters and brothers on our beautiful planet.

Sincerely,

Bud Ryan
POB 1594
Cedar Crest, NM 87008

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Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1 of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The waste storage domes in TA-54 are not the subject of the *CMRR-NF SEIS*. However, NNSA has taken actions to mitigate the risks of a wildfire on the domes. In 2000, the Cerro Grande fire burned a heavily forested canyon area to within about 0.75 miles (1.2 kilometers) of the waste storage domes, but none were burned and there were no radiological releases from the domes. The Las Conchas fire reached the southern border of LANL, but did not get within 2 miles (3.2 kilometers) of the domes. Additional fuel reduction has been conducted since the Cerro Grande fire, both to the vegetation surrounding TA-54 and within the domes themselves (for example, wooden pallets have been replaced with metal pallets), to further decrease the potential for a waste storage dome fire occurring as a result of a site wildfire. Furthermore, NNSA has an aggressive program to remove the stored transuranic waste from Area G and ship it to WIPP for disposal.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. But there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear

Commentor No. 237 (cont'd): Bud Ryan

reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

237-2 Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons.

237-3 NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 238: Rebecca J. Anderson

June 28, 2011

Mr. John Tegtmeier, CMRR–NF
SEIS Document Manager
NNSA Los Alamos Site Office
3747 West Jemez Road,
TA–3 Building 1410,
Los Alamos, New Mexico, 87544

Dear Mr. Tegtmeier,

I am writing to urge the National Nuclear Safety Administration to consider creating an entirely new Environmental Impact Statement to replace its current draft supplemental statement regarding the proposed Chemistry and Metallurgy Research Replacement (CMRR) Project. A new Environmental Impact Statement would be able to address many issues that the current supplemental statement is missing, such as up-to-date (and consequently, more complete) information on seismic risks as well as other alternatives, such as a “No Action” option to stop the production of a new nuclear facility altogether.

Creating a new Environmental Impact Statement would allow the National Nuclear Safety Administration to become more aware of the seismic risks in producing a new CMRR at the Los Alamos National Laboratory. The 2007 updated seismic hazards analysis showed that the seismic ground activity could possibly grow tremendously. As the Los Alamos National Laboratory sits in a seismic fault zone between the Rio Grande rift and the Jemez Mountains, this is something that should continue to be studied and considered when writing an Environmental Impact Statement. New seismic investigations are currently being conducted at the lab and the subsequent results should be included in any Environmental Impact Statement. If the NNSA continues with its current Supplemental Environmental Impact Statement, when the current investigations are finished, another statement will likely be needed. This process will continue to consume more time and money that could otherwise be focused on improving the safety of pre-existing nuclear facilities. By using these results along with any other updated information to create an entirely new Environmental Impact Statement, the NNSA will be able to present the most accurate and concise information possible to its stakeholders.

Additionally, the Department of Energy should consider a “No Action” alternative in a new Environmental Impact Statement. This alternative would halt all plans to create a new nuclear facility. Since the design for this new CMRR is not yet completed, the DOE should reconsider some of its priorities regarding the Los Alamos National Laboratory. For instance, the DOE made a commitment to clean the legacy waste at LANL by 2015. The construction of a new facility will not only distract the DOE from reaching this goal, but it will also add more pollution to the lab. This CMRR will be very costly, as the price tag is rapidly increasing – the estimate of \$500 million in 2004 is now up \$5.8 billion. Additionally, the nuclear weapons produced at this proposed new CMRR at the Los Alamos National Laboratory would not contribute to the economy and generate revenue

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NNSA notes the commentor’s position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. Section 2.6, Seismic and Geologic Concerns, of this CRD addresses the commentor’s concerns about seismic risks.

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Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA’s stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure,

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Commentor No. 238 (cont'd): Rebecca J. Anderson

the same way other publicly-funded programs such as education or health care could. Dedicating taxpayer dollars allocated to the DOE to improving the cleanup and safety along with upgrading existing facilities may be a much more feasible decision than following through on the plan to create a new CMRR at LANL.

Finally, the United States Government and subsequently the DOE should consider limiting the number of nuclear weapons produced. Nuclear weapons production only encourages nuclear proliferation domestically and internationally. Nuclear weapons cannot defend against terrorists, as their scope of destruction is much too great to counter attacks from international non-state actors. The larger the number of nuclear weapons, the greater the likelihood of these weapons falling into the hands of terrorists. By decreasing its own arsenal of nuclear weapons, the United States would be setting an example for the rest of the world that nuclear weapons should not be a condoned use of military technology. The 20 plutonium pits manufactured each year since 1999 (per the DOE's decision in 1999 to limit the number produced) have sufficed. The proposed plan for the new CMRR at LANL will allow at least 80 pits to be created. Instead of spending time and money to create this new facility, a study should be conducted to investigate whether existing facilities can meet the DOE's needs.

Ultimately, the National Nuclear Safety Administration and the Department of Energy should consider foregoing a Supplementary Environmental Impact Statement in order to collect more data on the seismic risks involving in the proposed Chemistry and Metallurgy Research Replacement Project at Los Alamos National Laboratory. In this process, the possibility of stopping these plans and improving already existing facilities should also be considered. Agreeing to these two ideas could consequently improve the safety and environmental impact of existing facilities while promoting the cause of nuclear nonproliferation.

Best wishes,

Rebecca J. Anderson
Intern, Alliance for Nuclear Accountability
Student, American University

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and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 *CMRR EIS* (69 FR 6967).

The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Chapter 1, Section 1.5, identifies the decisions to be supported by the *CMRR-NF SEIS*. This does not include decisions on LANL legacy waste cleanup. NNSA intends to continue implementing those actions necessary to clean up legacy waste sites at LANL regardless of decisions made on the proposed construction of the CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Regarding the commentor's concern about the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense, education, and health care) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF.

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (75 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium

Commentor No. 238 (cont'd): Rebecca J. Anderson

mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 239: Greg Mello
Los Alamos Study Group



Los Alamos Study Group

Nuclear Disarmament • Environmental Protection • Social Justice • Economic Sustainability

June 28, 2011

Re: Part I, Comments on the Draft Supplemental Environmental Impact Statement (DSEIS) for the Chemistry and Metallurgy Research Replacement Nuclear Facility (CMRR-NF), DOE/EIS-0350-S1, April 29, 2011

Attn: Jacob J. Lew, Director
Office of Management and Budget (OMB)
725 17th Street, NW
Washington, DC 20503

CC: Gregory Friedman, Inspector General
Department of Energy (DOE)
1000 Independence Avenue, SW
Washington, DC 20585

Hon. Cliff Stearns, Chairman
Oversight and Investigations Subcommittee, House Energy and Commerce Committee
United States House of Representatives
2306 Rayburn House Office Building
Washington, D.C. 20515-0906

The Honorable Diana DeGette, Ranking Member
Oversight and Investigations Subcommittee, House Energy and Commerce Committee
United States House of Representatives
2335 Rayburn House Office Building
Washington, D.C. 20515-0601

Mr. John Tegtmeyer, CMRR-NF SEIS Document Manager
National Nuclear Security Administration (NNSA)
Los Alamos Site Office
3747 West Jemez Road, TA-3 Building 1410
Los Alamos, NM 87544
Also by email to: nepalaso@doeal.gov

From: Greg Mello, Los Alamos Study Group (LASG)

Summary and Background

DOE and NNSA propose to construct a new building, the CMRR-NF¹, currently expected to cost \$4.7 to \$5.8 billion (B),² for the primary purpose of increasing the rate of manufacturing nuclear warhead cores ("pits") at Los Alamos National Laboratory (LANL) in New Mexico.

¹ Comprehensive background on this facility is available at http://www.lasg.org/CMRR/open_page.htm.

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The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium facility. The estimated cost of the CMRR-NF has increased since originally proposed, primarily because of the changes made in facility design to address seismic and safety requirements. These changes are the subject of this SEIS. The commentor's assertion that the amount of plutonium that would be handled and stored in the CMRR-NF has increased from 900 grams to 6,000 kilograms is incorrect. In the original *CMRR EIS*, Appendix C, Human Health Impacts from Facility Accidents, 6,000 kilograms of plutonium was used as the material at risk in the analysis of the potential impacts of accidents at the new CMRR Facility (see Section C.4.1 of that appendix) (DOE 2003b).

NNSA disagrees with the commentor's position that the CMRR-NF is not needed. The President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Continuing with the development of the CMRR Facility at LANL supports work needed to ensure that the U.S.'s nuclear weapons stockpile can continue to be managed safely. As noted above, the capabilities of the CMRR-NF support NNSA's plutonium mission.

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Commentor No. 239 (cont'd): Greg Mello
Los Alamos Study Group

The expected cost of this facility has increased more than tenfold since its conception.³ The required plutonium storage and handling capacity in this facility has increased from 900 grams in 2000 and 2001 (denoting a Hazard Category III facility) to 6,000 kg today.⁴

Our organization has recently provided to Congress extensive background on why this facility is not necessary, and especially not necessary now.⁵

What was described as a relatively simple building in a 2003 environmental impact statement (EIS) written under the National Environmental Policy Act (NEPA) for the CMRR project⁶ has subsequently become a very complex and expensive proposed project. It now has twice the original gross floor area, more than one hundred times the original quantity of concrete, a far longer construction and occupancy schedule (not ready for use until 2023), eight times the original electricity consumption (necessitating new or reworked transmission lines to Los Alamos County), and many other expansions.⁷

As a result of these unforeseen design complexities and expansions, the project currently lacks a final design concept. Two concepts are under consideration: a relatively shallowly-buried building, the foundation of which would be above a thick layer of unstable volcanic ash, and relatively deep one, founded below that unstable layer on welded tuff.

Of the \$787 million (M) appropriated for the CMRR project as a whole over fiscal years (FYs) 2002 through 2011, \$458 M has been for CMRR-NF.⁸

In the DSEIS and elsewhere, DOE and NNSA generally insist that the current CMRR-NF requirements, location, size, and timing cannot be changed. Very recently, however, NNSA Deputy Administrator for Defense Programs Don Cook recently warned that "As we go on, if the

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Subsequent to the original proposal of the CMRR Facility and preparation of the *CMRR EIS*, the Final Report, *Update of the Probabilistic Seismic Hazard Analysis and Development of Seismic Design Ground Motions at the Los Alamos National Laboratory* (LANL 2007), was completed. The seismic hazard analysis for TA-55 was further updated in 2009 (LANL 2009). These reports provided a better understanding of ground motion and seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage (see Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS*). Whichever alternative or option is selected, the CMRR-NF must meet the design standards for a Performance Category 3 (PC-3) facility. PC-3 structures, systems, and components are those for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials.

239-3 No response necessary.

² White House, "November 2010 Update to the National Defense Authorization Act of FY2010 Section 1251 Report; New START Treaty Framework and Nuclear Force Structure Plans," http://www.lasg.org/CMRR/Sec1251_update_17Nov2010.pdf.

³ See table of changed value in Mello affidavit of January 14, 2011, paragraph 86, at http://www.lasg.org/CMRR/Litigation/Mello_af3_14Jan2011.pdf. Earlier cost and completion date estimates (\$375 M, by FY2008) can be found in the "LANL Comprehensive Site Plan [CSP] 2001," LAUR-01-1838, July 2001, p. 110, at http://www.complexttransformationspeis.com/RM_141%20-%20LANL%202001b.pdf. For completion date slippages, see references at Mello paragraph 86, *ibid*.

⁴ LANL, "Comprehensive Site Plan 2000, p. 33, Tab 2 of references to Mello prepared testimony of April 27, 2011, http://www.lasg.org/CMRR/Litigation/Mello_refs_27Apr2011.pdf. Also, LAUR-02-1786, September 2001, LANL "Ten-Year Comprehensive Site Plan," Table II-2, p. 1, Study Group files.

⁵ LASG, May 23, 2011 memorandum to interested parties, "The [CMRR-NF at LANL] should not be built. Even if CMRR-NF were to be built eventually, it should be delayed now. Longer delay would bring greater net benefit – in dollars, program continuity, decreased management risk across the NNSA complex, and otherwise." Available at http://www.lasg.org/CMRR/Mello_Reasons_to_Delay_CMRR-NF_22May2011.pdf.

⁶ At <http://www.gc.energy.gov/NEPA/finalEIS-0350.htm>.

⁷ Summarized in Mello affidavit of October 21, 2010 (to that date), http://www.lasg.org/CMRR/Litigation/Mello_af1_21Oct2010.pdf. Subsequent court submissions and the CMRR-NF DSEIS contain further revelations, some of which are mentioned here and below in the main text.

⁸ From DOE congressional budget requests.

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cost starts to get near the upper end [of the stated cost range], that will be a clear point for invitation to cut scope.”⁹

The House Appropriations Committee (HAC) has recommended \$100 million (M) less appropriation than the FY2012 request and no construction in FY2102, pending resolution of major seismic issues, revalidation of requirements, and a decision on whether the LANL management and operating (M&O) contractor is the appropriate entity to manage the project.

Project 04–D–125, Chemistry and Metallurgy Research Replacement (CMRR), Los Alamos National Laboratory.—The Committee recommends \$200,000,000, \$100,000,000 below the budget request. The Committee fully supports the Administration’s plans to modernize the infrastructure, but intends to closely review the funding requests for new investments to ensure those plans adhere to good project management practices. The latest funding profile provided to the Committee indicates that over half the funding requested for the Nuclear Facility would be used to start early construction activities. The recommendation will support the full request for design activities, but does not provide the additional funding to support early construction. The NNSA is not prepared to award that project milestone since it must first resolve major seismic issues with its design, complete its work to revalidate which capabilities are needed, and make a decision on its contracting and acquisition strategies.¹⁰

This \$100 million (M) cut is 90% of the Committee’s proposed cuts in NNSA construction, meaning the HAC is almost uniquely targeting CMRR-NF for cuts among all proposed NNSA construction. NNSA had requested \$270.1 M for CMRR-NF specifically, the balance of the requested \$300 M CMRR budget line to be allocated to completing the first CMRR building, the Radiological Laboratory, Utility, and Office Building (RLUOB).

In its introduction to its markup of the NNSA budget the HAC wrote, in a passage especially germane to NEPA compliance and the DSEIS:

It is incumbent upon the experts at the NNSA to provide a range of options which would meet defense requirements and to ensure that a range of alternatives are considered, taking into account the DOE resource implications of each alternative.¹¹

In his opening remarks Subcommittee Chairman Rodney Freylinghuysen (R-NJ) said the proposed bill would cut out from the Administration’s request for nuclear warheads

...hundreds of millions of dollars for construction projects that are not ready to move forward, capabilities that are secondary to the primary mission of keeping our stockpile ready, and yes, slush funds that the Administration has historically

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⁹ Quoted by Todd Jacobsen, “NNSA Weapons Chief: UPF, CMRR-NF To Meet Budget, Or Risk Scope Cuts,” *Nuclear Weapons and Materials Monitor* of June 17, 2011.

¹⁰ FY2012 Energy and Water Bill, Full Committee Report, p. 131, at http://appropriations.house.gov/UploadedFiles/FY_2012_ENERGY_AND_WATER_FULL_COMMITTEE_REPO_RT.pdf.

¹¹ *Ibid*, p. 83.

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used to address its needs. The recommendation before you eliminates these weaknesses and it is responsible.¹²

In late April DOE and NNSA produced a Draft Supplement to the 2003 CMRR EIS (DSEIS), which is the subject of these comments. Despite all the above concerns, the DSEIS examines no alternatives to the CMRR-NF, which it has already decided to build. Despite extensive prior communication and comment from many parties, these two agencies incorrectly and we believe illegally relegate NEPA to a footnote in the engineering design process for a predetermined agency decision to construct a building of certain precise capabilities, size, and requirements, in a precise location, at a precise time (now).

DOE and NNSA's failure to conduct a full analysis of alternatives to the CMRR-NF project as NEPA requires risks not just billions of dollars in excess spending but also the effective management of NNSA's nuclear weapons programs, and the safety of the agency's workers.

Comments on the April 29, 2011 CMRR-NF DSEIS

1. Please incorporate by reference all of Plaintiff LASG's pleadings, evidence submitted, and both actual and prepared testimony in Case No. CIV10-760 JH/ACT, LASG v. Department of Energy (DOE), NNSA, Steven Chu, and Thomas D'Agostino, which bear centrally on the process and content of this DSEIS.¹³ This includes sworn evidence and testimony regarding the need for, and alternatives to, the proposed CMRR-NF that were by submitted by me, Dr. Frank von Hippel, and Mr. Robert Peurifoy.¹⁴ Please include all supporting references.

¹² Quoted by Todd Jacobsen, "Budget Battle Heating Up Over House Approps Cuts To Weapons Program," *Nuclear Weapons and Materials Monitor* of June 17, 2011.

¹³ Available at http://www.lasg.org/CMRR/Litigation/CMRR-NF_litigation.html.

¹⁴ For reasonable alternatives to CMRR-NF see Mello affidavit of January 14, 2011, paragraphs 83-91, http://www.lasg.org/CMRR/Litigation/Mello_af3_14Jan2011.pdf, and Mello, "The Proposed Chemistry and Metallurgy Research Replacement Nuclear Facility (CMRR-NF): New Realities Call for New Thinking," http://www.lasg.org/CMRR/CMRR_alternatives.pdf. All reasonable alternatives center on usage of the pit production equipment in PF-4, with support functions conducted within PF-4 and at the CMRR Radiological, Utility, and Office Building (RLUOB), and *if desired* also elsewhere, either at LANL or at other sites. The entire "front end" of pit manufacturing, either up to metal production or including casting, could be done at another site, e.g. the planned Pit Disassembly and Conversion Facility (PDCF), as modified, at the Savannah River Site (SRS). Mark Hart, Warren Wood, and David Olivas, "Plutonium Pit Manufacturing Unit Process Separation Options for Rapid Reconstitution: A Joint Position Paper of Lawrence Livermore National Laboratory and Los Alamos National Laboratory," LLNL, LANL, September 6, 1996, cited in Mello affidavit of Jan. 14, 2011, op. cit, at p. 37.

Rationalization of programs, floor space, vault space, and equipment within the existing plutonium facility (Building PF-4) will provide adequate MC capability if it does not already do so. Frank von Hippel prepared testimony of April 27, 2011, http://www.lasg.org/CMRR/Litigation/vonHippel_27Apr2011.pdf. Mello affidavit of January 14, 2011, op. cit., at paragraph 10, citing Tim George, LANL Nuclear Materials Technology Division Director, "Can Los Alamos Meet Its Future Nuclear Challenges? Balancing the Need to Expand Capabilities While Reducing Capacity," *Actinide Research Quarterly*, 1st Quarter 2001 at <http://arq.lanl.gov/source/orgs/nmt/nmtdo/Archive/01spring/editorial.html>, and citing Secretary of Energy Advisory Board (SEAB) Nuclear Weapons Complex Infrastructure Task Force, "Recommendations for

the Nuclear Weapons Complex of the Future," July 13, 2005, p. H-6, at footnote 11 in

239-3
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239-4 **239-4**

NNSA disagrees with the commentor's characterization of the SEIS NEPA process. NNSA has prepared the *CMRR-NF SEIS* in accordance with NEPA, the CEQ regulations that implement the procedural provisions of NEPA (40 CFR Parts 1500-1508), and DOE regulations implementing NEPA (10 CFR Part 1021). These regulations require the preparation of a supplement to an EIS when there are substantial changes to a proposal or when there or significant new circumstances or information relevant to environmental concerns. An agency may also supplement an EIS to further the purposes of NEPA. The CMRR-NF SEIS evaluates the environmental impacts of alternatives for satisfying the mission AC and MC requirements, currently provided by the CMR Building, over the next 60 years. Refer to Sections 2.3, Programmatic Direction and Decisions, and 2.11, Alternatives Considered, of this CRD for more information.

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Los Alamos Study Group (LASG) submitted a comment requesting that NNSA incorporate by reference all of its pleadings, evidence submitted and both actual and prepared testimony in *Los Alamos Study Group v. Department of Energy*, Case No. 10-Civ-0760-JH-ACT. Much of this material involves legal contentions and does not comment on the draft CMRR SEIS. More important, LASG did not identify the specific issues in this mass of material to which it wanted NNSA to respond. Commentors are required to present their comments in a way that reasonably permits a reviewing agency to examine their contentions, and this comment by LASG does not do so.

Commentor No. 239 (cont'd): Greg Mello
Los Alamos Study Group

2. Please incorporate by reference my scoping comments on this DSEIS of November 20, 2010, including my August 14, 2002 comments on the scope of the 2003 CMRR EIS and all supporting references.¹⁵
3. Please incorporate by reference the LASG memorandum of May 23, 2011, with all supporting evidence provided, entitled "The [CMRR-NF at LANL] should not be built. Even if CMRR-NF were to be built eventually, it should be delayed now. Longer delay would bring greater net benefit – in dollars, program continuity, decreased management risk across the NNSA complex, and otherwise."¹⁶
4. As stated in the pleadings, evidence, and scoping comments above and particularly at sections E and F of my third affidavit (January 14, 2011)¹⁷, the SEIS process is irredeemably flawed and could never serve as a valid SEIS under NEPA and its implementing regulations (at 40 CFR 1500 et. seq. and 10 CFR 1021 et. seq.), under guidance prepared by the Council on Environmental Quality (CEQ) and DOE, or under any common-sense, logical approach to making decisions in which analysis of choices and their costs, benefits, and impacts actually precedes the decision involved. In the case of the SEIS process, the supposed analysis comes after the decision to construct CMRR-NF. This is illogical as well as illegal and renders the entire exercise one of futility and waste from the management and appropriations perspective, and one of deception as regards NNSA's posture toward interested citizens, tribes, state and local governments, and other federal agencies.

As stated in sections E and F of my January 14, 2011 affidavit, after the SEIS scoping process had concluded but before the appearance of the DSEIS:

NNSA has been increasing its commitment to CMRR-NF since making the decision in 2004 to construct and operate it. Nearly all of the activities currently underway specifically advance and entrench defendants' preferred alternative and no other. Thus, they are prejudicial action. These prejudicial actions include detailed design and the design, purchase, and installation at RLUOB of specialized equipment to support CMRR-NF. No objective EIS or SEIS could be written while project momentum continues and specific contractual commitments to it continue to be made, executed, and extended.

The purpose of NEPA analysis is to foster better federal decisions, not to analyze the impacts of decisions already made (40 CFR 1500.1). NEPA analysis is supposed to be done very early in the design process (40 CFR 1501.2), prior to formal alternative selection at CD-1, *i.e.*, when alternatives to the project are still being weighed.¹⁸ DOE guidance states that such interim commitments are normally not appropriate.¹⁹ NNSA claims its SEIS will help the agency choose

http://www.lasg.org/CMRR/Litigation/Mello_af3_ref/Mello_Aff3_All_References.pdf.

¹⁵ Available at http://www.lasg.org/CMRR/CMRR-NF_SEIS_scoping_comments_Nov2010.html.

¹⁶ Available at http://www.lasg.org/CMRR/Mello_Reasons_to_Delay_CMRR-NF_22May2011.pdf.

¹⁷ Available at http://www.lasg.org/CMRR/Litigation/Mello_af3_14Jan2011.pdf.

¹⁸ See DOE orders discussed at Mello Aff. #1, ¶¶66-69 and in this affidavit, ¶¶55, 71. See http://www.lasg.org/CMRR/Litigation/CMRR-NF_litigation.html.

¹⁹ DOE, "Guidance Regarding Actions That May Proceed During the National Environmental Policy Act (NEPA) Process: Interim Actions," June 17, 2003.

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239-6

LASG submitted comments to NNSA during the scoping process, prior to preparation of the *Draft CMRR-NF SEIS*. NNSA considered and collectively responded to all relevant scoping comments in the *Draft CMRR-NF SEIS*.

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239-7

LASG has also requested that NNSA incorporate by reference a memorandum, with all supporting evidence, which was not submitted to NNSA as a comment document on this SEIS. LASG did not identify the specific issues to which it wanted NNSA to respond. As stated in response to Comment 239-5, commentors are required to present their comments in a way that reasonably permits a reviewing agency to examine their contentions, and this comment by LASG does not do so.

239-8

See the response to Comment 239-4.

239-8

Commentor No. 239 (cont'd): Greg Mello
Los Alamos Study Group

between design details, but the issue is a choice between primary alternatives. The proposed alternatives in the SEIS NOI do not involve choices between design details.

The SEIS is being written because *none* of the original alternatives are reasonable any more. The 2003 EIS only considered constructing a CMRR in neighboring technical areas. Now the scale and scope of the project have markedly changed, dramatically changing the environmental impact analysis. Relevant new environmental information has come to light. New circumstances and scientific knowledge, erosive to the original purpose and need, have appeared. The project itself has exploded in cost and lengthened in schedule as the true nature of the proposed site has become internalized. Without a comprehensive treatment, all reasonable alternatives and their impacts cannot be evaluated. An EIS must "[r]igorously explore and objectively evaluate all reasonable alternatives" (40 CFR Sec. 1502.14). "The information [in an EIS] must be of high quality." (40 CFR 1500.1). There is nothing left of the original EIS to "supplement," and the attempt to do cannot meet NEPA standards. The very word "supplemental" signals an unbroken commitment to the project. To write a "supplemental" analysis of a project's alternatives, when *one* alternative is the sole subject of such commitment, relegates the SEIS to *post-hoc* paperwork, contrary to NEPA's intention and requirements.

The purpose and need of the original project require reexamination today because of new scientific knowledge (existing pits will far outlast the factory to produce them), new technical data from the stockpile management program (stockpile can be kept safe, secure, and reliable without pit production indefinitely), new stockpile realities (post-2003 stockpile current and planned reductions), and new policies (NPR prejudiced against pit production; rejection of RRW). There is no significant pit production authorized or planned. NNSA is explicitly and fully committed to one alternative as they themselves and numerous senior officials have said. We read it on the front pages of our newspapers,²⁰ extensively in the trade press, on the White House web site,²¹ and in the updated "Section 1251 Report."²² The NOI and other materials provided so far contain too little factual material to provide any basis for informed comment. The scope of analysis presented in the October 1, 2010 Notice of Intent (NOI) was far too narrow and cursory. The current purpose and need were not examined. A very narrow suite of alternatives was offered, without any technical background to even indicate their possible feasibility. Two of the three alternatives are clearly infeasible and unsafe (build the rejected 2003 CMRR-NF; keep using CMR without upgrades).

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²⁰ E.g. John Fleck, "Nuclear Spending Plan Up," *Albuquerque Journal*, 11/ 19/10, <http://www.abqjournal.com/news/state/19232507888newsstate11-19-10.htm>.

²¹ White House, "Fact Sheet: An Enduring Commitment to the U.S. Nuclear Deterrent," 11/17/10, <http://www.whitehouse.gov/the-press-office/2010/11/17/fact-sheet-enduring-commitment-us-nuclear-deterrent>

²² White House, "November 2010 Update to the National Defense Authorization Act of FY2010 Section 1251 Report: New START Treaty Framework and Nuclear Force Structure Plans" November 17, 2010, p. 6.

Commentor No. 239 (cont'd): Greg Mello
Los Alamos Study Group

No secondary alternatives were even mentioned. "Business case" or "capacity" analyses are needed to support a full suite of alternatives.

NNSA is conducting its NEPA process separately from other design, feasibility and impact analyses it is doing.

The notice methods used by NNSA for the SEIS were inadequate. Plaintiff, for example, did not receive any notice from NNSA or DOE, meaning that DOE did not use its mailing lists of regional organizations and individuals long involved in DOE affairs.²³ [Sic – see the preceding footnote.] Although CMRR-NF is clearly an issue of national importance, and DOE maintains national lists of parties categorized by interest, no evidence has been provided that any such list was used. The cognizant staff members at the New Mexico Environment Department (NMED) who had commented on the 2003 EIS told us they never saw any formal notice of this SEIS.

No hearings in other relevant NNSA locations, even though alternatives may involve facilities at other sites including the Savannah River Site (SRS), Lawrence Livermore National Laboratory (LLNL), and the Idaho National Laboratory (INL). LANL was chosen as a pit production site based on estimate of total costs a factor of ten lower than today's.²⁴ Given the huge cost increases, other sites which already have a plutonium infrastructure have clearly become reasonable alternatives, implying a need for proper notice and comment opportunities.

There were no actual scoping hearings. Providing computer terminals to type comments do not constitute a "hearing." Neither is an impromptu forum, provided without notice, where only informal notes are taken, a hearing.

An objective NEPA analysis of CMRR-NF and its alternatives is impossible without certain prior actions by defendants:

NNSA and DOE have publicly expressed their commitment to the single CMRR-NF alternative currently being pursued based on the 2004 ROD and their own critical decision process. A NEPA-compliant EIS or SEIS for CMRR-NF requires that they formally rescind these.

Defendants must rescind Critical Decision I, "Selection of Alternatives."

Defendants must halt further investments in the CMRR-NF alternative currently being pursued, which only further entrench this alternative, reduce its schedule disadvantage to simpler alternatives, and prejudice any future decision. NEPA recognizes no post-decisional SEIS.

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²³ This issue was also pointedly raised in some detail by the Pajarito Group of the Sierra Club. Subsequent to this testimony we found the relevant notice letter.

²⁴ Richard Geddes, CMRR SEIS scoping comments, October 27, 2010.

Commentor No. 239 (cont'd): Greg Mello
Los Alamos Study Group

Defendants must undertake a searching review of the project's purpose and need. A great deal has changed, from stockpile size (much smaller) to known minimum pit life (much longer), to confidence in stockpile maintenance without pit replacement (now complete). In 1997, DOE said CMRR was unreasonable. In 2001, CMRR-NF plans did not include a Hazard Category II structure. In 2003, CMRR-NF plans had some 120,000 sq. ft. of nuclear laboratory space. A few years later, CMRR-NF plans had about 38,500 sq. ft. of nuclear laboratory space. Clearly DOE and NNSA have held many different concepts of what is essential in the last 14 years.

As preparation for an EIS, defendants must conduct business case analyses of the cost and feasibility of all reasonable alternatives, considering the infrastructure of the entire weapons complex as appropriate. No objective EIS can be written without this.

A full national scoping process that takes the newly clarified purpose and need and new business case and feasibility analyses into account is then required.

5. Additional fatal defects in the SEIS process became apparent with the publication of the DSEIS. Some examples:

- a. The decision to build the preferred alternative (the 2010/2011 version of CMRR-NF, of whatever design variation) is not actually being reexamined.

Because NNSA decided in the 2004 ROD [Record of Decision] to build CMRR – as a necessary step in maintaining critical analytical chemistry [AC] and materials characterization [MC] capabilities at LANL – the SEIS is not intended to revisit that decision.²⁵

A SEIS is an EIS and must examine all reasonable alternatives to the proposed action, including primary alternatives, i.e. alternatives which do not build the project.

Both the HAC and NNSA Deputy Administrator Don Cook apparently believe alternatives to the CMRR-NF project may exist, as noted above.

- b. The DSEIS lacks a No Action Alternative. First, a No Action Alternative means taking no action, including not building the CMRR-NF. No such alternative is envisioned. Further, NNSA admits it's bogus no action alternative "would not be constructed," and so is not an alternative of *any* kind.

No Action Alternative (2004 CMRR-NF):...Based on new information learned since 2004, the 2004 CMRR CMRR-NF would not meet the standards for a Performance Category 3 (PC-3) [footnote omitted] structure as required to safely conduct the full suite of NNSA AC and MC work. Therefore, the 2004 CMRR-NF would not be constructed.²⁶

And:

²⁵ DSEIS Summary at v. See also at 14 ("...NNSA is not planning to revisit either the need for the CMRR-NF or locating the facility at another site...NNSA intends to proceed with the CMRR-NF planning process.")

²⁶ Ibid at 8.

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The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. Following issuance of the 2003 *CMRR EIS*, NNSA announced its decision to construct the two-building CMRR in TA-55. NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation Supplemental Programmatic Environmental Impact Statement* (DOE 2008c) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644). Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. As stated by the commentor, NNSA is not planning to revisit that decision in the SEIS. The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements. CEQ and DOE NEPA regulations and implementing procedures (40 CFR 1502.9(c) and 10 CFR 1021.341(a) – (b), respectively) require preparation of an SEIS if there are substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or its impacts. The regulations state that an agency may also prepare a supplement when the agency determines that the purposes of NEPA will be furthered by doing so. NNSA determined that an SEIS to the CMRR EIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information.

239-10

Although many commentors expressed a preference for a No Action Alternative that would abandon the current CMR Building and not proceed with CMRR-NF, such an alternative does not meet NNSA's stated purpose and need (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). Thus, an alternative of ceasing CMR operations is not addressed in the CMRR-NF SEIS. The No Action Alternative in the *CMRR-NF SEIS* is based on the decision made following preparation of the original *CMRR EIS* in 2003.

239-8
cont'd

239-9

239-10

Commentor No. 239 (cont'd): Greg Mello
Los Alamos Study Group

The remaining alternative, to construct the 2004 CMRR-NF as it was described and analyzed in the 2003 *CMRR EIS* [sic: it was not analyzed there] and its associated ROD, the 2008 *LANL SWEIS*, the *Complex Transformation SPEIS* [sic: it was not analyzed there] and its associated ROD, and in this CMRR-NF SEIS as the No Action Alternative, does not meet NNSA's purpose and need and thus, would not be implemented.²⁷

239-10
cont'd

c. The DSEIS does not seriously consider any primary project alternative. This represents a step back from even the short suite of alternatives proposed during the scoping process, which included at least one colorably reasonable alternative (along with the "pre-rejected" ones offered at the time and formally rejected by NNSA in the DSEIS).

i. The CMR Upgrade alternative originally proposed in SEIS scoping – the sole potentially realistic alternative to CMRR-NF that was offered there – was abandoned in the DSEIS.

...**Extensive Upgrades to the Existing CMR Building:** ... this action was not analyzed further as a reasonable alternative to meet NNSA's purpose and need for action in this CMRR-NF SEIS.²⁸

ii. The DSEIS considers however a patently unsafe alternative which would rely upon use of the existing CMR Building *without* major upgrades, and then (properly) rejects this same alternative.

This CMRR-NF SEIS also considers an alternative that would continue to rely upon the restricted use of the CMR Building without constructing the CMRR-NF even though...this would not meet NNSA's purpose and need for taking action.²⁹

This is certainly reasonable, since rejection of this alternative is the stated core justification for the CMRR-NF project.

iii. The DSEIS also rejects alternatives of building CMRR-NF at alternative sites at LANL, or at other locations.³⁰ It also rejects distributing the functions proposed for CMRR-NF to other LANL nuclear facilities.³¹

239-11

239-11

Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original 2003 *CMRR EIS* and the current *CMRR-NF SEIS* (see Volume 1, Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building (specifically, there is a fault beneath TA-3/CMR Building). The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

The rejection of any and all alternatives to CMRR-NF for detailed examination in the DSEIS is complete.

d. The rejection of all scoping comments that proposed alternatives to CMRR-NF bespeaks a defective SEIS process, as well as content. This is also another reason to suppose bad faith on the part of NNSA and its NEPA contractors in preparation of the DSEIS.

239-12

239-12

As noted in the discussion of the scoping comments in Chapter 1, Section 1.7, Public Participation, of the *Draft CMRR-NF SEIS*, there were requests for changes in the type of document to be prepared, as well as suggestions for changes in the alternatives and for additional alternatives to be addressed in the SEIS. In addition, there were requests for the type of impact analyses to be performed for the SEIS, including for example, climate change and global warming. NNSA considered all scoping comments and summarized the comments and their responses in the Draft SEIS; however, not all suggestions were incorporated into changes to the SEIS.

²⁷ Ibid at 9.

²⁸ Ibid at 20.

²⁹ Ibid at 14, 15.

³⁰ Ibid at 19.

³¹ Ibid at 20.

Commentor No. 239 (cont'd): Greg Mello
Los Alamos Study Group

- e. Having eliminated from considerations all project alternatives in its SEIS, NNSA incorrectly construes NEPA as an aspect of the *engineering design process* for a predetermined agency decision that would construct a project of certain precise capabilities, size, and requirements in a precise location at a precise time.
- f. The DSEIS identifies additional project parameters and environmental impacts, not previously disclosed, that so grossly exceed those identified in the 2003 CMRR EIS that a *de novo* EIS involving new alternatives is warranted. For example:
- i. Electricity usage during construction and operation would be 492 and 8.34 times, respectively, that predicted in the 2003 EIS.
 - ii. Water usage during construction and operation would be 6.7 and 1.5 times, respectively, that predicted in the 2003 EIS.

In fact,

When compared to the available site capacity, operation of the Modified CMRR-NF and RLUOB would require 12 percent of the available water, 27 percent of the available electricity...the peak electrical demand estimate of 26 megawatts [MW], when combined with the site-wide peak demand, would use all of the available capacity of the site.³²

- g. The DSEIS evinces an additional connected major federal action requiring its own NEPA analysis, namely how to supply all this proposed additional electricity.

Regardless of the decisions to be made regarding the CMRR-NF [i.e. which of two functionally- and spatially-identical versions CMRR-NF to build], adding a third transmission line and/or re-conductoring the existing two transmission lines are being studied by LANL to increase transmission line capacities up to 240 megawatts to provide additional capacity across the site.³³

This is far more electrical capacity than LANL (or the Los Alamos County electrical pool as a whole, including residential and commercial usage in Los Alamos), has ever needed, used, or previously analyzed under NEPA. Peak LANL demand was 70.9 MW in 2001 and 2003. The Expanded Operations Alternative in the LANL SWEIS projected peak loads of 124 MW for LANL and 144 MW for the Los Alamos power pool overall.³⁴

6. As a result of these fundamental defects of process and content, including the complete absence of detailed engineering feasibility studies which could support or reject reasonable alternatives as noted above and the transgressions of logic and law in which the DSEIS is offered, there is likely to be little value in offering detailed comments on this document. The DSEIS comes after NNSA's decision to construct CMRR-NF and until that order is reversed it cannot be viewed as a good-faith effort on NNSA's part.
7. Nevertheless we aim to do so. For the last two days, however, which were to be devoted to this task, we have been substantially diverted by dozens of calls from citizen constituents and

³² Ibid at 25.

³³ Ibid.

³⁴ DOE, *Final Site-wide EIS for Continued Operation of Los Alamos National Laboratory* (DOE/EIS-0380), pp. 2-67 and 3-98, at <http://www.doeal.gov/laso/NEPASWEIS.aspx>.

239-13

239-13

As noted in the response to Comment 239-2, the *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on requirements related to additional seismic information. Three alternatives, including the No Action Alternative and an alternative with two options, are analyzed, as described in Chapter 2 of the SEIS. While the No Action Alternative reflects NNSA's previous decision made following preparation of the original *CMRR EIS* in 2003, NNSA has stated that this alternative would not be pursued.

239-14

239-14

NNSA agrees that both water and electrical usage would increase as addressed in the SEIS. Water usage estimates related to the proposed CMRR-NF are included in Chapter 4, Sections 4.2.3 and 4.3.3. As discussed in these sections, the proposed CMRR-NF is expected to use up to about 5 million gallons (19 million liters) of water per year to support construction of the CMRR-NF. If built, the CMRR-NF, combined with RLUOB, would use up to 16 million gallons (61 million liters) of water per year to support facility operations. When the CMRR-NF requirements are combined with other LANL site-wide projected water requirements, the projected requirements would remain within the LANL's water rights. Please refer to Section 2.10, Water Resources and Usage, of this CRD for more information. The CMRR project peak electrical demand estimate of 26 megawatts, when combined with the projected site wide peak demand, is estimated to use all of the available (surplus) capacity at the site. However, actual peak demand for LANL has been below projected levels in the past and well within site capacities.

239-15

239-15

Comment noted.

239-16

239-16

All comments received by NNSA, including late comments, were considered in developing the *Final CMRR-NF SEIS*.

Commentor No. 239 (cont'd): Greg Mello
Los Alamos Study Group

interviews with journalists seeking perspectives on the Las Conchas Fire. This fire has shut down LANL and the NNSA Los Alamos Site Office (LASO) for the past two days and has occasioned the evacuation of the Los Alamos townsite as a whole. We anticipate filing further comments later this week.

These conclude our comments today. More will follow shortly, hopefully more or less concurrent with resumption of work on the SEIS as the fire abates.

I trust the present huge forest fire on the very borders of LANL will remind us all that significant natural hazards are present at this site, which was selected less for its suitability for manufacturing than for its remoteness and (former) beauty.

Sincerely,

Greg Mello, for the Los Alamos Study Group

|||
239-16
cont'd

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Commentor No. 240: Ralph Hutchison, Coordinator
Oak Ridge Environmental Peace Alliance

From: Ralph Hutchison [orep@earthlink.net]
Sent: Monday, June 27, 2011 12:10 PM
To: NEPALASO@doeal.gov
Subject: OREPA comments on CMRR-NF S-EIS

Comments of the Oak Ridge Environmental Peace Alliance on the National Nuclear Security Administration's Supplement Environmental Impact Statement for the Chemistry and Metallurgy Research Replacement – Nuclear Facility at Los Alamos National Laboratory

27 June 2011

Since it was first proposed more than a decade ago, the momentum has built slowly and inexorably toward the construction of the Chemistry and Metallurgy Research Replacement-Nuclear Facility. In the intervening years, reality has rarely been allowed to intrude on the process, the CMRR has been built, and plans for the Nuclear Facility have entered the final stages before construction. Now, the insistence of the Defense Nuclear Facilities Safety Board that the National Nuclear Security Administration address concerns about the seismic stability of the CMRR-NF has created a speed-bump; the NNSA is compelled to prepare a Supplement to the original Environmental Impact Statement.

The CMRR-NF SEIS is an opportunity to examine not only the adequacy of the seismic design of the facility, but also to answer other questions that changing circumstances have posed since the 2003 CMRR-EIS. The original economic analysis supporting the CMRR is no longer valid as construction cost estimates have rocketed into the stratosphere and pressures on the US budget have forced draconian cuts in many programs; the “purpose and need” for the 80-warhead/year CMRR has been eclipsed by the START Treaty and the commitment of the president to pursue a world free of nuclear weapons; the disaster in Fukushima, Japan, compels a fundamental reassessment of the adequacy of current design assumptions; even the wildfires threatening Los Alamos National Lab at the moment (for the second time in little more than a decade) raise the most basic of questions—if the CMRR-NF is as crucial to national security as NNSA asserts, is it wise to build it in an area that faces evacuation and closure at the whim of nature?

The commitment of the United States to reduce its nuclear arsenal under the START Treaty, and the pursuit of further deep cuts, undermines the NNSA's assertion that the United States needs an 80-warhead/year production capacity for plutonium pits. An independent review by the JASON determines the current US stock of pits is reliable for at least 45 years, likely much longer. The only conceivable rationale for an 80-warhead/year capacity is a determination to

240-1

NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions issued through the 2008 *Complex Transformation SPEIS* ROD. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

240-1

240-2

**Commentor No. 240 (cont'd): Ralph Hutchison, Coordinator
Oak Ridge Environmental Peace Alliance**

maintain full-scale capacity to produce new nuclear weapons. This would not only violate the spirit of the Nuclear Nonproliferation Treaty and send a perilously provocative message to the rest of the world, it would make a liar of our president and contradict the nuclear policy of the country. (It is not merely coincidence that the NNSA's proposed Uranium Processing Facility also has an 80-warhead/year throughput capacity.)

240-2
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In the current economic climate, it defies reason to imagine the United States should invest more than \$10 billion on an oversized CMRR-NF and UPF without a compelling case for the mission of the two facilities. A more reasonable alternative is to prepare a detailed assessment for upgrading current facilities in place—both at Los Alamos and Oak Ridge, the NNSA has the capacity to meet all mission requirements for stockpile surveillance and maintenance during the build-down to zero; existing facilities can be upgraded to meet environmental, safety and health requirements at a fraction of the cost of new facilities.

240-3

The Supplemental EIS is not the appropriate vehicle for revisiting such fundamental questions—it requires a new EIS, one that takes as its starting point the reality of 2011 instead of the reality of 1998. Outside of the communities that stand to receive a direct financial benefit from the construction of the CMRR-NF and the UPF, no reasonable person believes the US can afford everything in 2011 it could in 1998; public support for the nuclear stockpile has also declined significantly; old war-horses and defense hawks—Henry Kissinger, George Shultz, William Perry and Sam Nunn have declared the US must take concrete steps toward the abolition of nuclear weapons; the disaster in Fukushima, now recognized as worse even than Chernobyl, has demonstrated the stakes are greater than we like to think—not only are the lives of workers and the public at risk, but the earth and the oceans are at risk—land around Fukushima is poisoned, no longer able to provide food and water to sustain life.

240-4

How have the planners of the CMRR-NF accommodated this changing reality? They have pushed on as though nothing has changed, ignoring public comments that question the need for a new nuclear weapons production facility, maintaining the “need” for a grossly oversized facility, and bloating the budget with a straight face even as the public insists we can no longer act like teenagers who don't have to buy the gas that fuels their travels.

It is simply not true that there is no price to pay for this overreach. The CMRR-NF, underdesigned (like Fukushima) to withstand natural phenomena, may well fail. Its mere construction will undermine US efforts to constrain nuclear proliferation—

240-1
cont'd

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons.

The CMR building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission, including stockpile stewardship, maintenance, and production, but they are not tied to any specific pit production level. As indicated in Chapter 2, Section 2.4 of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. But there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. But, the type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 240 (cont'd): Ralph Hutchison, Coordinator
Oak Ridge Environmental Peace Alliance

why should Iran listen to a word we say when we are brazenly ignoring our commitment under the 41 year-old nonproliferation treaty (reinforced by the 1996 opinion of the International Court of Justice that “there exists an obligation” on the part of nuclear weapons states to meet their 1970 NPT obligation)? Construction of the CMRR-NF will spend money that could be spent on environmental restoration of weapons communities, or new schools, housing, education, job training or a hundred other programs that are productive rather than destructive.

All this is to say the S-EIS fails to meet the NNSA's obligation to fully examine the impacts of its decision to proceed with a new bomb plant on “the whole of the human environment,” and to consider all reasonable alternatives in developing its path forward. If the mission requirements of the Stockpile Stewardship program can be met at significantly less cost by upgrades to existing facilities, this alternative is not only reasonable, but should be compelling.

Submitted by

Ralph Hutchison, coordinator
 Oak Ridge Environmental Peace Alliance

240-2
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240-5

240-4
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240-2

President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

A decision on the level of pit production is not within the scope of the CMRR-NF SEIS, as that decision (20 pits per year) was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

240-3

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation Supplemental Programmatic Environmental Impact Statement* (DOE 2008b) in 2008. NNSA announced its decisions, which were based on a number of considerations including cost, in two Records of Decision published in the *Federal Register* on December 19, 2008 (73 FR 77644 and 77656). The first ROD addresses operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and includes the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building. Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely.

Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS*. The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons.

Commentor No. 240 (cont'd): Ralph Hutchison, Coordinator
Oak Ridge Environmental Peace Alliance

Chapter 2, Section 2.7 has been expanded to include additional information on why it is not technically feasible to upgrade the existing CMR Building.

- 240-4** NNSA has determined that the *CMRR-NF SEIS* meets NEPA's obligations to fully examine the impacts of the proposed action. Refer to Section 2.2, NEPA Process, of this CRD for more information.
- 240-5** NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, defense, education, and housing) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

**Commentor No. 241: Robert H. Gilkeson and
Concerned Citizens for Nuclear Safety (Joni Arends)**

**Public Comments of Robert H. Gilkeson, Registered Geologist, and
Concerned Citizens for Nuclear Safety (CCNS) about the DOE 2011 draft
Supplemental Environmental Impact Statement for the proposed Chemistry and
Metallurgy Research Replacement Nuclear Facility (CMRR-NF) at the
Los Alamos National Laboratory (LANL) Technical Area-55 (TA-55)**

To: John Tegtmeier, Document Manager
From: Robert H. Gilkeson, Registered Geologist, rhgilkeson@aol.com
Joni Arends, Concerned Citizens for Nuclear Safety (CCNS)
jarends@nuclearactive.org ccns@nuclearactive.org
Date: June 28, 2011
Re: Insufficient, Incorrect and Misrepresented Seismic Information for Design
Basis Earthquakes for Proposed CMRR-NF – Requirement for DOE to
Retract DOE 2011 draft SEIS for CMRR-NF

ISSUE 1. There is a requirement for the Department of Energy (DOE) to retract the DOE 2011 draft Supplemental Environmental Impact Statement (DOE 2011 draft SEIS) for the proposed Chemistry and Metallurgy Research Replacement Nuclear Facility (CMRR-NF) at the Los Alamos National Laboratory (LANL) Technical Area-55 (TA-55) because of the inadequate and incomplete analysis provided based on the following facts:

1.A. The DOE 2011 draft SEIS greatly underestimates the seismic hazard at the proposed CMRR-NF. This is because the LANL 2007 Probabilistic Seismic Hazard Analysis (PSHA) Report incorrectly calculated simultaneous earthquakes to produce a greater seismic hazard than multiple synchronous earthquakes. The greater ground motions from synchronous earthquakes produce a much greater seismic hazard than from simultaneous earthquakes. This issue is discussed beginning on page 22.

1.B. The DOE 2011 draft SEIS misrepresents the LANL 2007 PSHA Report as "a comprehensive update to the LANL seismic hazards analysis." In reality, the LANL 2007 PSHA is inadequate and incomplete to provide the "design basis earthquakes" for the proposed CMRR-NF or for the assessment of the seismic hazard at the location of any existing or proposed critical facilities on the 40-square mile LANL Site. This issue is discussed throughout this report and specifically on page 26.

- The DOE 2011 draft SEIS did not consider the increasing seismic hazard at the CMRR-NF that was described in the LANL 2007 PSHA Report and in Lewis et al., 2009 because the youthful Pajarito Fault System (PFS) is growing with an increase in danger for powerful ground-rupturing earthquakes at the location of the proposed CMRR- NF and at other critical locations at the LANL Site. This issue is discussed throughout this report and specifically in the section beginning on page 11 titled "Background for the neoseismic setting of the growing PFS."

- The LANL 2007 PSHA did not have the necessary data to calculate the growing power of the neoseismic PFS. A comprehensive field investigation is necessary to acquire the data to evaluate the increasing seismic hazard (see Section 1 B beginning on page 26).

241-1 NNSA notes the commentor's concerns and technical comments regarding seismic issues related to the *Draft CMRR-NF SEIS*. In addition to all the following responses, refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information and to sections of the *Final CMRR-NF SEIS* where revisions were made to text in response to comments as noted in the specific response that follows each comment below.

As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazards analysis of the LANL region (LANL 2007, 2009). (The 2009 update to the 2007 preliminary seismic hazards analysis was not publicly available at the time the Draft CMRR-NF SEIS was prepared; however, it has subsequently been made available to the public and has been incorporated into the Final CMRR-NF SEIS.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. These changes are included in the Modified CMRR-NF Alternative (see Chapter 2, Section 2.6.2 of the *CMRR-NF SEIS*).

241-2 The PSHA (LANL 2007) included both simultaneous and synchronous earthquake rupture models in calculating design-basis ground motions for TA-55. Simultaneous ruptures were slightly favored in the model with a weight of 0.6 because this is the standard model used in PSHA practice, and displacement data for the Pajarito fault system suggest this type of rupture occurred in the past. However, synchronous ruptures were also included in the analysis with a weight of 0.4.

The PSHA did not calculate higher hazard for the simultaneous rupture, but the PSHA did estimate slightly higher maximum magnitudes for the simultaneous rupture model. Preferred maximum magnitudes for both simultaneous and synchronous ruptures were estimated using the same general approach, which has a sound technical basis, as discussed in the response to comment 241-15 (below).

**Commentor No. 241 (cont'd): Robert H. Gilkeson and
Concerned Citizens for Nuclear Safety (Joni Arends)**

- The DOE 2011 draft SEIS and the LANL 2007 PSHA do not provide the acquisition of site-specific data and subsequent analysis to ensure that ground motions for design basis earthquakes at the location of the proposed CMRR-NF are based on accurate scientific knowledge (see Issues 1.A and 1.B beginning on page 22)..

241-5

- The DOE 2011 draft SEIS and the LANL 2007 PSHA do not provide a design for the proposed CMRR-NF that can be certified as safe for workers and the public, nor for the storage of six metric tons (13,228 pounds) of plutonium.

241-6

- The DOE 2011 draft SEIS and the LANL 2007 PSHA incorrectly calculate simultaneous earthquakes to produce a greater seismic hazard than multiple surface-rupturing synchronous earthquakes. This important mistake is Issue 1.A on page 22.

241-2
cont'd

- The DOE 2011 draft SEIS underestimate the seismic hazard at the proposed CMRR-NF because a low and incorrect value of 0.3g was used for the vertical peak ground acceleration (PGA). The value presented in the LANL 2007 PSHA for the vertical PGA was 100% greater at 0.6g. (see pages 32-33).

241-7

- The DOE 2011 draft SEIS and the LANL 2007 PSHA do not provide the required knowledge of the seven key parameters (location, geometry, sense of slip, maximum magnitude, recurrence, and kappa) described in the LANL 2007 PSHA (see page 26).

241-8

- The DOE 2011 draft SEIS and the LANL 2007 PSHA do not provide the "robust kinematic model" as described in the LANL report LA-UR-06-2158, entitled "*Fault interaction and along-strike variation in throw in the Pajarito fault system, Rio Grande rift, New Mexico*" in the June, 2009 issue of *Geosphere* by Lewis et al., 2009 (see page 28).

241-9

1.C. The DOE 2011 draft SEIS misrepresents the lack of detailed field investigations for accurate knowledge of the distance from the proposed CMRR-NF to the Guaje Mountain Fault (GMF). The essential need for detailed field mapping for the southern boundary of the GMF is described in the LANL report by Lewis et al., 2009 (see page 33).

1.D. The LANL scientists disagree on the locations of active faults close to the proposed CMRR-NF. The DOE 2011 draft SEIS does not provide the evidence from field mapping of intense fractures in the Bandelier Tuff along Pajarito Road and in Mortandad Canyon in the LANL report LA-UR-04-8337 by Wohletz, 2004 that indicate active faults are located 800 ft west, 1600 ft north and 2500 ft east of the CMRR-NF (see page 34)..

241-10

ISSUE 2. There is a requirement to retract the DOE 2011 draft SEIS because of the following facts:

2.A. There was knowledge from 1992 of the weak layer of poorly welded volcanic tuff below the proposed CMRR-NF (LANL 1995 PSHA Report) and knowledge from outcrop mapping in 1990 (Vaniman and Wohletz, 1990) that an active fault was located within 800 feet west of the location of the proposed CMRR-NF at LANL TA-55. The knowledge of the high seismic hazard because of the weak geologic layer and the close location of an active fault was not considered in the original design and cost estimates for the proposed CMRR-NF in the DOE 2003 Environmental Impact Statement.

2.B. The DOE 2011 draft SEIS does not provide the final design and estimated cost of the proposed CMRR-NF at LANL TA-55. (see page 38).

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It is somewhat counterintuitive that the slightly bigger simultaneous earthquake can result in a lower ground motion hazard, but the two synchronous earthquakes result in higher ground motions for nearby sites, particularly when the site is located between the rupturing fault segments, because energy is coming from two sources.

For both synchronous and simultaneous ruptures, maximum magnitudes were estimated in the PSHA based on surface rupture lengths and available displacement data, as appropriate to the particular rupture scenario. The main difference between the simultaneous and synchronous ruptures is that all of the moment (energy) is released in one event in the simultaneous model, versus the moment being split into two slightly smaller synchronous subevents on different segments of the Pajarito fault system, in the synchronous model. Thus, the slightly smaller magnitudes for the synchronous ruptures are a direct result of splitting the fault rupture into two portions for this model. In addition, the 10 percent difference in the total moment release between the two models primarily results from the different geometries used and the fact that displacements do not scale the same as surface rupture lengths in the empirical relations. Finally, as discussed in the response to comment 241-15 (below), maximum magnitudes for both synchronous and simultaneous ruptures were calculated correctly using techniques that meet SSHAC and DOE guidelines. The calculated results were checked and thoroughly peer reviewed.

As a result of comments received on the *Draft CMRR-NF SEIS*, Chapter 3, Section 3.5, Geology and Soils, of the *CMRR-NF SEIS* was revised to improve the discussion of faulting and seismic hazards at LANL. See the responses to comments 241-4 and 241-15 for more information on maximum magnitude earthquakes and seismic analogs.

Neither the LANL PSHA Peer Review Panel nor DNFSB found the 2007 and 2009 LANL PSHAs to be "inadequate and incomplete," as indicated in the comment. The purpose of the 2007 LANL PSHA update (LANL 2007), which was followed by another update in 2009 (LANL 2009), was to assess the earthquake ground-shaking hazard at LANL and based on that hazard, develop site-specific design-basis earthquake ground motions for several LANL sites, including the CMRR-NF. Both PSHAs were performed following the guidelines established by SSHAC (1997) for PSHAs, particularly with regard to the incorporation of uncertainty. DOE, NRC, and the Electric Power Research Institute (EPRI) sponsored the development of the SSHAC guidelines. The goal

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2.C. The two designs being considered for the proposed CMRR-NF at LANL TA-55 are based on ground motions from simultaneous earthquakes and not on the larger ground motions from multiple ground-rupturing synchronous earthquakes, which have occurred. (see page 22).

2.D. The two designs being considered for the proposed CMRR-NF at LANL TA-55 do not consider that the GMF may extend south to a location close to the proposed facility. (see pages 33-34).

2.E. The DOE 2011 draft SEIS contains much incorrect information that misrepresents and downplays the large and poorly understood seismic hazard at the LANL location for the proposed CMRR-NF and at the location of other critical facilities at the LANL Site. This fact is presented throughout this report.

2.F. The DOE 2011 draft SEIS and the LANL 2007 PSHA place too much reliance on expert judgment couched in the "Poisson Assumption" instead of the acquisition of site-specific data and subsequent analysis to ensure that ground motions for design basis earthquakes are based on accurate scientific knowledge. The 2009 LANL report by Lewis et al., describes the need for a comprehensive kinematic study of the PFS in the geologic setting of LANL TA-55 and also over the entire region of the PFS. The knowledge of the kinematics of the entire fault system is necessary to assess the seismic hazard at the location of the proposed CMRR-NF and for other critical facilities at LANL TA-55 and at other LANL locations. This fact is presented throughout this report.

ISSUE 3. We have not received written answers to the questions we presented to the DNFSB in April 2009 about the many deficiencies in the LANL 2007 PSHA Report. We have discovered many new deficiencies in our preparation of this report. The sparse data and conclusions based on the Poisson Assumption in the deficient LANL 2007 PSHA Report were used as the basis for the highly flawed and unacceptable seismic design of the proposed CMRR-NF at LANL TA-55. Our review of LANL and DOE reports show that the DOE 2011 draft SEIS and the LANL 2007 PSHA Report do not meet the DNFSB requirements described below on page 63 in the DNFSB TWENTY-FIRST ANNUAL REPORT TO CONGRESS:

4.10 Seismic Hazard Analysis

The Board pursued its ongoing review of DOE site characterization and seismic hazard studies across the DOE complex. The Board continues to stress to DOE the importance of adequate review, including independent peer review, of both the acquisition of site-specific data and subsequent analysis to ensure that ground motions for design basis earthquakes are based on accurate scientific knowledge.

There is a need for independent peer review of the data acquisition and subsequent analysis processes at LANL; especially because of the disagreement among LANL scientists on the locations of active faults at the proposed CMRR-NF.

Introduction. The DOE 2011 draft SEIS discusses the interaction with the Defense Nuclear Facilities Safety Board (DNFSB) for review of the two Options within the Modified Construction Alternative. They are the "Shallow" and "Deep" Options. The DNFSB is required by law to review the design and construction of defense nuclear facilities in order to ensure protection of workers and the general public. These facilities must be designed and constructed in a manner that supports safe and efficient

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of any PSHA is to develop inputs that represent the composite distribution of the informed technical community. SSHAC recognizes that PSHA inputs can be subject to considerable uncertainties due to incomplete data and scientific understanding, as well as from process variability. In particular, when developing the inputs for PSHA, it is recognized that there is always incomplete knowledge because that is the nature of trying to characterize a complex natural process. However, by performing PSHAs in a manner consistent with the SSHAC guidelines, particularly with regards to the incorporation of the range of different interpretations and scientific uncertainties, the results should be robust and stable. Participatory peer review is also an essential element of a successful PSHA and in the case of the LANL PSHAs, an internationally recognized expert panel was engaged. In addition, DNFSB was involved in the 2007 and 2009 studies and provided commentary on the process.

In the 1995 PSHA, the peak horizontal ground acceleration (PGA) associated with an annual frequency of exceedance of 4×10^{-4} was reported to be about 0.33 g for TA-55. In the 2007 PSHA, the PGA at the same annual frequency of exceedance was reported to be 0.52 g. An increase in the slip rates on the Pajarito fault system, in addition to other factors, likely contributed to the increased seismic hazard. The 2007 and 2009 PSHAs represent the best knowledge to date on the seismic hazard at LANL, with the uncertainties appropriately incorporated. The results of this evaluation have been included in the design of the CMRR-NF and, as such, incorporated in the cost estimate.

The seismic hazard at LANL, defined as the likelihood of exceeding some level of ground motion in any given year, is considered static over the design lifetimes of critical facilities, including the planned CMRR Facility. What does change, however, is the estimate of the actual seismic hazard.

The change in seismic hazard at LANL is due in large part to new evidence in the activity of the Pajarito fault system, new ground motion prediction equations, and the consideration of temporal clustering in the Pajarito fault system. Considering this new evidence, the estimate of the horizontal PGA associated with an annual frequency of exceedance changed from about 0.33 g in 1995 to about 0.52 g in 2007. However, as new evidence becomes available, NNSA's estimate of the seismic hazard may change slightly, although the hazard estimates are expected to remain fairly stable. For example, the best estimate of the horizontal PGA associated with an annual frequency of exceedance of 4×10^{-4} decreased from

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operations. These statutory requirements are described in the DNFSB Twenty-first Report to Congress as follows:

4. Nuclear Facilities Design and Infrastructure

The Board's strategic performance goal for this area is to ensure that new defense nuclear facilities and major modifications to existing facilities are designed and constructed in a manner providing adequate protection of the health and safety of the workers and the public. The Board is required by statute to review the design and construction of defense nuclear facilities, which must be designed and constructed in a manner that supports safe and efficient operations. The Board has made a concerted effort to ensure that its review of new design projects focuses on early recognition and resolution of safety issues, and that new DOE facilities are being constructed to acceptable industry codes and standards (p. 55).

4.6 Los Alamos National Laboratory Chemistry and Metallurgy Research Replacement Project. The Board continued its review of the design of the Chemistry and Metallurgy Research Replacement Project. The Board continued to follow closely the seismic design of the project's nuclear facility. During the past year, the project has developed a detailed model to assess the complex structural behavior of this facility. The development of this model is a step forward that should ultimately lead to an adequate seismic design. The Board has worked with the project to ensure that seismic design inputs for this deeply embedded facility are properly defined. [Emphasis Supplied]. The Board will review the seismic analysis calculations once they are complete (p.61).

Discussion of Findings From Our Review. Our review of information presented in several reports by DOE and LANL has determined that DOE does not have the required knowledge of the seismic hazard at the location of the proposed CMRR-NF to meet the mission of the DNFSB "to ensure that seismic design inputs for this deeply embedded facility are properly defined." The information we present in this report shows that the DOE 2011 draft SEIS and the LANL 2007 PSHA Report have not acquired the site-specific data and subsequent analysis to ensure that ground motions for design basis earthquakes at the proposed CMRR-NF are based on accurate scientific knowledge.

The seismic hazard calculations that are being used for the design of the proposed CMRR-NF are not supported by accurate scientific knowledge on the seismic setting in the vicinity of the proposed nuclear facility. An important example is that Section 5 in the LANL 2007 PSHA Report incorrectly calculates that the seismic hazard is greater for simultaneous ruptures from a single earthquake than from multiple ruptures from synchronous earthquakes. However, Section 7 in the PSHA Report describes the reason the physical processes from synchronous surface-rupturing earthquakes produce a greater seismic hazard as follows on page 7-3:

The hazard is higher for synchronous rupture because the ground motions will be larger from seismic slip involving two subevents versus more uniform slip in a single albeit larger simultaneous event.

In fact, Figure 7-53 in the LANL 2007 PSHA Report calculates that the Mean Peak Horizontal Acceleration Seismic Hazard at the proposed CMRR-NF is 75% higher for the synchronous ruptures of multiple earthquakes than for the simultaneous ruptures. The

241-5

0.52 g in 2007 to 0.47 g in 2009 (LANL 2009). This change was in part due to the availability of a new and improved set of ground motion prediction equations.

The comment indicates that site-specific data on the geometry and sense of slip of the Pajarito fault system are inadequate because studies have not been conducted. Dozens of mapping studies of the Pajarito fault system have been conducted (for example, Gardner and House 1987; Wong et al. 1995; Carter and Gardner 1995; McCalpin 1997; Lavine et al. 2003), including state-of-the-art, high-precision mapping in the vicinity of LANL, as discussed in the responses to comments 241-10 and 241-17 (below). In addition, numerous paleoseismic trench investigations have been conducted at 17 sites over the past 20 years (for example, Gardner et al. 1990; Olig et al. 1996; Kelson et al. 1996; LANL 2007; McCalpin 1998, 1999, 2005). These studies clearly show that the Pajarito fault system is a series of normal slip faults that form the best studied fault system in the Rio Grande rift. Admittedly, some parts of the fault have not been as well studied as others; these tend to be those portions outside of LANL, especially where access issues are a problem (for example, the Santa Clara Canyon segment). Additional study of these areas would likely improve our understanding of the fault and could help reduce uncertainties in the inputs, but these studies are not a prerequisite to conducting a PSHA or determining design-basis ground motions at LANL. The uncertainties in regards to fault geometry, rupture behavior, and sense of slip on the Pajarito fault system were fully recognized and addressed in the range of inputs to the PSHA. A range of fault dips was used ($\pm 15^\circ$), a component of oblique slip was considered in calculating slip rates, and two rupture models and various rupture scenarios were included in the analysis to address remaining uncertainties in the geometry and sense of slip of the Pajarito fault system.

Finally, comments imply that there are critical data and analyses for the Pajarito fault system that were published in the Lewis et al. (2009) paper and were not included in the PSHA update (LANL 2007). Several of the coauthors of the Lewis et al. (2009) study, including the lead author, were also involved in developing the seismic source model of the Pajarito fault system for the 2007 PSHA update. All of the data and analyses for the Pajarito fault system published in the Lewis et al. (2009) study were included or considered in the PSHA update. The first draft of the Lewis et al. paper was written in 2007 and it took 2 years to get through the review and publication process.

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calculations in Figure 7-53 were for a return period of 2,500 years for multiple surface-rupturing earthquakes in the PFS. Figure 7-53 is on page 24 in this report.

Nevertheless, Section 5.1.2.4 in the LANL 2007 PSHA Report incorrectly estimated the maximum Magnitude **M** for earthquakes at the proposed CMRR NF to be approximately 10% smaller for synchronous earthquakes than for simultaneous earthquakes on page 5-18 as follows:

We estimated maximum magnitudes for both subevents of the synchronous ruptures using the same approach and these are consistently slightly smaller than for the simultaneous ruptures (Table 5-11), but the sum of the moment for the two subevents is within 10% of the moment for the simultaneous rupture of the same rupture scenario.

- The incorrect low values for synchronous ruptures at the proposed CMRR-NF is a serious mistake that requires DOE to retract the DOE 2011 draft SEIS because the design basis earthquakes used for the design of the proposed CMRR-NF were not based on accurate knowledge of the seismic hazard.
- **An important fact is that the calculations of earthquake ground motions in the LANL 2007 PSHA Report and in the DOE 2011 draft SEIS are incorrect and can not ensure the proposed CMRR-NF will survive a design basis earthquake without significant structural damage with potential for release of the large inventory of six metric tons (13,228 pounds) of plutonium to be stored at the proposed nuclear facility.**

The reports we reviewed show there is unacceptable poor knowledge of the locations of active faults close to the proposed CMRR-NF. We discovered that there is disagreement among the LANL scientists on the locations of the two key faults: 1) the Rendija Canyon Fault (RCF) and 2) the Guaje Mountain Fault (GMF). The ground based motions for the design of the proposed CMRR-NF were based on mapping of faults that show the RCF was located a lateral distance of 3000 feet west of the proposed CMRR-NF and an assumption that the termination of the GMF was 2 ½ miles north of the location of the proposed CMRR-NF.

However, a very important discovery in our review is that a LANL report (Lewis et al., 2009) shows that the LANL Seismic Hazards Geology Team have a concern that the southern boundary of the GMF may be close to the proposed CMRR-NF. The distant and probably incorrect location of the GMF used to assess the seismic hazard for the proposed CMRR-NF is displayed on Figure 5-4 in the LANL 2007 PSHA Report (Figure 1 below in this report) and on Figure 3-5 in the 2011 draft SEIS (Figure 2 below in this report). The pertinent excerpts from Lewis et al., 2009 follow:

The southern extent and amount of displacement of the GMF are not well characterized (p. 257).

Conclusions. . . . The southern end of the GMF has not been mapped in detail, but its southern termination is likely to be similar to that of the Rendija Canyon fault (p. 268).

We discovered there is disagreement among the LANL scientists on the locations of active faults close to the proposed CMRR-NF. A 2004 LANL report by Kenneth H. Wohletz (LA-UR-04-8337) indicates that active faults are located 800 ft west, 1600 ft

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- 241-6** The draft SEIS and PSHA are not intended to be used as design-level documents. The PSHA represents the best knowledge to date on the seismic hazard at LANL, with the uncertainties appropriately incorporated. The results of the PSHA and site-specific geotechnical reports referenced in the geology discussions in Chapter 3, Section 3.5, and Chapter 4, Section 4.5 (Kleinfelder 2007a, 2007b, 2010a, 2010b), have been included in the preliminary design of the CMRR-NF, which, per DOE Order 413.3, Program and Project Management for the Acquisition of Capital Assets, will be finalized subsequent to completion of the SEIS.
- 241-7** Based on an apparent typographical error in the 2007 PSHA Executive Summary, the vertical peak ground acceleration for the CMRR-NF was incorrectly cited as 0.3 g instead of 0.6 g in the SEIS. This error has been corrected. This typographical error in the Executive Summary of the PSHA is not reflective of information presented elsewhere in the PSHA and was not used in the design of the proposed CMRR-NF; 0.6 g was used in the design.
- 241-8** While the PSHA study acknowledges that additional data in these areas would provide a more complete understanding of the seismic hazard at LANL, NNSA believes there was sufficient information to complete the study. The uncertainties associated with these areas have been adequately captured and bounded by the results of the study.
- 241-9** A kinematic fault interaction model for the Pajarito fault system, envisioned by Lewis et al. (2009), can be useful to test whether hypothetical linked rupture scenarios are physically plausible, and to understand possible coseismic static stress changes (normal and shear) to nearby fault segments, produced by slip on principal segments within the Pajarito fault system. The inputs to the kinematic fault interaction model require a significant number of assumptions, including the state of stress of all fault segments prior to the earthquake, and a model of the stress release of the earthquake. It is possible that, by incorporating the 2007 LANL PSHA fault scenarios and related uncertainties, insights could be developed on these fault interactions. This idea is a natural follow-on of the scenario model development of the LANL 2007 PSHA; however, none of the experts engaged in the LANL 2007 PSHA argued that that such a model would reduce uncertainties in the computed hazard. Additionally, the recommendations for future studies presented in Section 10 of the LANL 2007 PSHA do not specifically include development of a kinematic fault interaction model of the Pajarito fault system, although such a study could help refine seismic source

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north and 2500 ft east of the proposed CMRR-NF based on zones of intense fractures in outcrops along Pajarito Road west and south of TA-55 and in Mortandad Canyon north of TA-55. The close location of active faults in Wohletz (2004) greatly increases the seismic hazard for the proposed CMRR-NF at LANL TA-55.

The fault locations that were used in the LANL 2007 PSHA Report and the DOE 2011 draft SEIS are displayed below on Figures 1 and 2. For comparison, the locations of the zones of intense fractures as evidence of active faults in the LANL report by Wohletz (2004) are displayed below on Figure 3.

The reports we reviewed describe an ongoing increase in the seismic activity in the network of many faults and associated folds in the very complex youthful PFS in the region of LANL. The reasons for the ongoing increase in seismic activity are described in an important report by scientists on the LANL Seismic Hazards Geology Team (Lewis et al., 2009). Our report includes much information from Lewis et al., 2009. The PFS may now cause powerful ground-rupturing earthquakes with a Richter magnitude possibly greater than 7.5. A much lower Richter magnitude of 7.27 was used to assess the seismic hazard at the proposed CMRR-NF. The potential for even more powerful ground-rupturing earthquakes will increase in the future along with a decrease in the time between the ground-rupturing earthquakes (LANL 2007 PSHA; Lewis et al., 2009).

In Summary, the reports we reviewed show the assessment of the seismic hazard at the proposed CMRR-NF in the DOE 2011 draft SEIS and in the LANL 2007 PSHA is unacceptable because it does not meet the mandate of the DNFSB. In addition, the assessment does not recognize the large ground motions from synchronistic surface-ruptures of multiple earthquakes and is based on 1). incomplete knowledge of the locations of key faults, 2). incomplete knowledge of key parameters, 3). expert judgment of sparse data and assumed values for many key parameters instead of accurate scientific knowledge, and 4). the calculations of seismic hazard, as a result, are all incorrect and without technical basis.

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parameters. It is nevertheless prudent to consider such interactive fault models (kinematic and dynamic) in the future for possible application to the Pajarito fault system.

See the response to comment 241-10 (below) with respect to location of nearest active faults.

Lewis et al. (2009) states that the southern extent and amount of displacement on the Guaje Mountain fault are not well constrained. Detailed geologic mapping of the area between the mapped southern termination of the Guaje Mountain fault and the northern side of Los Alamos Canyon has not yet been undertaken. That said, studies have completed detailed geologic mapping of LANL from Los Alamos Canyon to the north to Pajarito Canyon to the south, and from the Pajarito fault escarpment to the west to TA-46 to the east (for example, Gardner et al. 1999; Lavine et al. 2003). These studies carefully looked for the presence or absence of surface faulting associated with the Rendija Canyon and Guaje Mountain faults within LANL property. Geologic mapping at LANL to identify surface faulting is summarized by Animation 1 in Lewis et al. (2009).

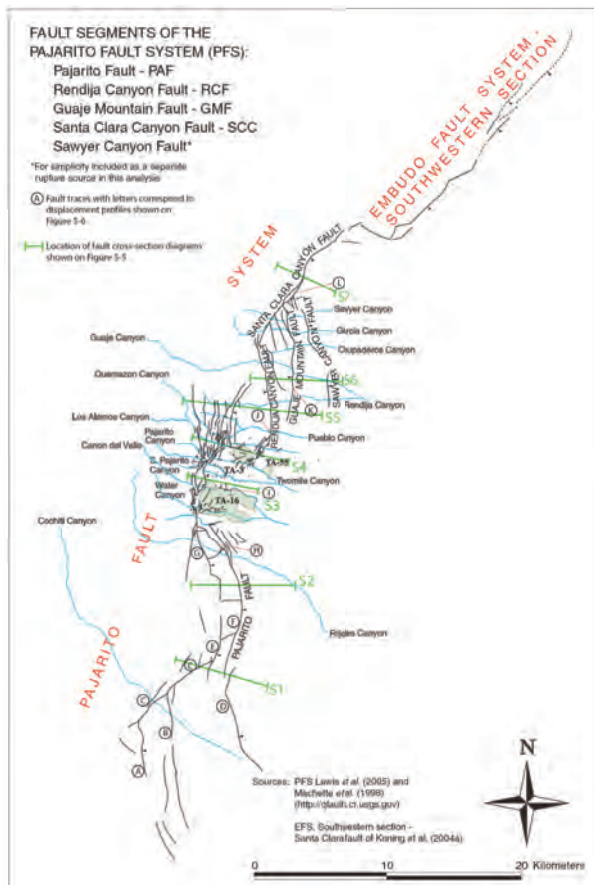
Lewis et al. (2009) shows that the Rendija Canyon fault trends southward to Los Alamos Canyon, then splays southwesterly into a broad zone of deformation in LANL's TA-3. Surface faulting from the Rendija Canyon fault was not identified due south of Los Alamos Canyon, including at TA-55. The surface expression of the Guaje Mountain fault is not visible south of Pueblo Canyon, including within LANL property.

Using the data presented in Lewis et al. (2009), as a comprehensive, peer-reviewed report and map of the Pajarito fault system, the following can be stated with respect to distances from the center of the proposed CMRR-NF:

- The nearest geologic structure with lateral continuity is associated with the Rendija Canyon fault, located approximately 3,300 feet (1,000 meters) west-northwest of the center of the proposed CMRR-NF. This geologic structure is located within the "horsetail" splay of the Rendija Canyon fault, in the western portion of TA-64, exhibits 3 feet (1 meter) of down-to-the-west displacement, and has a mapped length of approximately 100 feet (30 meters).
- The location at the north side of Los Alamos Canyon, where the Rendija Canyon fault changes its trend from southerly to southwesterly, is located

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Figure 1. Map of the Pajarito Fault System and Embudo Fault System – Southwestern Section in Northern New Mexico. **Source:** Figure 5-4 in LANL 2007 PSHA Report.



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approximately 6,250 feet (1,910 meters) north of the center of the proposed CMRR-NF.

- The mapped southern termination of the Guaje Mountain fault, north of Pueblo Canyon, within the Los Alamos townsite, is approximately 13,000 feet (4,000 meters) north-northeast of the center of the proposed CMRR-NF.

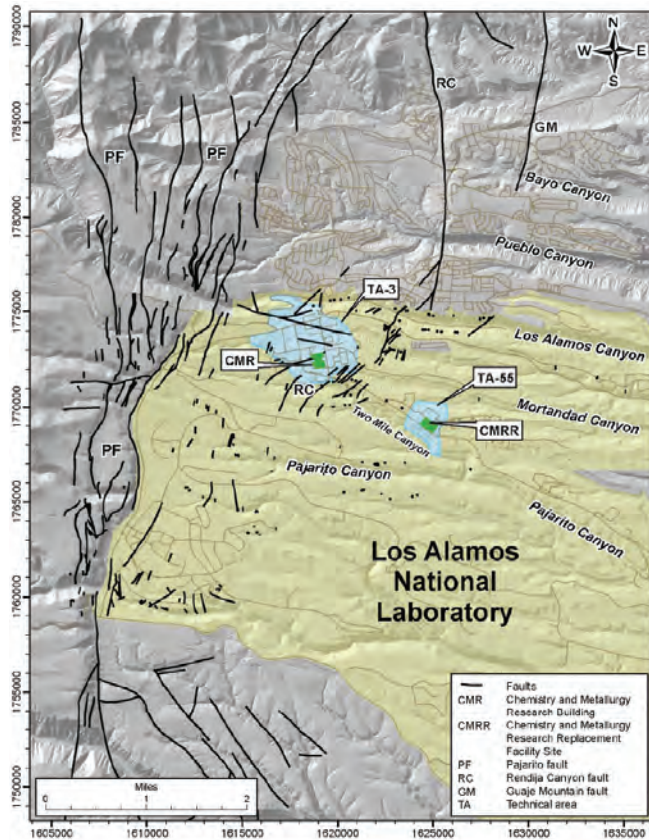
These data presented above, which are consistent with those provided in Chapter 3, Section 3.5, Geology and Soils, correspond to data used to calculate design-basis earthquake ground motions for the CMRR-NF.

It is important to note that precise locations of the strands of the Pajarito fault system, with respect to the CMRR-NF, are not needed for estimating the ground-shaking hazard at the site. The ground motion prediction models “flatten” out at short distances, less than a few kilometers for large magnitude earthquakes (magnitude > 6.5), so the hazard is not sensitive to uncertainties in faults locations of hundreds of meters. Precise fault locations are needed for assessing the hazard from surface fault rupture, but as further described below in the responses to comments 241-14 and 241-17, the potential for surface faulting at the CMRR-NF is considered very low.

The fault shown 800 feet (240 meters) west of the proposed CMRR-NF, by Vaniman and Wohletz (1990) and Wohletz (2004), is an inferred fault, meaning that the fault is interpreted to be present at some depth below the location at which it is mapped; however, no evidence for surface-rupturing faults was found along that mapped trace. The work of Vaniman and Wohletz helped spur the LANL Seismic Hazards Program to conduct detailed, site-specific studies around TA-55 (for example, Gardner et al. 1998, 1999, 2008) to determine the presence or absence of surface-rupturing faults, using detailed investigative methods. These methods included conventional geologic mapping at 1:1,200 scale, high-precision total station geologic mapping of Bandelier Tuff subunit contacts to identify faults, and large-scale trenching investigations at the site of the proposed CMRR-NF. Gardner et al. (1998, 1999) identified no faults or offsets along geologic contacts suggesting the presence of a fault at TA-55. Although Gardner et al. (2008) did observe some fractures and small faults confined within units of the tuff, they concluded that fractures and faults exposed at the proposed CMRR site formed very shortly after emplacement of the tuff, 1.26 million years ago, as a result of cooling and compaction, and the structures identified at the

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Figure 2. Mapped Faults in the Los Alamos National Laboratory Area.
Source: Figure 3-5 in the DOE 2011 SEIS for locating the proposed CMRR
Nuclear Facility at LANL TA-55.



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proposed CMRR-NF site pose no independent seismic surface rupture hazard. No evidence for active faulting was identified by Gardner et al. (1998, 1999, 2008) near the proposed CMRR-NF, as inferred by the early study of Vaniman and Wohletz (1990) and Wohletz (2004).

The work of Lewis et al. (2009) is a comprehensive, peer-reviewed report and map on the Pajarito fault system. Using data presented in Lewis et al. (2009), the nearest laterally continuous, surface-rupturing fault to the proposed CMRR-NF is located approximately 3,300 feet (1,000 meters) to the west-northwest, in the western portion of TA-64, with 3 feet (1 meter) of down-to-the-west displacement.

Per DOE Order 413.3, Program and Project Management for the Acquisition of Capital Assets, final or detailed design cannot be started until the NEPA document (Final SEIS in this case) has been completed, so as not to prejudice the outcome, or restrict or narrow the range of alternatives to be considered. The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

241-12

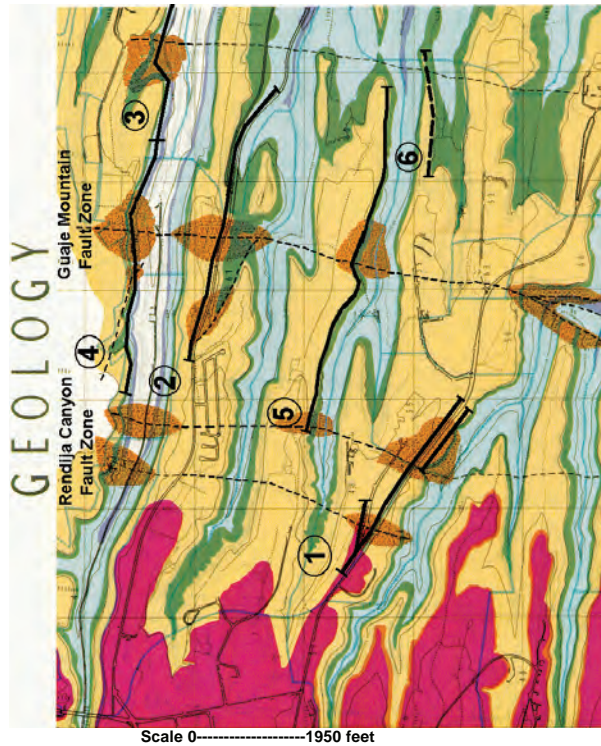
The Poisson model or process that is used in the LANL 2007 PSHA report is a state-of-practice model for the recurrence of earthquakes in a PSHA (SSHAC 1997). As described by SSHAC (1997), this model is fundamental to earthquake hazard assessment and is found to correctly model the random occurrence of earthquakes, excluding dependent events such as foreshocks and aftershocks of large earthquakes. In some instances, time-dependent models may also be incorporated in a PSHA (SSHAC 997); however, the paleoseismic data (information on ancient seismic events) for the Pajarito fault system are not adequate at this time to develop a time-dependent model for the LANL PSHA. Future additional geologic investigations may reduce slip rate uncertainty, but are not likely to impact the application of the Poisson earthquake recurrence model.

241-13

There is no geologic or seismologic evidence that the rate of occurrence of surface-faulting earthquakes (magnitude > 6.5) is increasing along the Pajarito fault system. Paleoseismic investigations indicate that three large earthquakes ruptured along the Pajarito fault system during the Holocene period (past 11,000 years), suggesting that this recent activity may represent a temporal cluster in the long-term behavior of the fault (LANL 2007; Lewis et al. 2009). However, this possible pattern in the activity rate of the Pajarito fault system has

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Figure 3. Map in 2004 LANL Report by Wohletz showing proposed location of Rendija Canyon Fault along the western boundary of LANL TA-55 and Guaje Mountain Fault 2500 feet east of the eastern boundary of TA-55.
Source: Figure 14 in Wohletz, 2004 (LA-UR-04-8337).



----- dashed black lines show trend of inferred faults
Brown patches along dashed black lines are intense fracture zones
Circled numbers 1 to 6 have no relation to intense fracture zones.

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been incorporated into the PSHA (LANL 2007). There is also no geologic or seismologic evidence that would suggest that the maximum potential earthquake along the Pajarito fault system is increasing in size. The maximum earthquake for the Pajarito fault system has been estimated for the PSHA based on observed fault displacements from past earthquakes and rupture dimensions of the potential fault rupture. Over the lifetime of the CMRR Facility and much longer, that is, thousands of years, the level of seismic hazard at the CMRR site is not expected to change because there are not expected to be changes in the maximum potential earthquake and activity rates of the Pajarito fault system. The general behavior of the Pajarito fault system is not expected to change over the time scale of the next century. Also see the response to Comment 241-15 (below) for more information on the maximum magnitude earthquake that could occur near LANL.

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- **Comment by Gilkeson and Arends.** Our review of DOE and LANL reports discovered that the DOE 2011 draft SEIS misrepresents the overall incomplete and incorrect knowledge of the seismic hazard at the location of the proposed CMRR-NF and at the other LANL critical facilities. We estimate the field studies to acquire the required data and subsequent analysis to provide accurate knowledge of the seismic hazard at the proposed CMRR-NF and the other LANL critical facilities will require between ten and twenty years if the required funding is provided.
- The reports that we have reviewed include the following:
 - **DNFSB 21st Report to Congress** Defense Nuclear Facilities Safety Board (DNFSB) TWENTY-FIRST ANNUAL REPORT TO CONGRESS – FEBRUARY 2011
 - **DOE 2011 draft SEIS** Draft Supplemental Environmental Impact Statement For The Nuclear Facility Portion Of The Chemistry And Metallurgy Research Building Replacement Project At Los Alamos National Laboratory, Los Alamos, New Mexico DOE/EIS-0350-S1 April 2011
 - **Gardner et al., 2008** "Fault Geology and Structure of the Chemistry and Metallurgy Research Facility Replacement Site, Los Alamos National Laboratory, New Mexico" by Jamie N. Gardner, Emily S. Schultz-Fellenz, Florie A. Caporuscio, Claudia J. Lewis, Richard E. Kelley and Mary K. Greene. LA-14378, Issued: October 2008.
 - **Kleinfelder 2007 Geotechnical Report** Geotechnical Engineering Report Chemistry and Metallurgy Research Facility Replacement (CMRR) Project Los Alamos National Laboratory, Kleinfelder Project No. 19435, Rev 0.
 - **Lavine et al., 2005** "Evaluation of Faulting at the Chemistry and Metallurgy Research Facility Replacement (CMRR) Site Based on Examination of Core from Geotechnical Drilling Studies, TA-55, Los Alamos National Laboratory" by Alexis Lavine, Jamie N. Gardner and Emily N. Schultz LA-14170 Issued: January 2005
 - **LANL 2007 PSHA Report** Wong, I., Silva, W., Olig, S., Dover, M., Gregor, N., Gardner, J., Lewis, C., Terra, F., Zachariasen, J., Stokoe, K., Thomas, P., and Upadhyaya, S., 2007, Update of the probabilistic seismic hazard analysis and development of seismic design ground motions at the Los Alamos National Laboratory: Oakland, California, URS Corporation, 1 volume.
 - **LANL 1995 PSHA Report** Wong, I., Kelson, K., Olig, S., Kolbe, T., Hemphill-Haley, M., Bott, J., Green, R., Kanakari, H., Sawyer, J., Silva, W., Stark, C., Haraden, C., Fenton, C., Unruh, J., Gardner, J., Reneau, S., and House, L., 1995, Seismic hazards evaluation of the Los Alamos National Laboratory: Oakland, California, Woodward-Clyde Federal Services, 3 volumes.
 - **Lewis et al., 2009** "Fault interaction and along-strike variation in throw in the Pajarito fault system, Rio Grande rift, New Mexico" in the June, 2009 issue of Geosphere by Claudia J. Lewis, Jamie N. Gardner, Emily S. Schultz-Fellenz, Alexis Lavine, Steven L. Reneau - Los Alamos National Laboratory, EES-16, MS D452, Los Alamos, New Mexico 87545, USA and Susan Olig - URS Corporation, 1333 Broadway, Suite 800, Oakland, California 94612, USA, LA-UR-06-2158.
 - **Vaniman, D. and Wohletz, K., 1990**, "Results of Geological Mapping and Fracture Studies: TA-55 Area", Unpublished Memo Report, Report EES1-SH90-17, Los Alamos National Laboratory, Los Alamos, NM.
 - **Wohletz, K.H., 2004** "Tuff Fracture Characterization Along Mortandad Canyon Between OU-1114 and OU-1129", Report LA-UR-04-8337, Los Alamos National Laboratory, Los Alamos, NM (as cited in Kleinfelder 2007 Geotechnical Report)

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Background for the neoseismic setting of the growing PFS. LANL is located within the Rio Grande Rift, an intracontinental Neogene structural feature that dominates the seismotectonic setting of the LANL region. It is a continental rift system characterized by basin subsidence. A published paper by scientists on the LANL Seismic Hazards Geology Team (Lewis et al., 2009) describes the physical setting of the PFS as follows on page 252:

The seismically active Pajarito fault system (PFS) of northern New Mexico, United States, is a complex zone of deformation made up of many laterally discontinuous faults and associated folds and fractures that interact in ways that have important implications for seismic hazards.

The PFS [See Figures 1 and 2 on pages 7 and 8] is tectonically active, comprising the active bounding faults of the Española basin of the Rio Grande rift, and is the subject of ongoing paleoseismic investigations.

Evidence for fault interaction, and the presence of prominent bends in the Pajarito fault system, imply structural control of paleoseismicity and neoseismicity and suggest the potential for stress concentrations and earthquake triggering in complex linking fault systems.

Despite the importance of understanding the geometry of the fault system and potential linkage among faults for purposes of seismic hazard analysis, a robust kinematic model of the [Pajarito] fault system is lacking.

The above statement that "a robust kinematic model of the PFS is lacking" describes an important deficiency in the current knowledge of the seismic hazard at the location for the proposed CMRR-NF and at other critical facilities at the LANL Site. The need for a robust kinematic model of the PFS is described throughout this report. The LANL 2007 PSHA Report describes the lack of the data required for a kinematic model on page 28 in this report.

Figure 1 above on page 7 shows the network of fault segments in the PFS where the LANL Seismic Hazards Geology Team recommends a robust kinematic model. Our review shows that the knowledge required for a robust kinematic model does not exist. Accurate knowledge is necessary of 1), the locations of the discrete faults, 2), the geometry in the subsurface of the discrete faults, and 3), the potential linkage among the discrete faults for purposes of seismic hazard analysis at the location of the proposed CMRR-NF at LANL TA-55 and at other LANL critical facilities. The location of the proposed CMRR-NF is displayed above on Figure 2.

Comparison of Figures 2 and 3 shows that there is disagreement between the LANL scientists on the location of active faults close to the proposed CMRR-NF at LANL TA-55. The fault locations of Figure 2 are based on mapping of fault displacements from field investigations by LANL scientists on the Seismic Hazards Geology Team. The fault locations on Figure 3 are based on mapping of intense zones of fracturing in field investigations by LANL scientist Kenneth H. Wohletz (Wohletz, 2004). Some of the intense zones of fracturing are associated with large displacement faults. However, faults are not identified in the upper part of the Bandelier Tuff for the intense zones of fracturing on Figure 3 that are located close to the proposed CMRR-NF. The issue of the zones of intense fracturing mapped by Wohletz is Issue 1.D on page 34.

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241-14 Early seismic reflection studies by Dransfield and Gardner (1985) found evidence of the Rendija Canyon and Guaje Mountain faults below the ground surface, south of respective mapped surficial traces. This work prompted the creation of the LANL Seismic Hazards Program to investigate whether these deep faults were found at the ground surface. Geophysical studies using new investigative technologies have not been undertaken since the Dransfield and Gardner (1985) study. The fracture zones mapped by Vaniman and Wohletz (1990) and Wohletz (2004) triggered further detailed geologic studies in TA-55 to determine the presence or absence of surface-rupturing faults, using high-precision geologic mapping. No surface faults were found at TA-55, and the zones of higher-density fracturing were found not to correlate to regions of surface faulting (Reneau et al. 1995; Gardner et al. 1998, 1999, 2008). While Lewis et al. (2009) describe portions of the Pajarito fault system as buried faults, these descriptions refer to the trace of the main fault. Lewis et al. (2009) recognized that the main Pajarito fault is a discrete fault plane at depth, which manifests itself at the ground surface as a broad, diffuse zone of small faults. The surficial faults record paleoseismic activity on the Pajarito fault system, as described in several reports (for example, Reneau et al. 2002; Gardner et al. 2003; McCalpin 2005).

In the photograph of the fault scarp that formed during the 1954 Dixie Valley earthquake the vertical free face that offsets the alluvial fan surface is indeed a fresh surface rupture that occurred during the 1954 earthquake. The surface rupture occurred on a pre-existing late Quaternary fault (Caskey et al. 2004). This is not to say that new faults cannot form. However, they are much less likely than reactivation of pre-existing faults.

In addition, the comment asserts that fractures found in dacite in deep boreholes at the site of the proposed CMRR-NF "[are] an indication that active faults may be present in the dacite below the location of the proposed CMRR-NF." Deep geotechnical borings were drilled at TA-55 to characterize the complete geologic column down to the basement bedrock level. These borings were completed for geotechnical characterization of the subsurface and not for the purpose of identifying the presence or absence of deep faults. Three boring locations were initially identified; however, only two borings were deemed necessary to provide corroborative characterization of the deeper portions of the geologic column. The third boring was identified as an alternative and would have been drilled only if the currently planned site at TA-55 were deemed not viable. Borehole DSC-1B was drilled to a depth of 741 feet below ground surface (226 meters), while borehole DSC-2A reached a total depth of 550 feet below

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Comment by Gilkeson and Arends. *The zones of intense fractures mapped in Wohletz (2004) cannot be ignored. They may be evidence of active faults which are buried in the subsurface close to the location of the proposed CMRR-NF. The discussion in Lewis et al., 2009 is that active faults may be buried within the Bandelier Tuff and are propagating upward. The buried active faults may produce ground-surface ruptures during future earthquakes (see discussion on page 37 in this report). Also, see the discussion of the 1954 Dixie Valley – Fairview Peak Area Earthquakes on pages 15-16 and the picture of a fault scarp formed by the 1954 earthquake.*

The necessary field investigations to determine the presence of active faults buried in the Bandelier Tuff at the locations of the intense fractures close to the proposed location of the CMRR-NF have not been performed. Without the field investigations, DOE is required to assume that the locations of the intense fractures on Figure 3 identify the locations of active faults and calculate the seismic hazard at the proposed CMRR-NF accordingly.

The youthful status of the PFS is because of the powerful volcanic activity in the vicinity of LANL beginning 16.5 million years ago to form the Jemez Mountains. The volcanic activity is described on page 3-20 in the DOE 2011 draft SEIS as follows:

Volcanic activity began forming the Jemez Mountains approximately 16.5 million years ago and continued sporadically to the most recent eruptions that produced the El Cajete [Ash] Fall, about 50,000 to 60,000 years ago (Reneau et al. 1996). Future volcanic activity in the Jemez Mountains is likely, but recurrence intervals have not been firmly established (DOE 2003b). The unusually low amount of seismic activity in the Jemez Mountains has been reinterpreted to indicate that seismic signals of magma movement are partially absorbed deep in the subsurface, due to elevated temperatures and high heat flow (LANL 2004). The significance of this to LANL is that magma movement indicates that the Jemez Mountains continue to be a zone of potential volcanic activity.

The Pleistocene age Bandelier Tuff forms the near surface bedrock at LANL. The Bandelier Tuff consists of two members that were erupted as a series of ash flows during enormous caldera-forming volcanic events 1.61 million years ago (Otow Member) and 1.25 million years ago (Tshirege Member). The volcanic eruptions that deposited the Bandelier Tuff are estimated at a total volume of rhyolitic ash flow tuffs of 650 cubic kilometers (dense rock equivalent) (see page 253 in Lewis et al., 2009). The large eruptions created the Pajarito Plateau. The young age and large areal extent of the Bandelier Tuff is an important factor for the youthful properties of the network of faults in the PFS.

Figure 4 below is cross-section D-E' on page 263 in Lewis et al., 2009 that illustrates the large number of faults in the PFS that have propagated upward through the Bandelier Tuff. The enlarged view of the western part of cross-section D-E' shows three parallel faults where two of the faults do not propagate upward through the Bandelier Tuff. The two faults have been inactive for the past 1.25 million years.

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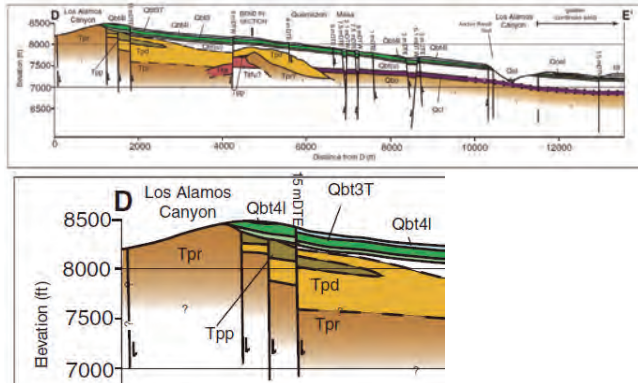
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ground surface (168 meters). The geologic formations that are most relevant to TA-55 are those that would influence seismic ground response and foundation performance. Seismic ground response, as determined by these two deep seismic characterization borings, is affected by the relatively high seismic wave velocity of the basement rocks, consisting of the Cerros del Rio basalt and Tschicoma Formation dacite (both of which are relatively hard volcanic rocks), and the much lower seismic wave velocities of the overlying, softer Bandelier Tuff. From data provided by Kleinfelder (2007a), DSC-1B was the only deep borehole to penetrate into the Tschicoma Formation dacite. In addition, the presence of the relatively soft Qbt3L between two stiffer units, Qbt3U and Qbt2, is important with respect to the seismic ground response of the site (Kleinfelder 2007a).

Kleinfelder (2007a) states that the sampled portion of the Cerros del Rio basalt and Tschicoma Formation dacite was highly fractured and vesicular. Fracturing and vesiculation are common features of chilled upper portions of relatively harder volcanic flows (Fink and Anderson 2000), and such features are expected in the upper 40 to 50 feet (12 to 15 meters) of a dacite flow that is hundreds of feet thick, such as the Tschicoma Formation dacite below the proposed CMRR-NF.

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Figure 4. West to East Cross-Section D-E' on page 263 in Lewis et al., 2009.



Note. The vertical arrows show the side of the discrete faults where displacement is downward. 15mDTE means the vertical displacement is 15 meters (49 feet) downward to the east.

An additional important factor is that the youthful PFS is currently at a growth stage where the interaction between the primary Pajarito Fault (PF or PAF) and the subsidiary Rendija Canyon Fault (RCF) and Guaje Mountain Fault (GMF) often results in multiple ground-breaking ruptures from two of the three faults (Lewis et al., 2009). The powerful multiple surface-rupturing earthquakes are described on page 3-25 in the DOE 2011 draft SEIS as follows:

New paleoseismic data argue for three Holocene (past 11,000 years) surface-rupturing earthquakes, including an earthquake on the Pajarito Fault, approximately 1,400 years ago; an earthquake on the Pajarito Fault approximately 5,000 to 6,000 years ago, which is consistent with an event during the same general time frame on the Guaje Mountain Fault; and a third earthquake on both the Pajarito and the Rendija Canyon Faults, approximately 9,000 years ago. This paleoseismic event chronology demonstrates that the Pajarito Fault often ruptures alone, but sometimes ruptures either with the Rendija Canyon Fault or Guaje Mountain Fault. When this occurs, the resultant seismic moment and, therefore, the earthquake magnitude are larger than when the main Pajarito Fault ruptures alone. Given the evidence for youthful movement on the Pajarito Fault system, future ruptures should be expected. This fault system is capable of producing earthquakes up to Richter magnitude 6.5 to 7.0 (LANL 2007a; Lewis et al., 2009) [Emphasis Supplied].

Comment by Gilkeson and Arends. The above statement in the DOE 2011 draft SEIS that "This fault system is capable of producing earthquakes up to Richter magnitude 6.5 to 7.0 (LANL 2007a; Lewis et al., 2009)" is incorrect because the historic earthquakes on

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NNSA has revised Chapter 3, Section 3.5, Geology and Soils, which incorrectly stated the maximum earthquake of the Pajarito fault system as Richter magnitude 6.5 to 7.0. These incorrect maximum earthquake magnitudes stated in the draft SEIS are not reflective of information presented in the PSHA and were not used in the design-basis earthquakes for the proposed CMRR-NF.

Richter magnitudes (M_L) can differ from moment magnitudes (M_w), especially at large magnitudes. Therefore, to make a direct "apples to apples" comparison, the magnitude values should be compared using the same scale. All magnitudes used in the LANL PSHA were in terms of M_w , not M_L , based on the latest geologic data, including those published in Lewis et al. (2009) and documented in the PSHA update (LANL 2007), expected maximum magnitudes for the various rupture scenarios of the Pajarito fault system range from M_w 6.5 to 7.3, and these were input as preferred values with a weight of 0.6 in the analysis. The expected magnitudes were calculated using well-established and widely accepted empirical relations (Wells and Coppersmith 1994). Results were checked and peer-reviewed by an internationally recognized Participatory Peer Review Panel during the PSHA update (LANL 2007). Additional uncertainties of ± 0.3 moment magnitude (with a weight of 0.2 each) were included so that the M_w inputs into the PSHA were as large as 7.6, depending on the rupture scenario (LANL 2007). The estimated size of the 1959 Hebgen Lake earthquake is M_w 7.3, whereas the 1983 Borah Peak earthquake was smaller, at M_w 6.8 (Doser and Smith 1985). Thus, the range of maximum magnitudes used to calculate design-basis ground motions for the CMRR-NF incorporates the magnitudes of historic earthquakes that might be considered analogues for rupture of the Pajarito fault system.

The statement in the 1997 SSHAC guidelines "in cases where the maximum historical earthquake has not been assessed to be equivalent to the maximum possible earthquake, past practice has included adding an increment of one-half magnitude unit or one intensity unit to the maximum historical earthquake" is for area sources, not active faults. This statement also refers to "past practice." Current practice for estimating the maximum magnitude for an area source is based on evaluating the maximum earthquake in analogue seismotectonic regions. For an active fault, SSHAC (1997) describes two general approaches: constraints provided by historical seismicity and estimates of maximum rupture dimensions. Given the lack of significant historical seismicity on the Pajarito fault system, the latter approach has been used to estimate the maximum earthquake in addition to fault displacements from paleoseismic investigations.

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fault analogs that are described in LANL 2007a (the LANL 2007 PSHA Report) and in Lewis et al., 2009 show that the PFS is now capable of producing ground-rupturing earthquakes up to Richter magnitude 7.5. The LANL 2007 PSHA Report and Lewis et al., 2009 describe the young and growing PFS may be capable of producing even more powerful ground-rupturing earthquakes during the operating life of the proposed CMRR-NF. The knowledge of the PFS that was presented in the LANL 2007 PSHA and in the DOE 2011 draft SEIS is not adequate to accurately calculate the Richter magnitude power of the PFS at this time or the increase in the Richter magnitude power that may occur over the operating life of the proposed CMRR-NF.

In fact, the historical information on earthquake analogs presented in Lewis et al., 2009 and in the LANL 2007 PSHA Report describe the 50-km (30 mile) long Pajarito Fault System (PFS) at LANL is now capable of producing ground-rupturing earthquakes up to a 7.5 Richter magnitude. The two reports cite analog examples for the PFS, including the 7.3 – 7.5 Richter magnitude 1959 Hebgen earthquake in Montana; the 7.3 Richter magnitude 1983 Borah Peak earthquake in Idaho; and the pair of 7.1 and 6.8 Richter magnitude earthquakes in the Dixie Valley – Fairview Peak Area of Nevada. We detail these 6.8 to 7.5 Richter magnitude earthquakes below:

1959 Hebgen Lake Earthquake 7.3 – 7.5 Richter Magnitude. The LANL 2007 PSHA Report on page 5-17 describes the collapsed Yellowstone caldera and the network of faults that are responsible for the 7.3 – 7.5 Richter magnitude Hebgen Lake earthquake as an analog for the Valles Caldera and PFS as follows:

Another example of a synchronous rupture that is a possible analog for the PFS is the M 7.3 1959 Hebgen Lake earthquake [Emphasis Supplied], which involved multiple discrete faults and two subevents: a mb 6.3 event followed 5 seconds later by a mb 7.0 event (Doser, 1985). This is a good possible analog for the PFS because 1) it occurred in a region adjacent to a Quaternary caldera, as does the PFS; 2) it clearly involved multiple overlapping but distinct faults (rupture segments) with complex geometries, including opposing dips like the PFS; 3) it was dominantly extensional; and, 4) it had large displacements [23 feet], as is suggested for the PFS [Emphasis Supplied].

The 7.3 – 7.5 Richter magnitude of the Hebgen Lake earthquake is described as follows in the U.S. Geological Survey Fact Sheet 2005-3024 issued in 2005:

The Hebgen earthquake of August 17, 1959 occurred at 11:37 p.m. Mountain Standard Time. The earthquake had a Richter magnitude of 7.3 – 7.5.

The 23 ft maximum displacement on fault scarps from the 1959 Hebgen Lake earthquake was described in the U.S Geological Survey Earthquake Information Bulletin, Volume 6, Number 4, July - August, 1974, by Carl A. von Hake:

Major new fault scarps were formed along existing normal faults northeast of Hebgen Lake. A maximum vertical displacement of 7 meters (23 feet) was observed near Red Canyon Creek.

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1983 Borah Peak, Idaho Earthquake – 7.3 Richter Magnitude. The LANL 2009 report by Lewis et al., describes the 1983 Borah Peak earthquake in Idaho as an analog for the PFS at LANL as follows on page 267:

A possible analog for the convex bend near St. Peter's Dome on the Pajarito Fault is the Borah Peak horst in Idaho, which is at the convex intersection of two normal fault segments, one of which (the Lost River fault) ruptured in the Borah Peak earthquake (Susong et al., 1990). The intersection zone at the Borah Peak horst is thought to have influenced earthquake nucleation and arrest for millions of years (Susong et al., 1990).

The 7.3 Richter magnitude of the Borah Peak earthquake was described in a paper in a refereed journal – *"The Borah Peak, Idaho Earthquake of October 28, 1983 – Summary"* by Lawrence D. Reaveley, in *Earthquake Spectra* 2, pp. 1-9 (1985):

The Borah Peak, Idaho earthquake of October 28, 1983 occurred at 8:07 a.m. Mountain Daylight Time. This earthquake which had a Richter magnitude of 7.3, was the largest earthquake to occur in recorded history (since 1872).

The 7.3 Richter magnitude of the Borah Peak earthquake was also described in a paper in the peer reviewed *Bulletin of the Seismological Society of America*; June 1987; v. 77; no. 3; p. 739-770 – "Surface faulting accompanying the Borah Peak earthquake and segmentation of the lost river fault, central Idaho" by Anthony J. Crone, Michael N. Machette, Manuel G. Bonilla, James J. Lienkaemper, Kenneth L. Pierce, William E. Scott and Robert C. Bucknam (Crone et al., 1987). The excerpt below is from the abstract of Crone et al., (1987):

On the morning of 28 October 1983, the M_s 7.3 Borah Peak earthquake struck central Idaho and formed a Y-shaped zone of surface faults that is divided into a southern, a western, and a northern section. The total length of the surface faults is 36.4 ± 3.1 km, and the maximum net throw is 2.5 to 2.7 m. The near-surface net slip direction, determined from the rakes of striations in colluvium, averaged 0.17 m of sinistral slip for 1.00 m of dip slip.

1954 Dixie Valley - Fairview Peak Area, Nevada Earthquakes – 7.2 and 6.8 Richter Magnitude. The LANL 2007 PSHA Report on page 5-17 describes the two earthquakes in the Dixie Valley – Fairview Peak Area as follows:

- We found it surprising that the 16 December 1954 Dixie-Valley Fairview Peak rupture was not a synchronous rupture because the two events (MS 7.2 and MS 6.8) were too far apart in time (four minutes) for strong ground motions to constructively interfere at local sites. So this sequence would be considered to have involved a triggered, but separate, second event.

The following description of the Dixie Valley – Fair View Peaks Earthquakes is abridged from *Seismicity of the United States, 1568-1989 (Revised)*, by Carl W. Stover and Jerry L. Coffman, U.S. Geological Survey Professional Paper 1527, 1993:

- **Note:** Because damage from the two earthquakes cannot be separated, they are treated as one event. . . The population was sparse in the epicentral region of this earthquake, and few man-made structures existed. Damage to

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structures, therefore, was minor despite the geologic and seismographic evidence of a major earthquake. . . The earthquake was accompanied by offsets along many faults in the four main zones of a north-trending belt 96 kilometers long by 32 kilometers wide (58 miles long by 19 miles wide). Minor geologic effects included changes in the flow of springs and wells, formation of craters and water fountains, landslips and landslides, mudflows, and rockfalls.

- The fault displacements mainly were along normal faults in the following areas: (1) west of Dixie Valley, (2) southeast of Dixie Valley, (3) east of Fairview Peak, and (4) east of Stinger Valley. The maximum strike-slip component was 3.6 meters (12 feet) of right-lateral movement at Fairview Peak, and the maximum vertical-slip component was 3.6 meters (12 feet) at Bell Flat.

Below is a photograph of the fault scarp from the December 16, 1954 Dixie Valley earthquake. *Cover Photo "Earthquakes in Nevada and How to Survive Them" – Nevada Bureau of Mines and Geology Special Publication E-16, Seventh Edition, January 2010*



Comment by Gilkeson and Arends. *The above photo shows a cabin sitting at an angle on the down-thrown side of the new fault scarp. The outhouse for the cabin is toppled over and is located west of the cabin on top of the fault scarp near the edge of the scarp. The man studying the fault scarp at a location between the outhouse and the cabin indicates the vertical displacement on the fault is approximately eight feet. The above photo provides evidence that this is a new fault scarp because it is common sense that the cabin was built on flat land and a previous fault scarp was not present between the path from the cabin to the outhouse. The above photo is evidence that earthquakes may produce new faults across landscapes where there is **no** evidence of historic fault scarps. The vertical fault scarp in the above picture shows that the bedrock is very hard and resistant to erosion. Therefore, there would have been a remnant of an earlier fault scarp on the landscape and between the cabin and outhouse but it is common sense that the outhouse was on a flat path from the cabin.*

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The maximum Richter Magnitude of 7.5 for the analogous 1959 Hebgen Lake Earthquake was not considered in the design basis earthquakes for the proposed CMRR-NF. The identification of historical earthquakes that are analogs to the PFS is important for knowledge of the potential magnitude of ground-rupturing earthquakes that may occur at LANL. The incorrect statement on page 3-25 in the DOE 2011 draft SEIS that "This fault system is capable of producing earthquakes up to Richter magnitude 6.5 to 7.0" is not a small matter. This is because the recent historical earthquakes on fault networks that are analogs to the PFS have produced powerful ground-rupturing earthquakes up to a Richter magnitude of 7.5.

An example of an historic earthquake that is an analog to the PFS is the discussion above on page 14 of the synchronous ruptures from the 1959 7.5 Richter magnitude Hebgen Lake Earthquake. **A 7.5 Richter magnitude earthquake is about 31 times more powerful than a 6.5 magnitude earthquake.** The energy of earthquakes is explained in a 1989 United States Geological Survey Earthquake Hazards Program publication <http://earthquake.usgs.gov/learn/topics/richter.php> as follows:

The Richter magnitude of an earthquake is determined from the logarithm of the amplitude of waves recorded by seismographs. Adjustments are included for the variation in the distance between the various seismographs and the epicenter of the earthquakes. On the Richter Scale, magnitude is expressed in whole numbers and decimal fractions. For example, a magnitude 5.3 might be computed for a moderate earthquake, and a strong earthquake might be rated as magnitude 6.3. Because of the logarithmic basis of the scale, each whole number increase in magnitude represents a tenfold increase in measured amplitude; as an estimate of energy, each whole number step in the magnitude scale corresponds to the release of about 31 times more energy than the amount associated with the preceding whole number value [Emphasis Supplied].

Earthquakes with magnitude of about 2.0 or less are usually called microearthquakes; they are not commonly felt by people and are generally recorded only on local seismographs. Events with magnitudes of about 4.5 or greater - there are several thousand such shocks annually - are strong enough to be recorded by sensitive seismographs all over the world. Great earthquakes, such as the 1964 Good Friday earthquake in Alaska, have magnitudes of 8.0 or higher. On the average, one earthquake of such size occurs somewhere in the world each year. The Richter Scale has no upper limit. Recently, another scale called the moment magnitude scale has been devised for more precise study of great earthquakes.

The 2007 LANL PSHA Report and the LANL report by Lewis et al., (2009) describe the growing power and increasing seismic hazard for the youthful PFS. The 2007 LANL PSHA Report describes an important comparison between the data presented in the 1995 and 2007 PSHA Reports as evidence of the large increase in the power of the youthful PFS and an increase in the seismic hazard from large ground-rupturing earthquakes is expected to continue during the operating life of the proposed CMRR-NF at LANL TA-55. From page 9-6 in the LANL 2007 PSHA Report:

In the 1995 study, recurrence intervals were not used for most of the 26 rupture scenarios due to the lack of recurrence interval data. The weighted-mean recurrence interval was 32,000 years when they were used and the weighted-mean slip rate for most of the rupture scenarios was 0.182 mm/yr.

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In comparison, the weighted-mean recurrence for Rupture Model C, the strongly favored (weighted 0.85) model in this study is 8,400 years and the weighted-mean slip rate is 0.211 mm/yr (Figure 5-8). Sensitivity studies show that these higher rates have a significant impact on the hazard (Section 7.2.2) and so we know that increased rates on the PFS likely contributed measurably to the increase in hazard for this study, but we cannot specify exactly how much [Emphasis Supplied].

Comment by Gilkeson and Arends. *The authors of the LANL 2007 PSHA Report acknowledge that the growing power of the PFS has caused an increase in the seismic hazard at LANL and the seismic hazard on the youthful PFS is continuing to increase into the future. Very importantly, the authors acknowledge they have not performed the field investigations to collect the data necessary to calculate the increase in the seismic hazard from the ongoing increase in slippage rates from the ongoing formation of unpredictable linkages between the discrete fault segments in the neoseismic PFS. The dynamics of the youthful and growing PFS are described as follows in the 2009 report by the LANL Seismic Hazards Geology Team (Lewis et al., 2009):*

The seismically active Pajarito fault system (PFS) of northern New Mexico, United States, is a complex zone of deformation made up of many laterally discontinuous faults and associated folds and fractures that interact in ways that have important implications for seismic hazards (p. 252).

Fault interaction has significant implications for seismic hazards. The probability of an earthquake rupture propagating from one fault to another increases with the degree of stress interaction between the faults (p. 265).

Despite the importance of understanding the geometry of the fault system and potential linkage among faults for purposes of seismic hazard analysis, a robust kinematic model of the [Pajarito] fault system is lacking (p. 252).

Comment by Gilkeson and Arends. *The DOE proposal to construct the \$6 Billion CMRR-NF at LANL is unacceptable because the seismic hazard is not known but has been underestimated and incorrectly calculated at the present time. In addition, the LANL 2007 PSHA Report and Lewis et al., (2009) describe the PFS as increasing in power for higher magnitude earthquakes into the future at a rate that can not be calculated with current knowledge.*

Further, the design basis earthquakes for the proposed CMRR-NF is based on the incorrect calculations in the deficient 2007 PSHA; not for the increasing and accelerating seismic hazard in the future to 2073, the end of the operating life of the proposed CMRR-NF. DOE is required to retract the DOE 2011 draft SEIS and not submit a new draft SEIS until the comprehensive field investigations have been performed to provide accurate knowledge of the seismic hazard. After all, the DOE 2011 draft SEIS misrepresented the LANL 2007 PSHA Report as a "comprehensive update to the LANL seismic hazards analysis" (See discussion beginning on page 26 in this report).

From page 5-20 in the LANL 2007 PSHA Report:

Interestingly, the scaling factor needed to adjust segment slip rates in order to achieve preferred target recurrence intervals is 2.11 (see footnote 6 of Table 5-14), which is essentially the same factor between the long term slip rate (0.1 mm/yr) and the weighted mean for the slip rate distribution derived from the RGR [Rio Grande Rift] analysis (cf., slip rate

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branch for Rupture Model C on Figure 5-8). Thus, the moment balancing approach is implying that the late Quaternary rates are about twice as fast as the long-term Quaternary rates (and the Holocene rates are about 8 to 10 times faster than the Quaternary rates). We already knew this from the paleoseismic data, but it is reassuring to see that our moment-balanced rates for Rupture Model B are consistent with our slip rates assigned to Rupture Model C [Emphasis Supplied].

Comment by Gilkeson and Arends. *Multiple lines of evidence confirm that the slip rates on the youthful PFS are increasing by a large amount and this proves the ground-rupturing power of future earthquakes is increasing by a large amount. The acceleration in the slip rates is direct evidence of a large and continuing increase into the future in the danger of the PFS for large ground-rupturing earthquakes with a Richter magnitude greater than 7.5 as described below on page ES-4 in the LANL 2007 PSHA Report:*

The new [2007] PSHA shows that the horizontal surface PGA [peak ground acceleration] values are about 0.5 g at a return period of 2,500 years. The 1995 horizontal PGA values for a return period of 2,500 years are about 0.33 g. The estimated hazard has increased significantly (including other spectral values) from the 1995 study due to the increased ground motions from the site-specific stochastic attenuation relationships and increase in the activity rate of the PFS. The site response effects as modeled in this study with the newer site geotechnical data appears to amplify ground motions more than in the 1995 analysis [Emphasis Supplied]. Other factors could be the increased epistemic uncertainty incorporated into the empirical attenuation relationships and in the characterization of the PFS.

Comment by Gilkeson and Arends. *The increase in horizontal surface peak ground acceleration (PGA) values from 0.3g to 0.5g from the 1995 PSHA to the 2007 PSHA is an increase of greater than 50% for the active PFS at the location of LANL TA-55 over a short period of time. A very important issue is that the actual value of the horizontal PGA for the proposed CMRR-NF is much greater than 0.5g because the calculations in the 2007 PSHA Report are incorrect for the large ground motions from multiple ground-rupturing synchronous earthquakes. The design of the proposed CMRR-NF was based on the much smaller ground motions from simultaneous ruptures from a single earthquake. **This issue is discussed on page 22 in this report.***

The poor knowledge of the seismic hazard in the DOE 2011 draft SEIS and in the LANL 2007 PSHA Report increases the risk for the storage of six metric tons (13,230 pounds) of plutonium at LANL in the proposed CMRR-NF at TA-55 and also increases risk for continuing operations with special nuclear materials at existing facilities at the LANL site.

From page 9-6 in the LANL 2007 PSHA Report:

In Table 9-4 [Note: Table 9-4 is below], we compare the PGAs from this study with the values from the 1995 study (Wong *et al.*, 1995) for the return periods of 1000, 2500, and 10,000 years. As shown in the table, the estimated probabilistic hazard has increased significantly (including other spectral values). The percentage increase gets larger with return period due to differences in slope of the hazard curves (Figure 9-348). For example, at a 1,000-year return period, the increase from the 1995 PGA values to the current study is about 29%. At 10,000 years, the

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increase is 84% (Table 9-4). This increase may be due to a number of factors including the increase in the activity rate of the PFS [Emphasis Supplied].

**Table 9-4
Comparison of Probabilistic Peak Horizontal Accelerations in g's
From 1995 and Current Studies**

Return Period	1,000 Years		2500 Years		10,000 Years	
	1995	This Study	1995	This Study	1995	This Study
CMRR	—	0.27	—	0.52	—	1.03
TA-03	0.21	0.27	0.33	0.52	0.56	1.03
TA-16	0.21	0.25	0.32	0.47	0.53	0.93
TA-55	0.22	0.27	0.33	0.52	0.56	1.03

Another important issue is that the design of the proposed CMRR-NF was based on the Peak Horizontal Ground Acceleration (PGA) values for a return period of 2500 years. However, Table 9-4 shows a 98% increase of the PGA from 0.52g to 1.03g at the location of the proposed CMRR-NF for a return period of 10,000 years. A 10,000 year return period earthquake may occur during the operating life of the proposed CMRR-NF.

In addition, all of the PGA values in Table 9-4 are on "shaky ground" without technical basis because of the overall poor scientific knowledge of the seismic hazard at LANL. The PGA values in Table 9-4 are incorrect and too low for the synchronous multiple-segment ruptures of the PFS and also underestimate and cannot calculate the future increase in the PGAs as demonstrated by the following statement in the LANL 2007 PSHA on page 9-6 about the increased rates of slip over time for the PFS:

Sensitivity studies show that these higher [slip and recurrence] rates have a significant impact on the hazard (Section 7.2.2) and so we know that increased [slip and recurrence] rates on the PFS likely contributed measurably to the increase in hazard for this study, but we cannot specify exactly how much.

Comment by Gilkeson and Arends. *The above statement shows that the PGA values in the LANL 2007 PSHA Report are not accurate for the ongoing increase in slip rates. The poor knowledge of the increase in the slip rates that will occur into the future will increase the seismic hazard at the location of the proposed CMRR-NF by a large but unknown amount. Another important factor is the poor knowledge of the locations and geometry of faults that produce ground motions at the location of the proposed CMRR-NF. The uncertainty about the location of faults and the increasing slip rates was not considered in the escalating cost for the proposed CMRR-NF from an original estimate of \$350 Million to a current estimate approaching \$6 Billion. Constructing the proposed \$6 Billion CMRR-NF without accurate knowledge of the seismic hazard at the present time nor over the 50-year life of the proposed nuclear facility is unacceptable.*

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The DOE used the Poisson Assumption to determine the seismic hazard at the proposed CMRR-NF at LANL TA-55 instead of performing the necessary field investigations to acquire accurate knowledge for assessment of the seismic hazard. Unfortunately, the great uncertainty in the assessment of the seismic hazard at the LANL Site is an accepted practice as shown by the following statement on page 2-1 in the 2007 LANL PSHA Report:

2.1 METHODOLOGY

The seismic hazard approach used in this study follows a methodology developed principally by Cornell (1968). The production of earthquakes by an identified fault or other seismic source zone is assumed to be a Poisson process. The Poisson assumption is widely used and is reasonable in regions where data are sparse and only provide an estimate of average recurrence rate (Cornell, 1968).

The reliance on expert judgment to determine the seismic hazard at LANL because the applicable data were sparse is described on page 5-1 in the LANL 2007 PSHA Report as follows:

Specific earthquake parameters needed for the seismic source characterization are fault location, geometry, sense of slip, Mmax [maximum magnitude], and earthquake recurrence rate [Emphasis Supplied]. Uncertainties in these seismic source parameters are sometimes large and include (1) those arising from lack of knowledge (epistemic uncertainties) and (2) those due to inherent variability in the earthquake process (aleatory uncertainties). The second type of uncertainty was handled by integration in the hazard calculations (Section 2); the first [i.e., the epistemic uncertainty], by use of a logic-tree approach. . . In the current state of practice for PSHA, and as was done in this study, logic tree parameters are primarily assigned using expert judgment on the basis of applicable data, which are often sparse. [Emphasis supplied].

Comment by Gilkeson and Arends. *Our review of the LANL 2007 PSHA Report, Lewis et al., 2009, the 2007 geotechnical report by Kleinfelder (LANL Report LA-UR-10-08118) and the DOE 2011 draft SEIS, show an excessive and unacceptable use of expert judgment based on assumed values for key parameters in lieu of obtaining the specific earthquake parameters required for seismic source characterization.*

One example is that a robust kinematic model of the PFS is lacking (see excerpt from Lewis et al., 2009 above on page 18). A very important example is the lack of knowledge of the distance from the proposed CMRR-NF to the Guaje Mountain Fault (GMF) because the detailed field mapping has not been performed. The poor knowledge of the location of the GMF is a concern of the LANL Seismic Hazards Geology Team but is not disclosed in the DOE 2011 draft SEIS. This issue is discussed below in Issue 1.B beginning on page 26.

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NNSA disagrees that the seismic hazard analysis relied on excessive and unacceptable use of expert judgement. SSHAC (1997) has developed the framework for incorporating the uncertainties associated with the range of interpretations for a set of observations and the uncertainties in specific parameters that would be encountered in any state-of-practice PSHA. SSHAC (1997) points out that differences of legitimate scientific interpretations occur on many if not all key inputs to a modern PSHA. The purpose of the SSHAC process is to capture the center, body, and range of expert interpretations (or more currently the defensible technical judgment) in a hazard assessment. Because the LANL 2007 PSHA followed the SSHAC (1997) process, it accommodated the interpretations of a large number of nationally and internationally known experts and reviewers who considered a large quantity of geological, seismological, geophysical, and geotechnical data and interpretations. Extensive use was made of logic trees to accommodate the range of interpretations and uncertainty in nearly all key parameters incorporated in the PSHA. As explained in the LANL 2007 PSHA, the logic trees represent uncertainty that can by definition always be reduced with additional data. DOE incorporates this uncertainty in facility design by requiring that the mean, rather than the median, hazard exceedance be used in design. Additional data collection and analysis could reduce the mean hazard for the CMRR site.

The use of logic trees also permits the exploration of hazard sensitivities to various key parameters and the LANL 2007 PSHA report illustrates many of those sensitivities (LANL 2007). A PSHA that makes limited use of logic trees, ignoring alternate interpretations of data and expert judgment, may have less overall hazard uncertainty, but would be criticized for failing to follow the SSHAC (1997) process.

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Issue 1.A. The DOE 2011 draft SEIS greatly underestimates the seismic hazard at the proposed CMRR-NF. This is because the LANL 2007 PSHA Report incorrectly calculated simultaneous earthquakes to produce a greater seismic hazard at the proposed CMRR-NF than multiple surface-rupturing synchronous earthquakes. In this section, we describe the contradictory findings and conclusions in the LANL 2007 PSHA Report concerning the seismic hazard at the proposed CMRR-NF from multiple synchronous versus simultaneous surface-rupturing earthquakes of the PFS. The requirement for accurate knowledge of the size of ground motions from synchronous and simultaneous ruptures of the multiple-segment PFS is described in the LANL 2007 PSHA Report as follows:

5.1.2.3 Types of Multisegment Ruptures. Large earthquakes involving multiple fault segments can rupture in multiple subevents (synchronous rupture) rather than in just a single large event (simultaneous rupture) as is typically assumed and modeled in standard PSHAs. The type of multisegment rupture (synchronous versus simultaneous) can significantly impact ground-motion estimates, depending on the location of the site relative to the slipping fault segments [Emphasis Supplied]. Several critical LANL facilities are located between segments of the PFS, and so we explicitly considered both simultaneous and synchronous types of multisegment ruptures for both rupture models of the PFS.

The LANL report by Lewis et al., 2009 presents new paleoseismic data from field studies that argue for three Holocene surface-rupturing earthquakes with two of the Holocene earthquakes as multiple surface ruptures. The pertinent excerpt follows:

One [surface-rupturing earthquake] ca. 1.4 thousand calendar years ago (1.4 cal ka) on the Pajarito fault, a second 6.5–5.2 ka ago on the Pajarito fault that is consistent with an event 6.5–4.2 ka ago on the Guaje Mountain fault, and a third ca. 9 ka ago on both the Pajarito and the Rendija Canyon faults. This paleoseismic event chronology demonstrates that the Pajarito fault often ruptures alone, but sometimes ruptures either with the Rendija Canyon or the Guaje Mountain fault. When this occurs, the resultant seismic moment and therefore the earthquake magnitude are larger than when the main Pajarito fault ruptures alone (p. 252).

The LANL 2007 PSHA Report recognized the potential for the future surface-rupturing earthquakes to include an increase in simultaneous and synchronous ruptures of the PFS with either the RCF or the GMF as follows:

However, the paleoseismic record also strongly supports coseismic rupture of the PAF and RC and the PAF and GM during the Holocene, which indicates to us that this linkage, however new, will likely continue in future earthquake ruptures (p. 5-12).

Comment by Gilkeson and Arends. *The LANL 2007 PSHA Report and the report by Lewis et al., 2009 describe the importance for accurate knowledge of the location and distance of active faults from the proposed CMRR-NF. The closest distance is not known because the necessary detailed field investigations have not been performed. The DOE 2011 draft SEIS does not consider 1), the conclusion in the LANL report by Lewis et al., 2009 that detailed field mapping is needed to determine the distance separating the GMF from the proposed CMRR-NF nor 2), the detailed mapping of intense fractures in the LANL Report by Wohletz, (2004) that indicate active faults are located 800 ft west, 1600 ft north and 2500 ft east of the proposed CMRR-NF.*

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The LANL 2007 PSHA Report on page 5-17 describes the synchronous rupture Richter magnitude 7.2 Cedar Mountain, Nevada earthquake and the synchronous rupture Richter magnitude 7.3 – 7.5 Hebgen Lake earthquake in Montana as analogs to the PFS as follows:

The MS 7.2 1932 Cedar Mountain earthquake included a **M 6.8** subevent followed by a **M 6.6** subevent, and it was likely a synchronous rupture. Another example of a synchronous rupture that is a possible analog for the PFS is the **M 7.3** 1959 Hebgen Lake earthquake, which involved multiple discrete faults and two subevents: a mb 6.3 event followed 5 seconds later by a mb 7.0 event (Doser, 1985). This is a good possible analog for the PFS because 1) it occurred in a region adjacent to a Quaternary caldera, as does the PFS; 2) it clearly involved multiple overlapping but distinct faults (rupture segments) with complex geometries, including opposing dips like the PFS; 3) it was dominantly extensional; and, 4) it had large displacements, as is suggested for the PFS. It should be noted however, that larger subevents do not always occur first and the subevents can be similar in size. Admittedly, our review here is not comprehensive. Nevertheless, the Hebgen Lake analog provides useful guidance in defining subevents for synchronous ruptures on the PFS [Emphasis Supplied].

The LANL 2007 PSHA Report describes the much greater seismic hazard from synchronous ruptures than simultaneous ruptures on page 7-3 as follows:

7.2.2 Sensitivity to PFS Characterization. . . . The hazard at LANL is dominated by the PFS. To evaluate the sensitivity of the hazard to the selection of various source-characterization parameters, calculations were performed giving full weight to specific branches on the PFS logic tree. The hazard from synchronous versus simultaneous rupture (Section 5.1.1) is shown on Figure 7-53 [Figure 7-53 is on the next page]. The hazard is higher for synchronous rupture because the ground motions will be larger from seismic slip involving two subevents versus more uniform slip in a single albeit larger simultaneous event [Emphasis Supplied].

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Figure 7-53. Comparison of the larger seismic hazard from synchronous versus simultaneous surface-eruption earthquakes at the proposed CMRR-NF at LANL TA-55
Source. Figure 7-53 in LANL 2007 PSHA Report.

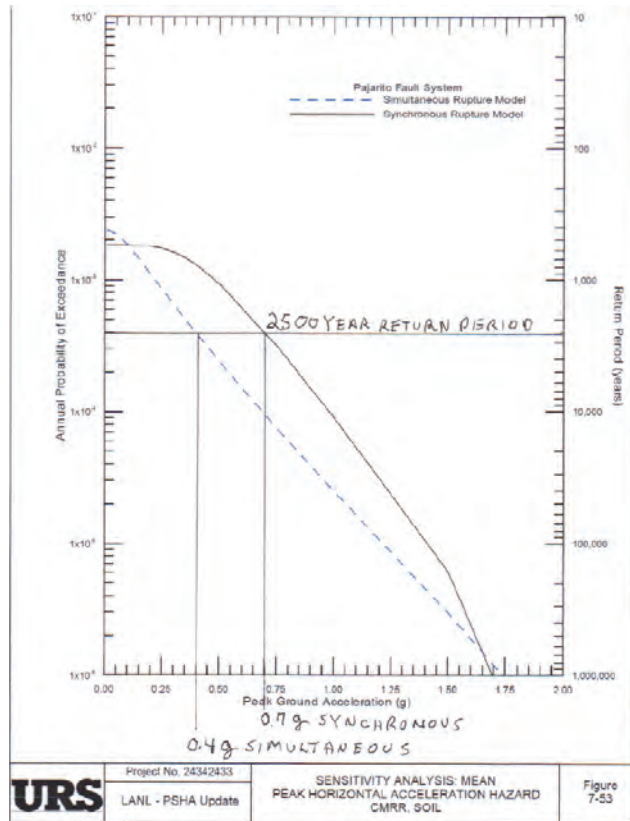


Figure 7-53 shows a much higher horizontal ground acceleration of 0.7g for synchronous ruptures of the PFS at the location of the proposed CMRR-NF compared to a lower value of 0.4g for simultaneous ruptures of the PFS.

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Figure 7-53 shows that the Mean Peak Horizontal Acceleration Seismic Hazard at the proposed CMRR-NF is 75% higher for the ground-surface ruptures from multiple synchronous earthquakes in the PFS for a return period of 2,500 years at 0.7g than for the simultaneous ruptures from a single earthquake for the same return period at a lower value of 0.4g.

A very serious issue is that Section 5 of the LANL 2007 PSHA Report calculated a smaller maximum Richter magnitude seismic hazard at the proposed CMRR-NF for the ruptures from multiple synchronous earthquakes than from the simultaneous ruptures from a single earthquake as follows:

5.1.2.4 Maximum Magnitudes. . . We calculated preferred magnitudes for both simultaneous and synchronous ruptures. Weighted mean-maximum magnitudes range from **M** 6.94 (for RS-a) to **M** 7.27 (for **RS-g** **sic** RS-e) for simultaneous ruptures. . . We estimated maximum magnitudes for both subevents of the synchronous ruptures using the same approach and these are consistently slightly smaller than for the simultaneous ruptures (Table 5-11), but the sum of the moment for the two subevents is within 10% of the moment for the simultaneous rupture of the same rupture scenario.

Comment by Gilkeson and Arends. *The lower seismic hazard for simultaneous ruptures that was calculated in the LANL 2007 PSHA Report are incorrect and greatly underestimate the ground motions from multiple synchronous earthquakes at the proposed CMRR-NF as presented above in Table 7-53. The incorrect and low seismic hazard values in Section 5.1.2.4 for **Maximum Magnitudes** were used to underestimate by a large amount the seismic hazard at the proposed CMRR-NF. **The incorrect values for maximum magnitudes that were used to calculate the seismic hazard at the proposed CMRR-NF requires DOE to retract the DOE 2011 draft SEIS.***

*The above statement in the LANL 2007 PSHA Report that the maximum moments for synchronous ruptures is less than but within 10% of the moment for the simultaneous ruptures misses the important fact that 1). the lower values calculated for the synchronous ruptures are **proof** the calculations are incorrect and 2). a 10% change in Richter maximum moment is a large change in the seismic hazard because a 7.5 Richter magnitude earthquake is about 31 times more powerful than a 6.5 magnitude earthquake.*

The LANL 2007 PSHA Report described the multiple earthquake synchronous ruptures of the Richter maximum magnitude 7.5 1959 Hebgen Lake earthquake as an analog for synchronous ruptures of the PFS. However, the calculations in the LANL 2007 PSHA are not correct and underestimate the Maximum Magnitude for synchronous ruptures of the PFS for the proposed CMRR-NF and also for the existing or proposed critical facilities at other locations at the 40-square mile LANL Site. Indeed, the knowledge to calculate the seismic hazard at any existing or proposed LANL facility does not exist at the present time. The overall poor knowledge of the seismic hazard at LANL is described in our report with important discussion in the next section.

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Issue 1.B. The DOE 2011 draft SEIS misrepresents the LANL 2007 PSHA Report as "a comprehensive update to the LANL seismic hazards analysis" as follows on page 3-25:

Section 3.5.1.4 Seismicity

A comprehensive update to the LANL seismic hazards analysis was completed in June 2007 (LANL 2007a). The updated report used more-recent field study data, most notably from the proposed CMRR-NF site, and the application of the most current seismic analysis methods, in order to update the seismic source model, ground motion attenuation relationships, dynamic properties of the subsurface (primarily the Bandelier Tuff) beneath LANL, as well as the probabilistic seismic hazard, horizontal and vertical hazards, and design-basis earthquake for LANL. The methods used in the updated 2007 analysis follow the Senior Seismic Hazard Advisory Committee's guidelines for a Level 2 analysis in the most recent guidance from NRC, "Recommendations for Probabilistic Seismic Hazard Analysis – Guidance on Uncertainty and Use of Experts" (NRC 1997).

Comment by Gilkeson and Arends. *Our report presents many reasons the LANL 2007 PSHA Report is incomplete, incorrect and inadequate to provide "design basis earthquakes" for the proposed CMRR-NF or for the assessment of the seismic hazard at the location of any existing or proposed critical facilities on the 40-square mile LANL Site. We describe the overuse of the Poisson Assumption in lieu of accurate data in the LANL 2007 PSHA Report above on page 21.*

Seven key parameters for assessment of the seismic hazard at the location of the proposed CMRR-NF and at other critical facilities at the LANL site are described in the LANL 2007 PSHA Report. Five of the key parameters are listed on page 5-1 in the LANL 2007 PSHA as follows:

Specific earthquake parameters needed for the seismic source characterization are 1] fault location, 2] geometry, 3] sense of slip, 4] Mmax [maximum moment], and 5] earthquake recurrence rate.

The other two key parameters described in the LANL 2007 PSHA Report are 6] Kappa and 7] seismic properties of the dacite reference rock.

1] Fault Locations. The distance of the GMF away from the location of the proposed CMRR-NF is not accurately known. The disagreement between LANL scientists on the distance from the proposed CMRR-NF and the RCF and GMF is described in Issue 1C, on page 33. Calculation of the seismic hazard at the proposed CMRR-NF requires accurate knowledge of the location of the GMF and its extensions (i.e., fault splays). This knowledge does not exist at the present time.

The need for detailed field mapping to determine the southern extent of the GMF is described in the LANL report by Lewis et al., 2009:

The southern extent and amount of displacement of the GMF are not well characterized (p. 257).

Conclusions. . . . The southern end of the GMF has not been mapped in detail, but its southern termination is likely to be similar to that of the Rendija Canyon fault (p. 268).

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Figure 2 shows the numerous fault splays that are mapped at the southern end of the RCF. The above statement in Lewis et al., 2009 indicates that the LANL Seismic Hazards Geology Team have a concern that the GMF could extend south to a location close to the proposed CMRR-NF. Nevertheless, the necessary detailed field mapping for accurate knowledge of the southern extent of the GMF to determine proximity to the location of the proposed CMRR-NF has not been performed.

The LANL 2007 PSHA on page 5-17 describes the importance for accurate knowledge of fault locations to assess the seismic hazard at the proposed CMRR-NF:

In our model of a simultaneous type of multisegment rupture for the PFS, ground motions are calculated the same as for a single segment source, with the closest distance to the source being a key factor [Emphasis Supplied].

The design of the proposed CMRR-NF was based on the locations of faults shown on Figure 2. Accordingly, the distance of the proposed CMRR-NF away from faults was described in the DOE 2011 draft SEIS as follows on page 3-25:

Detailed geologic mapping in the vicinity of TA-55 indicates that the proposed CMRR-NF site lies approximately 3,000 feet (910 meters) to the east of the Rendija Canyon fault zone and 4,000 feet (1,200 meters) to the east of the Pajarito Fault (see Figure 3-4 [Figure 2 in this report]) and that no large faults exist at the site.

Comment by Gilkeson and Arends. *In fact, accurate knowledge of the distance from the proposed CMRR-NF to the active Guaje Mountain Fault (GMF) does not exist according to Lewis et al., 2009 and comparison of Figures 2 and 3 shows there is disagreement among the LANL scientists on the distance from the CMRR-NF to the active Rendija Canyon Fault (RCF) and to the GMF.*

Detailed mapping in trenches excavated at the proposed CMRR-NF has determined that no large faults are located at the top of the Bandelier Tuff in the foot print for the foundation of the NF. Nevertheless, the necessary detailed field mapping has not been performed to determine the distance from the proposed CMRR-NF to the GMF.

The findings from the geologic mapping of fracture traces along Pajarito Road in 1990 (Vaniman and Wohletz, 1990) and in Mortandad Canyon north of the location of the proposed CMRR-NF (Wohletz, 2004) is that zones of intense fractures are located immediately west, 1600 ft north and 2500 ft east of the location of the proposed CMRR-NF, respectively. The importance of the intense zones of fracturing to the seismic hazard at the proposed CMRR-NF is an unresolved issue that requires field investigations.

2] Fault Geometry – Angle, Depth and Interaction. The components of fault geometry are the angle of dip of the discrete fault into the subsurface, the depth of the discrete fault into the subsurface and the stress interaction between the network of discrete faults. The LANL 2007 PSHA Report describes the lack of knowledge of the fault geometry as follows on page 5-12:

Figure 5-7 shows views of our 3-D structural model for the PFS. These views were extracted from an interactive 3-D representation created by Claudia Lewis in Arcsine using digital elevation data to model the ground

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Numerous field investigations followed the work of Vaniman and Wohletz (1990) to investigate whether surface-rupturing faults related to the Rendija Canyon and Guaje Mountain faults extended into LANL property. These studies (including Gardner et al. 1998, 1999, 2008) used techniques of conventional geologic mapping at 1:1,200 scale, high-precision total station geologic mapping of Bandelier Tuff subunit contacts, and large-scale trenching investigations at the site of the proposed CMRR-NF, to identify the presence or absence of surface-rupturing faults at LANL, from TA-3 to TA-55. These careful field investigations to locate surface-rupturing faults overlap the fracture zones investigated by Vaniman and Wohletz (1990) and Wohletz (2004). Gardner et al. (1998, 1999) identified no faults or offsets along geologic contacts suggesting the presence of faults at TA-55. Although Gardner et al. (2008) did observe some fractures and small faults confined within units of the tuff, they concluded that fractures and faults exposed at the proposed CMRR site formed very shortly after emplacement of the tuff, 1.26 million years ago, as a result of cooling and compaction, and the structures identified at the proposed CMRR-NF site pose no independent seismic surface rupture hazard.

At TA-67 (south of TA-55), geologic mapping and paleoseismic trenching investigations for a proposed mixed waste disposal facility found small, complex faults at the site (Reneau et al. 1995). These faults were found to be older than 50 to 60 thousand years (the age of the El Cajete pumice fall), and the investigations found no correlation between increased fracture density and surficial faulting.

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surface, digital fault traces to accurately represent complex geometries, and **assumed fault dips** [Emphasis Supplied] (which are within the ranges used in our seismic source characterization for the PFS, Figure 5-8). **It is noteworthy that the fault dips are the most poorly constrained part of the model due to the lack of subsurface structural data** [Emphasis Supplied].

The subsurface structural data on fault geometry requires field studies with 1). trenching investigations, 2). surface geophysical methods, including seismic reflection and aeromagnetics and 3). drilling coreholes. Nevertheless, the field investigations have not been performed. The LANL report (Lewis et al., 2009) by the LANL Seismic Hazards Geology Team recognized an important deficiency in the LANL 2007 PSHA Report is the lack of knowledge of the fault geometry for the PFS as follows on page 252:

Despite the importance of understanding the geometry of the fault system and potential linkage among faults for purposes of seismic hazard analysis, a robust kinematic model of the [Pajarito] fault system is lacking.

Comment by Gilkeson and Arends. *The above statement that "a robust kinematic model of the [Pajarito] fault system (PFS) is lacking" describes an important deficiency in the current knowledge of the seismic hazard for the proposed CMRR-NF at LANL TA-55 and knowledge of the seismic hazard at other critical facilities at the 40-square mile LANL Site. A robust kinematic model requires accurate knowledge from field studies for the seven key parameters listed in the LANL 2007 PSHA report.. Nevertheless, the discussion in the LANL 2007 PSHA Report provided here in our report demonstrates that accurate knowledge of the key parameters does not exist.*

3] Sense of Slip. A robust kinematic model for the PFS requires accurate knowledge of the geometry of the discrete faults and the sense of slip on the discrete faults. However, the required data have not been acquired as explained on page 5-11 in the 2007 PSHA Report:

Very few kinematic data regarding fault-slip direction are available for the PFS. Slip directions measured on the RC and GM indicate dominantly normal slip with rakes that are typically between 80° and 90°, but occasionally range as low as 70° (Karen Carter, personal communication 1994, cited in Wong *et al.*, 1995, Table 7-1, footnote 9). Unfortunately, slip direction data are lacking on the PAF [Pajarito Area Fault], but with its similar northerly strike one would expect slip directions similar to the RC and GM. In contrast, the SCC [Santa Clara Canyon Fault] strikes northeast and could have a larger component of oblique slip, although data are lacking to check this hypothesis.

The omission of accurate knowledge of the slip direction for the discrete faults in the PFS is a serious issue because "sense of slip" is a key parameter for assessment of the seismic hazard as described on page 5-1 in the LANL 2007 PSHA:

Specific earthquake parameters needed for the seismic source characterization are fault location, geometry, **sense of slip** [emphasis supplied], Mmax [maximum moment], and earthquake recurrence rate. Uncertainties in these seismic source parameters are sometimes large and include (1) those arising from lack of knowledge (epistemic uncertainties) and (2) those due to inherent variability in the earthquake process (aleatory uncertainties). The second type

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of uncertainty was handled by integration in the hazard calculations (Section 2); the first [i.e., lack of knowledge], by use of a logic-tree approach. In the latter procedure, values of the source parameters are represented by the branches of logic trees with weights that define the distribution of [assumed] values.

Comment by Gilkeson and Arends. *The primary fault along the western boundary of LANL is the Pajarito Area Fault (PAF) [also named the Pajarito Fault (PF)]. The use of the logic tree approach to determine the important source parameters such as "sense of slip" for the primary PAF instead of the necessary field work to acquire accurate knowledge is an important reason for DOE to retract the DOE draft 2011 SEIS for the proposed CMRR-NF at LANL TA-55. The importance of accurate knowledge for the "sense of slip" on the primary PAF for the seismic hazard at LANL is described on page 5-15 in the LANL 2007 PSHA as follows:*

On the basis of the structural and paleoseismic data, all of the rupture scenarios assumed that the PAF is the primary fault segment and always ruptures in larger surface-faulting events. In addition, we also assumed that if the PAF ruptures with the SCC [Santa Clara Canyon Fault], then either the RC, or GM, or both, must also rupture to transfer the strain between the PAF and SCC. As a result of these assumptions, our scenarios all have only one rupture source that always includes the PAF.

Accurate knowledge of the seismic hazard at LANL requires accurate knowledge of the "sense of slip" for the PAF and the difference in the "sense of slip" between the primary PAF and the subsidiary RCF and GMF. However, footnote 7 in Table 5-10 in the LANL 2007 PSHA Report shows that "sense of slip" for the PAF were average values determined from the RCF and GMF displacement probabilities as follows:

Footnote 7. As data are lacking on the EFS/SW [Embudo Fault System/South-West], SCC and PAF, displacements for RS-e [Simultaneous Rupture Model Event e] are based on displacement data from the Guaje Pines Cemetery site along the RC and sites along the GM. In this case, all values were considered averages and weights were determined by averaging the RC and GM displacement probabilities.

The methodology used in the LANL 2007 PSHA to calculate the key parameter "sense of slip" for the important primary PAF is not technically defensible and shows that the LANL 2007 PSHA Report did not acquire the site-specific data necessary for subsequent analyses. As a result, assumptions and averaging are used for the displacement data for the ground motions for design basis earthquakes at the proposed CMRR-NF, which are not based on accurate scientific knowledge. These are examples of why DOE must retract the DOE 2011 draft SEIS.

The important differences in the physical setting of the very deep primary PAF and the shallow depth for the antithetic RCF and GMF are described on page 265 in Lewis et al., 2009 as follows:

The short lengths and antithetic dips of the RCF and GMF, and their location in the step over between the PF and the northern PF, suggest that they are subsidiary to the larger displacement east-dipping faults. The paleoseismic data corroborate this. . . As the principal bounding faults of the Española basin, the PF and northern PF are probably crustal-scale faults (dipping at high angle down to the base of the brittle crust;

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Baldrige et al., 1995), whereas the RCF and GMF are subsidiary but important, in that they bridge the gap, in the subsurface at least, between the main and northern strands of the Pajarito fault.

Fault interaction has significant implications for seismic hazards. The probability of an earthquake rupture propagating from one fault to another increases with the degree of stress interaction between the faults [Emphasis Supplied] (Scholz and Gupta, 2000). When the PF and the RCF rupture together, the seismic moment and therefore the magnitude should be substantially larger than when the PF ruptures alone.

Comment by Gilkeson and Arends. *The required knowledge of the stress interactions between the primary PAF and the subsidiary RCF and GMF does not exist because the necessary displacement data is lacking for the PAF and also for the SCC [Santa Clara Canyon Fault]. The important knowledge of the degree of stress interaction between the primary PAF and the subsidiary RCF and GMF and the SCC was not provided in the LANL 2007 PSHA Report because the field work to measure the degree of stress interaction has not been performed. The "expert judgment" that was used in the LANL 2007 PSHA Report to assess the stress interactions between the PAF and the subsidiary faults is obviously incorrect because the displacement data for the primary PAF were estimated from the median values for the displacement data from the subsidiary RCF and GMF.*

4) Mmax [maximum moment] Seismic moment is a measure of the energy released in an earthquake determined by length of the fault and the area and amount of slip. The Richter earthquake magnitude scale is a presentation of seismic moment. The design of the proposed CMRR-NF was incorrectly based on earthquakes with a maximum moment magnitude for simultaneous ruptures from a single earthquake in the Richter range of 6.94 to 7.27 (see Table 5-10 in the LANL 2007 PSHA Report). Issue 1A. in this report describes the incorrect calculation of anomalously low maximum moments from ground-surface ruptures produced from multiple synchronous earthquakes.

Comment from Gilkeson and Arends. *The LANL 2007 PSHA Report recognizes the synchronous 1959 Hebgen Lake Earthquake as an analog to the PFS (see discussion above on page 23). The maximum earthquake in the synchronous pair of eruptions for the 1959 Hebgen Lake Earthquake was a Richter magnitude of 7.5. A 7.5 Richter magnitude earthquake is 31 times more powerful than a 6.5 magnitude earthquake (See USGS material above on page 17). Accordingly, it is important to use a higher maximum moment than 7.27 to calculate the seismic hazard for the proposed CMRR-NF because of the 7.5 Richter magnitude of the analog 1959 Hebgen Lake Earthquake and the obviously incorrect low values calculated for maximum moment from synchronous earthquakes in the LANL 2007 PSHA Report. Another concern is the increasing power of the PFS that may occur during the 50-year operational life of the CMRR-NF and the operational life of other critical facilities at LANL into the future. An additional important issue is that there is no technical basis for the values for maximum moment magnitude that are presented in Table 5-10 in the LANL 2007 PSHA Report. This issue is discussed beginning on page 22 in this report.*

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5] Earthquake Recurrence Rate. The LANL 2007 PSHA Report recognized that there was insufficient knowledge of the earthquake recurrence rate and more field work with paleoseismic investigations were needed as follows:

The PFS shows compelling evidence for repeated late Quaternary faulting, but individual rupture patterns are complex and the timing of some events remains ambiguous (e.g., Gardner et al., in review; McCalpin, 2005) (p.5-8).

If the late Quaternary record is indeed incomplete, as we believe, then future paleoseismic investigations will, if anything, increase the number of surface-faulting events identified on the PFS. We have tried to consider the potentially incomplete record in developing and weighting rupture models and recurrence interval distributions for the PFS (p.5-15).

6] Insufficient knowledge or the key parameter kappa. The parameter kappa is important for site specific ground motions from earthquakes. The LANL 2007 PSHA Report recognized the need for improvements in the LANL seismograph network to improve measurement of kappa (see page 39 in this report). The 2007 PSHA used an assumed value of kappa because the LANL seismograph network did not provide usable data to calculate kappa.

7] Insufficient knowledge of the seismic properties of the reference rock dacite. The LANL 2007 PSHA Report used an assumed value for the shear velocity of the dacite below the proposed CMRR-NF because of the very low value that was measured in the only borehole that was drilled a short distance into the dacite. This issue is discussed on pages 36-37 in this report. The LANL 2007 PSHA Report recommended for LANL to do additional field work to measure the shear velocity of the dacite (see page 39).

Comment by Gilkeson and Arends. *In summary, the field investigations have not been performed to provide the necessary accurate knowledge of the seven key parameters that are essential to calculate the seismic hazard and design basis earthquakes for the proposed CMRR-NF at LANL TA-55. The omission of the required knowledge of the seven key parameters is a requirement of DOE to retract the DOE 2011 draft SEIS.*

The necessary detailed field investigations have not been performed over large regions of the PFS. A major omission in the LANL 2007 PSHA Report is that there are large regions where there is poor knowledge of fault locations and fault geometry because the required detailed field investigations have not been performed. As described earlier on page 26 the LANL Seismic Hazards Geology Team recommend detailed field investigations to determine the distance from the GMF to the proposed CMRR-NF.

The LANL 2007 PSHA Report describes additional important data gaps north of LANL where there is a need for high precision mapping for a robust kinematic model of the PFS as follows:

One key insight is that, although the PAF and SCC segments form the main western margin of the Espanola basin, there appears to be a large gap (about 5 km) between presently mapped traces of each segment

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(Figure 5-4). This gap is coincident with a major change in strike of the PFS from northerly to northeasterly. Additional high-precision mapping should be done at the southern end of the SCC to confirm this gap (p. 5-10).

More displacement data and more detailed mapping are sorely needed to better define deformation patterns on the SCC, but landowner access restrictions have hampered study of the SCC to date (p. 5-11).

In addition, the DOE 2011 draft SEIS describes on page 3-22 that large areas of LANL have not yet been mapped in detail for seismic hazards as follows:

Although project areas TA-3 and TA-55 have been mapped in detail for the presence of faults, areas showing no faulting on Figure 3-5 do not necessarily represent an absence or lack of faulting. Large eastern and southern areas of LANL have not yet been mapped in detail for seismic hazards. Additionally, faults are only shown in areas where such faults are exposed or inferred. The end of a fault line on a map does not necessarily indicate truncation of a fault, but may be indicative of the end of surface exposure or lack of evidence of a fault at that location. This scenario is common in urbanized areas or in areas where faults have been buried by younger sediments. Confirmation of the presence or absence of a fault at a particular site, that is, at the end of mapped fault lines, may require further site-specific detailed geologic investigations, even though mapping may already have occurred at that location.

Comment by Gilkeson and Arends. *The seismic hazard at the proposed CMRR-NF requires knowledge from a robust kinematic model for the PFS from accurate data in the immediate vicinity of the proposed CMRR-NF, in the region of the 40-square mile LANL SITE on Figure 2 and in the region of the PFS on Figure 1. The detailed field investigations for the required kinematic model of the PFS have not been performed.*

Contradictory values for the vertical peak ground acceleration values in the LANL 2007 PSHA Report and the DOE 2011 draft SEIS. Our review of the LANL 2007 PSHA Report discovered that the DOE 2011 draft SEIS used a value for the vertical PGA of 0.3g for the recurrence interval of 2500 years when the value listed in the table in the LANL 2007 PSHA Report was 100% greater at 0.6g. From the LANL 2007 PSHA Report Table ES-1:

**Table ES-1
LANL Mean PGA Values (g) From the UHRS**

Return Period (years)	CMRR		TA-3		TA-16		TA-55		Site-Wide		Dacite	
	Horiz.	Vert.	Horiz.	Vert.	Horiz.	Vert.	Horiz.	Vert.	Horiz.	Vert.	Horiz.	Vert.
1,000	0.27	0.32	0.27	0.32	0.25	0.31	0.27	0.32	0.27	0.32	0.13	0.12
2,500	0.52	0.60	0.52	0.59	0.47	0.57	0.52	0.60	0.52	0.60	0.27	0.27
10,000	1.03	1.21	1.03	1.10	0.93	1.05	1.03	1.21	1.03	1.21	0.65	0.65
25,000	1.47	1.79	1.45	1.57	1.33	1.50	1.47	1.79	1.47	1.79	1.01	0.97
100,000	2.30	3.01	2.29	2.79	2.11	2.57	2.30	3.01	2.30	3.01	1.69	1.65

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However, the text of the DOE 2011 draft SEIS shows that the design of the proposed CMRR-NF at LANL TA-55 was based on the incorrect low value of 0.3g for the vertical PGA. The pertinent excerpt from pages 3-25 to 3-26 in the DOE 2011 draft SEIS follows:

Probabilistic seismic hazard was calculated for the ground surface at the existing CMR site within TA-3 and the proposed CMRR-NF project site within TA-55. Anticipated horizontal surface peak ground acceleration values at both sites as a result of a large earthquake on the Pajarito Fault are about 0.52 g (percent of acceleration equal to gravity) at a return period of 2,500 years. The vertical peak ground acceleration values are about 0.3 g, also at a return period of 2,500 years (LANL 2007a) [Emphasis Supplied]. **Note.** LANL 2007a is the LANL 2007 Probabilistic Seismic Hazard Analysis (PSHA) Report.

The vertical PGA value in the LANL 2007 PSHA Report to be used for the design of the proposed CMRR-NF at TA-55 was 0.6g which is 100% larger than the low value of 0.3g that was incorrectly used for the design according to the above statement in the DOE draft 2011 SEIS. The use of an incorrect value for the vertical PGA to calculate design basis earthquakes for the proposed CMRR-NF requires DOE to retract the DOE 2011 draft SEIS.

- Issue 1.B. The insufficient knowledge of active faults located close to the proposed CMRR-NF. The DOE 2011 draft SEIS misrepresents the omission of detailed field mapping north of TA-55 for knowledge of the locations of faults close to the location of the proposed CMRR-NF in LANL TA-55. From page 3-22 in the DOE 2011 draft SEIS:

The Pajarito fault system has been mapped in detail in the northern and western portions of LANL property, as well as in the vicinity of LANL (see Figure 3-5 [Note. Figure 3-5 is Figure 2 in this report]). This detailed fault data includes fault mapping from a variety of projects that were performed using different methods, that is, conventional geologic mapping, surveying, drilling, and trenching; at different scales, ranging from 1:1,200 to 1:62,500; and at different times, from 1987 to 2004. Portions of the data include currently unpublished mapping performed by the LANL Seismic Hazards Geology Team. The fault mapping includes faults and related structures, such as folds, fissures, and fault zones.

In fact, detailed fault mapping data does not exist over a large region north of the location of the proposed CMRR-NF at LANL TA-55 to the southern boundary of the GMF displayed on Figures 1 and 2. The lack of detailed mapping is described as follows in Lewis et al., 2009:

The southern extent and amount of displacement of the GMF are not well characterized (p. 257).

Conclusions. . . The southern end of the GMF has not been mapped in detail, but its southern termination is likely to be similar to that of the Rendija Canyon fault (p. 268).

Figure 2 shows the numerous fault splays that are mapped at the southern end of the RCF. The above statement in Lewis et al., 2009 shows that the LANL Seismic Hazards

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Geology Team have a concern that the GMF could extend south to a location close to the proposed CMRR-NF. The intense fractures mapped north of the proposed CMRR-NF in Mortandad Canyon and west of the NF on Figure 3 (Wohletz, 2004) may be caused by faults that are buried in the Bandelier Tuff that are now propagating up through the Bandelier Tuff (see discussion on page 37 in this report). Nevertheless, the necessary detailed field mapping for accurate knowledge of the southern extent of the GMF to determine proximity to the location of the proposed CMRR-NF has not been performed.

Comment by Gilkeson and Arends. *The field studies in the area of the proposed CMRR-NF at TA-55 and especially to the north of the NF to determine the southward extension of the GMF have not been performed. The required field studies should be performed with the results reviewed by an independent team of experts. In addition all of the published and unpublished mapping performed by the LANL Seismic Hazards Geology Team should be reviewed by an independent expert team and made available to all reviewers of the DOE 2011 draft SEIS. For these reasons and others detailed in this report, therefore, DOE is required to retract the 2011 draft SEIS.*

- **Issue 1.C.** The 2011 draft SEIS does not provide the evidence from the field mapping of fractures along Pajarito Road (Vaniman and Wohletz, 1990) and in Mortandad Canyon (Wohletz, 2004) that indicate an active fault is located within 800 ft of the western side of the proposed CMRR-NF (shown as the RCF on Figure 3) and the active GMF is located approximately 2,500 feet east of the eastern side of the proposed CMRR-NF.

An important fact is the misrepresentation in the DOE 2011 draft SEIS that detailed field mapping has determined that there are no faults located close to the proposed CMRR-NF. The mapping of zones of intense fractures (Vaniman and Wohletz, 2000 and Wohletz 2004) and the statement above on page 33 from Lewis et al., 2009 shows that the necessary detailed field investigation for accurate knowledge of active faults west, north and east of the proposed CMRR-NF have not been performed. A very serious omission in both the LANL 2007 PSHA and the DOE 2011 draft SEIS is the need for detailed field investigations to provide accurate knowledge of active faults in the immediate vicinity of the proposed CMRR-NF. The LANL Seismic Hazards Geology Team (Lewis et al., 2009) have recommended detailed field mapping to determine the location of the GMF north of the proposed CMRR-NF.

The incorrect statement on page 3-25 in the DOE 2011 draft SEIS that there is no evidence of faults at or near the location of the proposed NF is as follows:

In contrast to TA-3, TA-55 is located within an area of relatively simple structure, where no surficial fault deformation has been documented (see Figures 3-4 and 3-5 [Figures 1 and 2 in this report]). Detailed geologic mapping in the vicinity of TA-55 indicates that the proposed CMRR-NF site lies approximately 3,000 feet (910 meters) to the east of the Rendija Canyon fault zone and 4,000 feet (1,200 meters) to the east of the Pajarito Fault (see Figure 3-4 [Figure 2 in this report]) and that no large faults exist at the site. Local faults observed in an excavation at the CMRR-NF site originated from fumarolic activity and were created during cooling and compaction of the volcanic tuff, rather than as a result of movement along the Pajarito fault system.

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Comment by Gilkeson and Arends. The above statement that there is no evidence of the PFS close to the location for the proposed CMRR-NF at LANL TA-55 is incorrect based on the results of 1). field mapping of fractures along Pajarito Road, 2). field mapping of fractures in Mortandad Canyon north of TA-55 and 3). field mapping of fractures in the trenches at the proposed location of the CMRR-NF at LANL TA-55. The findings from the field investigations are described in the May 25, 2007 Geotechnical Report by Kleinfelder that is referenced in the DOE 2011 draft SEIS. The pertinent excerpts from the 2007 Kleinfelder Geotechnical Report (LANL Report LA-UR-10-08118) follow. From page 42 in the 2007 Kleinfelder Geotechnical Report

Recent fracture mapping by LANL (Wohletz, 2004) in the north wall of Mortandad Canyon north of the CMRR site documented fracture clusters that were interpreted as southward extensions of the RCF and GMF, passing south-southwest along the west boundary of TA-55 and through TA-63 to the west and east of CMRR, respectively [Note. The locations of the RCF and GMF east and west of the proposed CMRR NF are shown on Figure 3]. This interpretation is consistent with studies by Vaniman and Wohletz, 1990, which found fracture clusters in Unit 3/Unit 4 along the TA-48/TA-55 boundary north and south of Pajarito Road. From these studies, it appears that the structural disturbance manifested as dense fracturing, lying 800-1000 ft west of the west edge of CMRR, is the southern extension of the RCF zone with net vertical displacement (down drop to the east) of 11.3 meters (m) (37 ft) [Emphasis Supplied].

Comment by Gilkeson and Arends. Detailed field mapping described in Lavine et al. (2005) determined that faults were not present in the zone of intense zone of fracturing 800-1000 ft west of the proposed CMRR-NF. Detailed field mapping in the zone of intense fracturing north of the proposed CMRR-NF in Mortandad Canyon also did not identify any faults but it is possible that small-vertical-displacement faults [<1 ft (30 cm vertical displacement)] may not have been recognized.

From page 42-43 in the 2007 Kleinfelder Geotechnical Report:

Mapping of fractures (Wohletz, 2004) in Unit 3 in Mortandad Canyon north and northeast of TA-55 documented two dominant, conjugate fracture sets with 1) mean strikes of N22W with steep dips to the south and 2) mean strikes of N82E with dips to mostly north and dips not as steep. The N82E set is the more prominent of the two. This conjugate fracture orientation suggests a principal horizontal stress in the N15E direction. A minor set striking N50W was also documented.

From page 43 in the 2007 Kleinfelder Geotechnical Report:

As part of its site investigations, KA excavated test trenches within the CMRR site. Most of the trenches were excavated into fill or Qbt4; two were excavated into Qbt3u. Fractures mapped in test trenches are plotted on Figures B-2 through B-7 in Appendix B of the GDR [Kleinfelder 2007 Geotechnical Data Report]. These figures show some clustering of very steep (81-90°) fractures dipping toward the northeast (Set A) and some lesser clustering of 71-80° fractures toward the northwest (Set B).

Otherwise, fracture directions appear to be randomly distributed. These two sets do not match up with the conjugate clusters mapped by Wohletz, but

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some of the other, apparently random fractures mapped in the CMRR studies could belong to the clusters identified by Wohletz [as evidence of faulting] [Emphasis Supplied].

Comment by Gilkeson and Arends. The inclusion of the findings in the 2004 LANL report by Wohletz in the Kleinfelder 2007 Geotechnical Report but omitted in the DOE 2011 draft SEIS is a serious issue. The DOE 2011 draft SEIS did not mention the random fractures mapped in the CMRR-NF studies that were possibly from the PFS. Instead, the draft SEIS described the trenching studies at the CMRR-NF as follows on page 3-25:

Local faults observed in an excavation at the CMRR-NF site originated from fumarolic activity and were created during cooling and compaction of the volcanic tuff, rather than as a result of movement along the Pajarito fault system.

The findings of 1). a principal horizontal stress in the geologic setting north of the CMRR-NF, 2). zones of intense fractures possibly related to the PFS in outcrops along Pajarito Road south and west of TA-55, 3). zones of intense fractures possibly related to the PFS in Mortandad Canyon north and northeast of the CMRR-NF and 4). fractures possibly from the PFS in the trenching studies at the location of the CMRR-NF are all an indication that active faults may be close to the location for the proposed CMRR-NF.

The misrepresentation in the DOE 2011 draft SEIS that detailed mapping determined there to be no active faults close to the location of the proposed CMRR-NF is a serious issue. There is an immediate need to do the detailed field mapping and drilling investigations in the large 2 ½ mile region on Figure 2 between the mapped southern end of the GMF and the location of the proposed CMRR-NF.

Detailed mapping for faults in trenches in the footprint of the proposed CMRR-NF is not sufficient to identify active faults at depth in the Bandelier Tuff. The Bandelier Tuff Tshirege Member was deposited 1.25 million years ago over a landscape where active faults in the PFS date from 16.5 million years ago. The mapping in trenches cut into the top of the Tshirege Member of the Bandelier Tuff is not sufficient to determine that active faults are not present in the subsurface close to and possibly below the location of the proposed CMRR-NF. One requirement is to investigate faulting in the dacite below the CMRR-NF and the propagation of faults upward from the dacite through the Bandelier Tuff. The extensive fracturing that was discovered in the only borehole drilled into the dacite below the CMRR-NF is an indication that active faults may be present in the dacite below the location of the proposed CMRR-NF.

Borehole DSC-1B was the only borehole drilled into the dacite below the location of the proposed CMRR-NF. The Kleinfelder 2007 Geotechnical Report describes the dacite in borehole DSC-1B as follows:

The basement rock of this site was encountered in boring DSC-1B at a depth of about 697.5 ft (EI 6597.5) and consists of Tschicoma dacitic lava (dacite). At least three distinct flows were identified in the 43.5 ft of basement rock penetrated at the bottom of boring DSC-1B, but the total thickness is probably several hundred feet. The upper boundary is heavily fractured and vesicular, which reduces the overall rock mass stiffness.

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The Kleinfelder 2007 Geotechnical Report describes the video log in borehole DSC-1B as follows:

Through the dacite the borehole wall was very blocky and irregular, retaining a cylindrical shape in only a few locations to 733 ft, where slough had backfilled the hole. The over break through the dacite appeared to be at least one borehole diameter beyond the borehole wall.

The low shear velocity (Vs) of 2,950 ft/sec measured in the upper 25 ft of dacite in borehole DSC-1B is also evidence the dacite below the proposed CMRR-NF is highly fractured possibly because of faulting.

The LANL report by Lewis et al., 2009 described locations where the active PF is buried below land surface. One example is the description of the Anchor Ranch Fault, which is part of the active portion of the PF, on pages 261 and 264 as follows:

Maximum throw of 55 m down to the east occurs on the Anchor Ranch fault (the largely buried main fault in this sector) [Emphasis Supplied], but associated deformation extends into the footwall block 2000 m to the west of the Anchor Ranch fault and into the hanging-wall block 2000 m to the east (p. 261).

As the Anchor Ranch fault propagated upward, breaking the surface between Water and Los Alamos Canyons, growth of the fold presumably ceased (p. 264).

Another example of the buried PF is on page 267 in Lewis et al., 2009:

In the 1981 Gulf of Corinth [central Greece] earthquake series, warping of the surface between two normal faults resulted in strike-parallel extension and discontinuous surface fissures between the two main surface ruptures (e.g., Jackson, 1982; Vita-Finzi and King, 1985). As is the case with the PF and northern PF, the main Corinth fault failed to reach the surface across the bend, even though it may be a continuous structure in the subsurface [Emphasis Supplied].

The conceptual model of the LANL Seismic Hazards Geology Team is that the youthful PFS is continuing to propagate upward through the Bandelier Tuff to the present time as follows on page 265:

Based on its probable interaction with the RCF and GMF, the PF may no longer propagate northward, although it may continue to propagate upward through the Bandelier Tuff. Rather, the PF, RCF and GMF are slowly accumulating displacement in the zone of overlap between the faults, and thus gradually filling in the local displacement deficit relative to the system as a whole (Fig. 5). This is a fault system of short segments that have just recently linked together; the near-surface displacement asymmetries have not yet evened out.

Comment by Gilkeson and Arends. The DOE does not have accurate knowledge of the seismic hazard at the location for the proposed CMRR-NF

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Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazards analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). The updated seismic hazard analyses (LANL 2007, 2009) provide a better understanding of the ground motion and seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF building site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. The revised design is reflected in the revised cost estimates. Per DOE Order 413.3, Program and Project Management for the Acquisition of Capital Assets, final or detailed design cannot be started until the NEPA document (Final SEIS in this case) has been completed, so as not to prejudice the outcome, or restrict or narrow the range of alternatives to be considered.

Site specific geotechnical investigations have been completed for the proposed CMRR-NF project site for both the Shallow Excavation Option and the Deep Excavation Option and recommendations issued related to the design of the CMRR-NF (Kleinfelder 2007a, 2007b, 2010a, 2010b). Such recommendations take into consideration potential sinking, including seismically induced and non-seismically induced settlement, and lateral shifting of the foundation. The *CMRR-NF SEIS* has been revised to include this information. Refer to Section 2.6, Seismic Concerns, of this CRD for more information.

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at LANL TA-55. The DOE 2011 draft SEIS increases the estimated cost for construction of the proposed CMRR-NF because of 1). the new knowledge about the weak layer of volcanic ash below TA-55 and 2). the large increase in the horizontal Peak Ground Acceleration (PGA) in the LANL 2007 PSHA Report. Because of these factors, the estimated cost of the proposed CMRR-NF has increased 20 times from \$350 million to greater than \$6 billion. The DOE 2011 draft SEIS does not provide a final estimated cost because there are two options for the design of the CMRR-NF and the final design and final estimated cost was not provided at the time the DOE 2011 draft SEIS was issued for public comment. From pages 2-14 and 2-15 of the DOE 2011 draft SEIS:

Two options are being considered for construction of the Modified CMRR-NF. The Deep Excavation Option would involve excavating through a layer of poorly welded tuff, then partially backfilling the excavation with a low-slump concrete. The 10-foot-thick (3-meter-thick) concrete basemat on which the building foundation would rest would be constructed on top of the concrete backfill. The Shallow Excavation Option would avoid the poorly welded tuff layer by constructing the basemat well above that layer in the overlying stable geologic layer, which would act in a raft-like fashion to allow the building to "float" over the poorly welded tuff layer.

The Deep Excavation Option design is more mature, having undergone technical review by NNSA, NNSA's contractors, and the Defense Nuclear Facilities Safety Board. At this time there is more uncertainty with the design for the Shallow Construction Option. The Shallow Construction Option design needs to reach the same level of design maturity and be subjected to the same level of technical review as the Deep Construction Option so the two options can be evaluated on the same basis; this process is currently ongoing.

Comment by Gilkeson and Arends. *The DOE 2011 draft SEIS misrepresented and underestimated the seismic hazard at the location of the proposed CMRR-NF 1). because of the incorrect calculations in the LANL 2007 PSHA Report, 2). the inadequate and incomplete collection of data for the seven key parameters listed in Section 1.B, and 3). the insufficient knowledge of the location of active faults close to the proposed CMRR-NF and the lack of a robust kinematic model for the PFS. The required knowledge of the seismic hazard does not exist. However, the current knowledge of the seismic hazard is adequate for the decision that the shallow option "which would act in a raft-like fashion to allow the building to 'float' over the poorly welded tuff layer" is not a safe design.*

In addition, the current knowledge of the poorly characterized seismic hazard is adequate for the decision that the LANL site is not acceptable for major operations in the DOE Program for modernization of nuclear weapons, for storage of six metric tons (13,228 pounds) of plutonium or for ongoing operations at the LANL site with special nuclear materials.

Section 10 in the LANL 2007 PSHA Report provides six recommendations for future studies to improve knowledge about the seismic risk. Section 10 is provided below with our Questions LANL 2007 PSHA A through LANL 2007 PSHA F about the current status of the studies. Please provide answers to our specific Questions LANL 2007 PSHA A

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241-19 NNSA does not agree with the commentors conclusion about the safety of facilities at LANL that handle special nuclear materials. NNSA believes that sufficient geologic and seismic information is available to enable NNSA to design a CMRR-NF that can be safely operated. See the 2008 LANL SWEIS for more information on the operation of other facilities at LANL.

241-20 NNSA has considered the recommendations made in the 2007 PSHA and is addressing the recommendations in a prioritized manner, as resources are available. For example, NNSA has incorporated the Next Generation of Attenuation relationships in the seismic hazard for the CMRR-NF and TA-55, as documented in the 2009 update to the PSHA.

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The goal of any PSHA is to develop inputs that represent the composite distribution of the informed technical community. SSHAC recognizes that PSHA inputs can be subject to considerable uncertainties due to incomplete data and scientific understanding, as well as from process variability. In particular, when developing the inputs for PSHA, it is recognized that there is always incomplete knowledge because that is the nature of trying to characterize a complex natural process. However, by performing PSHAs in a manner consistent with the SSHAC guidelines, particularly with regards to the incorporation of the range of different interpretations and scientific uncertainties, the results should be robust and stable. NNSA believes that sufficient geologic and seismic information is available to enable NNSA to design a CMRR-NF that can be safely operated.

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**Commentor No. 241 (cont'd): Robert H. Gilkeson and
Concerned Citizens for Nuclear Safety (Joni Arends)**

through LANL 2007 PSHA F in your Response to Comments for the DOE 2011 draft SEIS for the CMRR-NF about the progress to implement the six recommendations.

SECTION TEN Recommendations for Future Studies

Based on the studies completed to date, the following are recommendations for future investigations. The results of such studies will aid in refining specific seismic source and site parameters, which have been incorporated into the PSHA, and reduce their associated uncertainties.

- Recalculate the hazard using the NGA [Next Generation of Attenuation] ground motion attenuation relationships. Four relationships are now available for use and they display significant differences with the earlier generation of relationships, i.e., the ones used in the current study (Section 6.1). It would be prudent to evaluate the impact of these new relationships on the LANL hazard after they have had time to be fully vetted.
- LANL 2007 PSHA A. *What is the status on vetting the new NGA ground motion attenuation relationships?*
- Conduct additional detailed/high-precision mapping and displacement measurements along the SCC [Santa Clara Canyon] segment of the PFS [Pajarito Fault System], similar to what has been done on the PAF [Pajarito Area Fault] segment of the PFS. The purpose of this would be threefold: (1) better define fault trace geometry for the SCC and verify the gap between the PAF and SCC; (2) better define long-term displacements and slip rates for the SCC; and (3) identify potential paleoseismic trenching sites.
- LANL 2007 PSHA B. *What is the status of the performance of additional detailed high precision mapping and displacement measurements along the Santa Clara Canyon and the Pajarito Area Fault segment of the Pajarito Fault System?*
- Conduct paleoseismic trenching studies of the SCC to determine the timing and size of prehistoric surface-faulting earthquakes. This will help better define rupture models and scenarios for the PFS. It may also help better determine maximum magnitudes and recurrence intervals for rupture scenarios.
- LANL 2007 PSHA C. *What is the status of the performance of new paleoseismic trenching studies of the Santa Clara Canyon and also new paleoseismic trenching studies of the Pajarito Area Fault segment of the Pajarito Fault System?*
- Reevaluate the entire dataset for the RGR [Rio Grande Rift] fault slip rate analysis using only data for complete seismic cycles and more complete documentation of long-term data (both displacements and applicable time periods). This more robust analysis will likely reduce slip rate uncertainties and result in a more symmetric RGR slip rate distribution.
- LANL 2007 PSHA D. *What is the status of the reevaluation of the entire dataset for the Rio Grande Rift?*
- Conduct additional studies to better constrain kappa. Kappa is a key parameter in assessing the hazard at LANL (Section 6.2). Focused efforts should be made to evaluate kappa using data from the LANL seismographic network. Improvements in the network may be necessary to improve data quality [emphasis added].
- LANL 2007 PSHA E. *The 1995 Seismic Hazard Report described the failure of LANL to install and operate a seismographic network to provide data for the calculation of*

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**Commentor No. 241 (cont'd): Robert H. Gilkeson and
Concerned Citizens for Nuclear Safety (Joni Arends)**

Kappa. The poor performance of LANL to install and operate the required seismographic network was also the finding of the 2007 PSHA Report. The 2007 PSHA Report and the DOE 2011 draft SEIS used an uncertain assumed value for Kappa. What is the current status for the LANL seismographic network to provide high quality data for the calculation of Kappa?

- Conduct VS measurements of dacite. There is no reliable VS data for the dacite (Section 4.2.3) and thus velocity data would confirm the value used in this study. Measuring the velocity of the dacite beneath the laboratory requires deep boreholes and so although not ideal, shallow velocity surveys where the rock outcrops is probably the only economical alternative.
- LANL 2007 PSHA F. *What is the status of LANL/DOE operations to measure the shear velocity of the "reference rock datum" in testholes at many locations site-wide and specifically at the location of the new CMRR Building? The complex change in the "reference rock datum" at LANL requires shear velocity measurements in many testholes drilled deep into the reference rock.*

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Below are Questions DOE 2011 draft SEIS A through DOE 2011 draft SEIS U based on our findings in this report. Again, please provide answers to our specific Questions DOE 2011 draft SEIS A through DOE 2011 draft SEIS U in your Response to Comments for the DOE 2011 draft SEIS for the CMRR-NF.

There is insufficient acquisition of site-specific data and subsequent analysis of seven key parameters to ensure that ground motions for design-basis earthquakes at the proposed CMRR-NF are based on accurate scientific knowledge. The seven key parameters required for seismic source characterization were identified in the LANL 2007 PSHA report. They are 1] fault location, 2] geometry, 3] sense of slip, 4] Mmax [maximum moment], 5] earthquake recurrence rate, 6] kappa, and 7] shear velocity of the dacite.

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1] Fault Locations. There is a need for detailed field mapping to determine the location relationship between the GMF and the proposed CMRR-NF. The concern of the LANL Seismic Hazards Geology Team follows as described in Lewis et al., (2009):

The southern extent and amount of displacement of the GMF are not well characterized (p. 257).

Conclusions. . . The southern end of the GMF has not been mapped in detail, but its southern termination is likely to be similar to that of the Rendija Canyon fault (p. 268).

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DOE 2011 draft SEIS A. Should the necessary field investigations be performed to determine the southern extent and amount of displacement of the GMF as this knowledge is important for the design basis earthquakes for the proposed CMRR-NF?

2] Fault Geometry – Dip Angle and Depth. The LANL 2007 PSHA Report describes the lack of knowledge of the fault geometry as follows on page 5-12:

It is noteworthy that the fault dips are the most poorly constrained part of the model due to the lack of subsurface structural data [Emphasis Supplied].

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**Commentor No. 241 (cont'd): Robert H. Gilkeson and
Concerned Citizens for Nuclear Safety (Joni Arends)**

DOE 2011 draft SEIS B. Should the necessary field investigations be performed to determine the fault geometry, including fault dip and depth, as this knowledge is important for the design basis earthquakes for the proposed CMRR-NF?

3) Sense of Slip. The required fault-slip direction data have not been acquired as explained on page 5-11 in the 2007 PSHA Report:

Very few kinematic data regarding fault-slip direction are available for the PFS. ... Unfortunately, slip direction data are lacking on the [primary] PAF [Pajarito Area Fault].

DOE 2011 draft SEIS C. Should the necessary field investigations be performed to determine the fault-slip directions for the primary PAF, and the subsidiary GMF, RCF and SCC (Santa Clara Canyon Fault) as this knowledge is important for the design basis earthquakes for the proposed CMRR-NF?

4) Mmax [maximum moment] The LANL 2007 PSHA Report describes the larger maximum moment and greater seismic hazard from synchronous ruptures than simultaneous ruptures on page 7-3 as follows:

The hazard is higher for synchronous rupture because the ground motions will be larger from seismic slip involving two subevents versus more uniform slip in a single albeit larger simultaneous event.

A very serious issue is that Section 5 of the LANL 2007 PSHA Report calculated a smaller maximum Richter magnitude seismic hazard at the proposed CMRR-NF for the ruptures from multiple synchronous earthquakes than from the simultaneous ruptures from a single earthquake as follows:

5.1.2.4 Maximum Magnitudes. . . We calculated preferred magnitudes for both simultaneous and synchronous ruptures. Weighted mean-maximum magnitudes range from **M** 6.94 (for RS-a) to **M** 7.27 (for RS-g sic RS-e) for simultaneous ruptures. . . We estimated maximum magnitudes for both subevents of the synchronous ruptures using the same approach and these are consistently slightly smaller than for the simultaneous ruptures (Table 5-11), but the sum of the moment for the two subevents is within 10% of the moment for the simultaneous rupture of the same rupture scenario.

DOE 2011 draft SEIS D. Should the necessary field investigations be performed to correctly calculate the maximum moment for synchronous and simultaneous ruptures of the PFS, including the primary PAF and the subsidiary GMF and RCF, as this knowledge is important for the design basis earthquakes for the proposed CMRR-NF?

5) Earthquake Recurrence Rate. The LANL 2007 PSHA Report recognized that there was insufficient knowledge of the earthquake recurrence rate and more field work with paleoseismic investigations were needed as follows:

If the late Quaternary record is indeed incomplete, as we believe, then future paleoseismic investigations will, if anything, increase the number of surface-faulting events identified on the PFS. We have tried to consider

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**Commentor No. 241 (cont'd): Robert H. Gilkeson and
Concerned Citizens for Nuclear Safety (Joni Arends)**

the potentially incomplete record in developing and weighting rupture models and recurrence interval distributions for the PFS (p.5-15).

DOE 2011 draft SEIS E. Should the necessary paleoseismic investigations be performed to correctly understand the late Quaternary record of the earthquake recurrence rate as this knowledge is important for the design basis earthquakes for the proposed CMRR-NF?

6] Insufficient knowledge or the key parameter kappa. Section 10 "Recommendations" of the LANL 2007 PSHA used an assumed value of kappa because the LANL seismograph network did not provide usable data to calculate kappa.

Conduct additional studies to better constrain kappa. Kappa is a key parameter in assessing the hazard at LANL (Section 6.2). Focused efforts should be made to evaluate kappa using data from the LANL seismographic network. Improvements in the network may be necessary to improve data quality [Emphasis Supplied].

DOE 2011 draft SEIS F. What is the current status for the LANL seismographic network to provide high quality data for the calculation of kappa as this knowledge is important for the design basis earthquakes for the proposed CMRR-NF?

7] Insufficient knowledge of the seismic properties of the reference rock dacite. The LANL 2007 PSHA Report used an assumed value for the shear velocity of the dacite below the proposed CMRR-NF because of the very low value that was measured in the only borehole that was drilled a short distance into the dacite. The LANL 2007 PSHA Report recommended for LANL to do additional field work to measure the shear velocity of the dacite (see page 39 of this report). The complex change in the "reference rock datum" at LANL requires shear velocity measurements in many testholes drilled deep into the reference rock.

DOE 2011 draft SEIS G. What is the status of LANL operations to measure the shear velocity of the "reference rock datum" in testholes at many locations site-wide and specifically at the location of the proposed CMRR-NF?

The LANL Seismic Hazards Geology Team recognized the need for a robust kinematic model for the PFS in Lewis et al., (2009) as follows:

Despite the importance of understanding the geometry of the fault system and potential linkage among faults for purposes of seismic hazard analysis, a robust kinematic model of the [Pajarito] fault system is lacking (p. 252).

DOE 2011 draft SEIS H. Is a robust kinematic model necessary for knowledge important for the design basis earthquakes for the proposed CMRR-NF?

DOE 2011 draft SEIS I. If so, does development of the robust kinematic model require field investigations of the seven key parameters listed in Questions DOE 2011 draft SEIS A through DOE 2011 draft SEIS G above?

There is disagreement among the LANL scientists about the zones of intense fractures as evidence of active faults close to the proposed CMRR-NF location; 800 ft to the west, 1,600 ft to the north, and 2,500 ft to the east.

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**Commentor No. 241 (cont'd): Robert H. Gilkeson and
Concerned Citizens for Nuclear Safety (Joni Arends)**

There is a need for independent peer review of the data acquisition and subsequent analysis processes at LANL; especially because of the disagreement among LANL scientists on the locations of active faults at the proposed CMRR-NF. The DNSFB addressed this issue on page 63 in the DNFSB TWENTY-FIRST ANNUAL REPORT TO CONGRESS:

4.10 Seismic Hazard Analysis

The Board continues to stress to DOE the importance of adequate review, including independent peer review, of both the acquisition of site-specific data and subsequent analysis to ensure that ground motions for design basis earthquakes are based on accurate scientific knowledge.

DOE 2011 draft SEIS J. *Is the disagreement among the LANL scientists an issue that requires independent peer review of the data and subsequent analysis of Wohletz (2004) to ensure that design basis earthquakes for the proposed CMRR-NF are based on accurate scientific knowledge?*

DOE 2011 draft SEIS K. *If not, why?*

DOE 2011 draft SEIS L. *Should an independent peer review be done at the zones of intense fractures identified by Wohletz (2004) (Fig. 3 in this report)?*

DOE 2011 draft SEIS M. *If not, why?*

DOE 2011 draft SEIS N. *Do the zones of intense fractures identify active faults close to the proposed CMRR-NF?*

DOE 2011 draft SEIS O. *If not, why?*

DOE 2011 draft SEIS P. *Should the zones of intense fractures be used as locations of active faults (Fig. 3 in this report) for design basis earthquakes for the proposed CMRR-NF?*

DOE 2011 draft SEIS Q. *If not, why?*

DOE 2011 draft SEIS R. *Should the design work for the proposed CMRR-NF be halted because the accurate scientific knowledge of the seven key parameters listed above in Questions DOE 2011 draft SEIS A through DOE 2011 draft SEIS G are not provided to calculate the design basis earthquakes for the proposed CMRR-NF?*

DOE 2011 draft SEIS S. *If not, why?*

DOE 2011 draft SEIS T. *Should the design work for the proposed CMRR-NF be halted because the necessary robust kinematic model is not provided for knowledge of the seismic hazard to calculate the design basis earthquakes for the proposed CMRR-NF?*

DOE 2011 draft SEIS U. *If not, why?*

We look forward to your responses.

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Commentor No. 242: Mary Beth Moore

From: Mary Beth Moore [marybethmoore@gmail.com]
Sent: Thursday, June 23, 2011 4:14 PM
To: nepalaso@doeal.gov
Subject: Chemistry and Metallurgy Research Replacement

Dear Mr. Tiegmeir,

I am deeply alarmed at the proposed Chemistry and Metallurgy Research Replacement Project. The CMRR project should be canceled, a study of LANL's plutonium infrastructure should be required - including existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR must be determined. We do not want a disaster like the one Japan has just suffered. Let's opt for life. Think of your children and grand children. Cancel the project now.

Sincerely Mary Beth Moore, SC

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NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding a request for a plutonium infrastructure study, the proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 243: Terry Thompson

From: Terry Thompson (575) 751-4343 [terryt@taosnet.com]
Sent: Wednesday, June 22, 2011 6:27 PM
To: NEPALASO@doeal.gov
Cc: Senator@tomudall.senate.gov; NM03BLIMA@mail.house.gov
Subject: Comments about the Draft CMRRNF SEIS

This email is for Mr. John Tegtmeier, CMRRNF SEIS Document Manager, NNSA Los Alamos Site Office, 3747 West Jemez Road, TA 3 Building 1410, Los Alamos, New Mexico, 87544; and any others accepting comments from residents of the affected area.

Recently I attended a meeting in Taos, NM, about the proposed project. It felt more like a "this is what we are doing" pitch than an opportunity for the residents of Taos to examine, debate, and register their concerns about this project.

My family and I are very concerned about the proposed plutonium pit production complex at Los Alamos. We feel that a complete, new EIS should be required for this potentially very harmful expansion. The location is seismically active, and after the horrible environmental disaster affecting nuclear power plants in Japan, we know that our current scientific knowledge about the safety of such a project in a seismic zone is woefully inadequate. The proposed Supplemental EIS is not good enough to support building such a facility in a seismic zone that is not well understood. Furthermore, the building's design is not final, so any environmental studies should not be begun until the design is final. I can't imagine the government thinking it is a logical approach after 8 years has passed since the original EIS to not require a completely new EIS based on the extent of changes in design and pertinent known information available today.

We need to continue addressing the existing problems of clean-up at LANL, not begin new contamination and highly hazardous activities there. The American people are tired of living under the threat of nuclear warfare, terrorism, facility accidents, transport accidents, and economic downturns caused, in part, by the huge expense of waging several long-lasting wars in a number of countries overseas. We do not need more ramp-ups to war that cost billions of dollars and present unforeseen problems. We do not need 80 new plutonium pits (bomb triggers) a year. We need to respect our nonproliferation treaties and goals.

We do not need (and we strongly oppose) more environmental degradation caused by making war weapons, especially nuclear bombs. Los Alamos does not need an economic boost; but other parts of New Mexico do need environmentally friendly industries that aim to put this country and state back into prosperity--a peace-oriented prosperity. Let's stop the war machine and begin to address cleaning

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243-1 After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

243-2 NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

243-3 NNSA notes the commentor's request for a new EIS after the design is complete. NEPA documentation is typically performed while the design of a project is still underway. There is enough design information available to perform a NEPA analysis for the CMRR-NF project. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazard analyses of the LANL region (LANL 2007, 2009). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able

Commentor No. 243 (cont'd): Terry Thompson

up the messes that we have and building self-sustaining energy industries such as wind power and solar power facilities. We live in a beautiful part of a beautiful state with a fascinating history and culture; let's not turn it into a wasteland unfit for life--just to keep our military machine expanding. Please listen and respect our point of view. Begin with a brand-new complete EIS that applies the most current knowledge to all of the proposed, final-design features of this project.

Sincerely,

Terry Thompson
HCR 74 Box 22273
El Prado, NM 87529

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to withstand a design-basis earthquake without major damage. These changes are included in the Modified CMRR-NF Alternative (see Chapter 2, Section 2.6.2 of the *CMRR-NF SEIS*). See also Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The commentor's concerns that an accident (similar to the one that occurred in Japan at the Fukushima Daiichi Nuclear Power Plant) could happen at LANL is addressed in Section 2.8, Nuclear Accidents, of this CRD. There are fundamental differences between the functioning of a nuclear reactor (such as the Fukushima Daiichi Nuclear Power Plant or Chernobyl) and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems.

The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Chapter 1, Section 1.5, identifies the decisions to be supported by the *CMRR-NF SEIS*. This does not include decisions on LANL legacy waste cleanup. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Regarding cost and the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF.

Commentor No. 243 (cont'd): Terry Thompson

Commentor No. 244: Laura Jolly

From: laura jolly [laura.jolly@earthlink.net]
Sent: Thursday, June 30, 2011 9:21 AM
To: nepalaso@doeal.gov
Subject: We cannot afford more nuclear development, healthwise

I just heard about the new plutonium facility at the Los Alamos National Laboratory. This cannot go forward.

It is time to focus on cleaning up what is already existing as th ewaste at Los Alamos Lab. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

We who live here in NM right under this fire at Los Alamos understand that humans are NOT expendable...

Yes, this is about "national security"...But we want to work with those issues from another perspective. More weapons, more bomb factories, more waste, more expansion of the military is NOT the way to go.

Thank you for listening to my humble opinion. We desparately need a new direction to move in.

laura jolly
1963 kiva
santa fe, NM 87505

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NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Chapter 1, Section 1.5, identifies the decisions to be supported by the *CMRR-NF SEIS*. This does not include decisions on LANL legacy waste cleanup. However, NNSA intends to continue implementing those actions necessary to clean up legacy waste sites at LANL regardless of decisions made on the proposed construction of the CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 245: Paki Wright

From: hobart & paki wright [hopakco@fairpoint.net]
Sent: Friday, July 01, 2011 12:45 PM
To: NEPALASO@doeal.gov
Subject: no plutonium bomb factory at Los Alamos!

Dear Sirs,

In view of the horrendous fire now burning all around Los Alamos, with no end in sight, it is the height of madness to envision putting a NEW plutonium bomb factory there, this is just bat s--t crazy to even contemplate.

Yours for a cancer-free future,
 Paki Wright, Crestone, CO

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Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Regarding cost and the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 246: Pamela Biery

From: Pamela Biery [pamela@pamelab.com]
Sent: Friday, July 01, 2011 2:21 PM
To: NEPALASO@doeal.gov
Subject: no nukes please

Please do not increase the dangerous use of hazardous nuclear materials in New Mexico, or anywhere we cannot absolutely control (translate: not on Earth).

Thank you-

Pamela Biery
xxx.xxx.xxxx
www.pamelab.com

Twitter:
<http://twitter.com/Pbers>

Blog:
<http://www.pamelab.com/blog.html>

LinkedIn:
<http://www.linkedin.com/in/pamelabiery>

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246-1

NNSA notes the commentor's opposition to the use of hazardous nuclear materials. As noted in Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD, NNSA must continue to operate nuclear facilities such as the existing CMR Building at LANL in order to meet its national security obligations.

Commentor No. 247: Lea Bradovich

From: Lea Bradovich [leab@cybermesa.com]
Sent: Friday, July 01, 2011 2:32 PM
To: NEPALASO@doeal.gov
Subject: Bomb Factory in Los Alamos

Dear Public Servants at the DOE,

As I write this from Santa Fe, NM, the air is smoky, visibility is low, all of the windows are closed and the air cleaner is humming. A monster forest fire is once again threatening LANL, creating a sense of dread in Northern New Mexico. Santa Feans are shaking their heads in dismay. 11 years after the last fire LANL is still storing plutonium contaminated wastes in tents. TENTS!

Nobody knows what is burning up there. The forests are stressed because of the drought, which is predicted to last 60 years.

Yet plans are being made to expand nuclear warhead (plutonium pit) production at LANL. The new plant will take vast amounts of our scarce water. It will be located in the remote, forested mountains of our beautiful state in an area prone to catastrophic forest fires.

This is also an area of seismic and volcanic activity.

It's a bad idea. Please re-think this poorly conceived plan.

Sincerely,

Lea Bradovich
 Sant Fe, NM

247-1

247-1

NNSA notes the commentor's position that the CMRR-NF project should be stopped and re-evaluated. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources). The waste storage domes in TA-54 are not the subject of the *CMRR-NF SEIS*. However, NNSA has taken actions to mitigate the risks of a wildfire on the domes. In 2000, the Cerro Grande fire burned a heavily forested canyon area to within about 0.75 miles (1.2 kilometers) of the waste storage domes, but none were burned and there were no radiological releases from the domes. The Las Conchas fire reached the southern border of LANL, but did not get within 2 miles (3.2 kilometers) of the domes. Additional fuel reduction has been conducted since the Cerro Grande fire, both to the vegetation surrounding TA-54 and within the domes themselves (for example, wooden pallets have been replaced with metal pallets), to further decrease the potential for a waste storage dome fire occurring as a result of a site wildfire. Furthermore, NNSA has an active program to remove the waste stored at Area G and ship it to WIPP for disposal.

The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

In response to public comments on the possibility of volcano activity in the LANL region, Appendix C, Facility Accidents, and the Geology and Soils

Commentor No. 247 (cont'd): Lea Bradovich

sections of Chapters 3 and 4 (Sections 3.5.2 and 4.3.5), of the *Final CMRR-NF SEIS* have been revised to include additional information regarding the potential volcanic hazards as described in the report, *Preliminary LANL Volcanic Hazards Evaluation* (LANL 2010c). Based on the report, future planning will be performed to consider CMRR-NF structural requirements for ash-loading.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

LANL approaches sustainability on a site-wide basis, knowing that new facilities will require the use of limited resources. New projects such as the proposed CMRR-NF are constructed in a manner that improves the efficiency of energy and water use site wide. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 248: Jim Haber, Coordinator
Nevada Desert Experience

From: Haber.Jim [haber.jim@gmail.com] on behalf of Jim at NDE [jim@nevadadesertexperience.org]
Sent: Tuesday, June 28, 2011 7:15 PM
To: NEPALASO@doeal.gov
Subject: Comments on CMRR-NF SEIS

Mr. John Tegtmeier
CMRR-NF SEIS Document Manager
Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico, 87544
By e-mail to NEPALASO@doeal.gov

The CMRR-NF has many problems, some of which are environmental, and others that have to do with geo-political nuclear issues. Nothing having to do with nuclear power or nuclear weapons can be good or worthwhile vis a vis the environment. There is no justification for building CMRR-NF, so any environmental issues aren't worth it.

It seems like a lot of work, so much that a full, new EIS should be made, not just updating the old one. The fires currently licking at Los Alamos further the need for a fuller review of any new work to be done there, and necessitating a review of proposed and existing EIS to see how it's good or not.

Respectfully,

Jim Haber, Coordinator
Nevada Desert Experience
1420 W. Bartlett Ave.
Las Vegas, NV 89106
xxx-xxx-xxxx
jim@NevadaDesertExperience.org

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Check out <http://NevadaDesertExperience.org> for NDE action updates and news about the Nevada Test Site and Creech Air Force Base's Predator and Reaper, "hunter-killer," remotely piloted systems. Get our newsletter, Desert Voices, and even make a donation on-line there too. Thanks.

248-1

248-1

NNSA notes the commentor's opposition to nuclear power, nuclear weapons, and the construction and operation of a new CMRR Facility at LANL. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 249: Ryan Potoff

From: Ryan Potoff [rpotoff@gmail.com]
Sent: Tuesday, June 28, 2011 4:47 PM
To: NEPALASO@doeal.gov
Subject: Stop New Nuclear Weapons Plant, Earthquake Zone by 6/28

Dear Department of Energy,

Please consider my message as this is how I truly feel and know of many others who feel this way, as well. I am deeply concerned about the construction of the new CMRR plutonium reprocessing and storage facility in New Mexico. Plutonium is the most toxic substance on earth and this facility store six tons of it. Also, there are many other important causes, such as education and environmental protection, to spend the \$6 billion dollars on, rather than weapons that kill people. Please reconsider the construction of this facility, which will pose a greater threat than it will ever reduce.

Sincerely,

Ryan Potoff

Ryan Potoff
56 Pine Plain Rd.
Wellesley, MA 02481

249-1

249-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 250: Alfred Cavallo

From: alfred cavallo [cavallo-harper@verizon.net]
Sent: Monday, June 27, 2011 1:57 PM
To: NEPALASO@doeal.gov
Subject: Stop New Nuclear Weapons Plant, Earthquake Zone by 6/28

Dear Department of Energy,

I'm concerned about the construction of the CMRR plutonium reprocessing and storage facility in New Mexico. It will store six tons of the most highly toxic substance on Earth, plutonium, and will be able to produce 20-80 new nuclear weapons each year.

First of all, the costs have ballooned by 1000%, from \$600 million to \$6 billion. Most importantly, this facility can be used to negate President Obama's pledge to end nuclear weapons.

How can we criticize Iran and North Korea for their nuclear weapons programs when the US builds a new nuclear weapons factory? This is going one step forward, 3 steps backwards.

Sincerely,

alfred cavallo
 princeton, NJ

250-1

250-1

NNSA notes the commentor's concern about the construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 251: Joan Broadfield

From: Joan Broadfield [broadfieldje@gmail.com]
Sent: Monday, June 27, 2011 11:11 PM
To: NEPALASO@doeal.gov
Subject: Stop New Nuclear Weapons Plant, Earthquake Zone by 6/28

Dear Department of Energy,

I'm concerned about the construction of the CMRR plutonium reprocessing and storage facility in New Mexico. It will store six tons of the most highly toxic substance on Earth, plutonium, at the government's facility. Second, the costs have ballooned by 1000%, from \$600 million to \$6 billion.

Finally, this facility can be used to reverse the program, from President Obama's pledge to end nuclear weapons, to produce as many as 80 nukes each year. This is going one step forward, 3 steps back, with plutonium—the most deadly, toxic substance in the world.

Sincerely,

Joan Broadfield
2430 Lindsay St
Chester
Chester PA 19013, PA 19013

251-1 251-1

NNSA notes the commentor's concern about the construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 252: Rachael Montag

From: Rachael Montag [mgminsurance@embarqmail.com]
Sent: Tuesday, June 28, 2011 3:46 PM
To: NEPALASO@doeal.gov
Subject: Los Alamos Nuclear Expansion Opinion

To Whom It May Concern,

Our nation's resources should not in any way at this time be put to such wasteful use as to expand our nuclear weapons capabilities. This is absurd behavior in times where our own people are hungry, homeless and unemployed. What is the use in investing in facilities like these when they pose such and extreme risk to their surrounding population let alone the risk of major contamination to the nation? The current fire that is threatening this plant is prime example of this. Where are the safety measures that should be in place from the last fire?? It is unacceptable that the fire has reach the proximity that it already has to the nuclear lab. There are far better options to provide protection from foreign threats that are safer for our nations people. It is time we use our heads and thoroughly assess the situation before we cause any more harm to our nation.

Sincerely,

Rachael Montag

252-1

252-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 253: Lily Jacobs

Comments on the CMRR SEIS

I feel very upset and afraid at the moment as I watch this terrible fire from my window burning around LANL. I just cannot understand why we need to make more weapons, and why this facility is so obviously unsafe, so near a large population! I don't understand how a new project can be started there, when clean up from the past has not even been completed! We have no idea what is being burned in the air as this fire blazes and we have no way to protect ourselves and are not even being told how to protect ourselves it is unacceptable!

As a citizen I am given the "opportunity" to comment on my government's plan to construct a huge facility for the design, manufacture and storage of nuclear bombs just 26 miles from my home and just 2/3 of a mile from a fault line. I am supposed to tell my government if this is or is not a good idea. In the interest of good governance this fact alone should be a deal breaker for the CMRR. Due to past volcanic activity in the proposed construction site the tuff layer of soil contains a high concentration of volcanic ash and therefore is unstable. The cost-saving so called Shallow Option is unproven. Seismic investigations are currently in process at the lab. Until these investigations can be completed no decision to go forward should be made.

Besides the insanity of building this nuclear facility 2/3 of a mile from a known fault line, there is a total lack of need for a new generation of nuclear weapons. Our current arsenal of nuclear warheads is more than enough of a deterrent and is more than adequate to get the job done if the need should ever arise. Our nation has been getting along with creating approximately 20 needless pits per year. Why expand that production capacity by four times with this new NF when our nation is supposedly seeking a future world free from nuclear weapons? Expanding US capacity would certainly breed distrust and compromise our efforts for nuclear nonproliferation and nuclear arms reduction.

Another reason not to go forward with this project is that our nation simply can't afford to rebuild a plutonium pit production complex at this time. In 2004 when LANL first proposed building the CMRR our country never perceived that we would be in the financial mess that we find ourselves in today. In 2004 the estimated cost to build this nuclear facility was estimated to be \$600 million. With a current estimated price tag of \$6 billion to upgrade the existing facility we need to put the brakes on. This investment will lock in Los Alamos' future to the hopefully shrinking business of nuclear weapons research and production. There are much more strategic uses of our nation's scientific and creative resources. If we want to get serious about spending cuts defunding the CMRR would be a good place to start.

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253-1 NNSA notes the commentor's opposition to nuclear weapons and the construction and operation of a new CMRR Facility at LANL. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

253-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis

Commentor No. 253 (cont'd): Lily Jacobs

As I am getting ready to submit these comments on this proposed CMRR Nuclear Facility, Los Alamos National Laboratory is once again threatened by a massive, out-of-control wildfire that already exceeds the Cerro Grande Fire of 11 years ago. Los Alamos today is under a state of emergency and mandatory evacuation. The Laboratory is surrounded by dense, steep and distressed Ponderosa forests. We know very well that these forests can easily propagate catastrophic crown fires that are very difficult to contain. Add in the likelihood of prolonged drought, low humidity and unpredictable winds and the risks of expanded plutonium pit production at LANL will only become more risky in the ensuing years. Water in these mountains of the Southwest is always precious and often in short supply. This arguably unnecessary facility is slated to consume 16 million gallons of water per year.

While the CMRR-SEIS considers the threat of a site-wide fire at the Lab, it only addresses fires that are seismically induced or that begin within the Nuclear Facility itself. The threat of wildfire like we are experiencing today is not comprehensively considered nor does this document address the Lab's ability to respond in the event of mass evacuations and the loss of the power grid. A complete analysis of this very real threat needs to be undertaken before there is another wildfire.
With Respect

Lily Jacobs
1704B Llano st #166
Santa Fe
NM 87505

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253-5

earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part

Commentor No. 253 (cont'd): Lily Jacobs

of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

253-6

As shown in Chapter 4, Tables 4–15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. LANL approaches sustainability on a site-wide basis, knowing that new facilities will require the use of limited resources. New projects such as the proposed CMRR-NF are constructed in a manner that improves the efficiency of energy and water use site wide. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

**Commentor No. 254: Janet Greenwald, Co-coordinator,
Citizens for Alternatives to Radioactive Dumping**

Supplemental CMRR Comments

My daughter and her husband, my son and his wife and two young children live on our family farm in Dixon, directly downwind from Las Alamos. Yesterday, due to fire and smoke from a fire near the lab, my daughter-in-law and their children left for Albuquerque; my daughter and her husband stayed.

We do not know whether or not the ash that fell on both family's gardens is radioactive. We know that the trees that grow in the canyons where legacy waste was dumped carry some radioactivity; we also know that the clean up of the legacy waste has never been a priority for the labs. We keep reading articles that say all the waste at Los Alamos is safely contained but we know differently. We know that the transuranic waste at Area G is stored in tents; we have done our best to change this practice but it seems to be a matter of money; it would cost too much, according to officials, to build a bunker to store these thousands of barrels of mixed chemical and radioactive wastes safely. The fire is not contained, the labs and all who live downwind from them are not out of danger yet.

Though there is not money for cleanup or safe containment at the Labs, there is now a six billion dollar bomb-making building proposed for the labs, the CMRR building, to be built close to an earth quake fault. While we can not conceive of an enemy that could not be destroyed by the existing 1,000 plus nuclear bombs already in our country's possession, most of which are being stored in Albuquerque, we also know from the Jason Group report that those nuclear bombs will remain reliable for 100 years. (The Jason Group includes members of the prestigious National Academy of Sciences.)

It is difficult to believe in a government that would choose to put six billion dollars into an unneeded building while consistently refusing to do what needs to be done at the Labs to protect those of us who live close to the Labs. We remember that President Eisenhower warned us about the Military Industrial Complex, that it was powerful and could easily over influence government decisions. It seems to us that that is what has happened; the nuclear industry must go on, must expand because too many very powerful corporations depend on it, not because more nuclear bombs offer any defense advantage.

254-1

The EPA, NMED and LANL staffs have each obtained samples of ash from the Las Conchas fire and test results have not identified levels of radioactivity above background level expectations. This fire did not burn over areas of LANL where legacy waste resulted in soil contamination.

NNSA does not consider environmental restoration to be optional and progress on implementing those efforts is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

The waste storage domes in TA-54 are not the subject of the *CMRR-NF SEIS*. However, NNSA has taken actions to mitigate the risks of a wildfire on the domes. In 2000, the Cerro Grande fire burned a heavily forested canyon area to within about 0.75 miles (1.2 kilometers) of the waste storage domes, but none were burned and there were no radiological releases from the domes. The Las Conchas fire reached the southern border of LANL, but did not get within 2 miles (3.2 kilometers) of the domes. Additional fuel reduction has been conducted since the Cerro Grande fire, both to the vegetation surrounding TA-54 and within the domes themselves (for example, wooden pallets have been replaced with metal pallets), to further decrease the potential for a waste storage dome fire occurring as a result of a site wildfire.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

254-1

254-2

254-3

**Commentor No. 254 (cont'd): Janet Greenwald, Co-coordinator,
Citizens for Alternatives to Radioactive Dumping**

The CMRR building has become, for us who live close to the labs, a symbol of corruption in government. What we would like is some proof from you and all those who are in power that the good of the citizens of this country, not greed, is what is uppermost in your minds as you make your plans.

Sincerely,

Janet Greenwald
Co-coordinator, Citizens for
Alternatives to Radioactive Dumping (CARD)
202 Harvard SE
Albuquerque, New Mexico 87106

254-1
cont'd

254-2

NNSA reviewed pit lifetime studies and has concluded that degradation of plutonium in a majority of nuclear weapons will not affect warhead reliability for a minimum of 85 years. NNSA plans to continue studying plutonium aging through surveillance and scientific evaluation. NNSA will annually reassess the status of plutonium in nuclear weapons as the weapons laboratories continue to evaluate new data and observations (NNSA 2006a). Refer to Section 2.4, CMR Mission, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

254-3

Comment noted.

Commentor No. 255: Kathi Mottram

From: Kathi Mottram [lindlv@aol.com]
Sent: Tuesday, June 28, 2011 7:00 PM
To: nepalaso@doeal.gov
Subject: CMRR is not the answer

I was just recently told about your new plutonium facility at the Los Alamos National Laboratory. Here are several reasons I believe it is not in the interest of any U.S. citizen to have this facility built:

Cost

Earthquake vulnerability

Fires

Productions of known carcinogens

and most importantly,

the stockpiling of dangerous carcinogenic waste which has to be "stored" for an undetermined amount of time in a place immune to natural or manmade disasters. Is there such a place?

Is this how we want to proceed with the advancement of the US?

Kathi Mottram
 40105 97th st west
 leona Valley, CA 93551

255-1

255-1

NNSA notes the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 255 (cont'd): Kathi Mottram

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Commentor No. 256: Scott Shuker

From: Scott S. [scottdas68@hotmail.com]
Sent: Friday, July 01, 2011 3:58 PM
To: nepalaso@doeal.gov
Subject: Plutonium weapons production at LANL

Congratulations. Your continued operations at LANL have created an even potentially deadlier health and environmental hazard with the Los Conchas fire. It appears that Mother Nature may do what decades of protest could not yet we will all pay a deadly price that may exist for millenia.

I suggest an alternate use of that \$6 billion: Jobs that would go to 12,000 individuals including from the distressed communities like Santa Clara, Cochiti and others; \$50K a year for each individual for ten years—for forest restoration, watershed restoration and management, replenish our communities, and give people back their humanity. Sounded like an excellent plan to me, but instead, we're planning to use that money to build nuclear bombs to blow up the planet.

In 2008 Santa Clara Pueblo passed Tribal Resolution No. 08-16 in which the Pueblo opposes the expansion of plutonium pit production. This was in response to the Complex Transformation Supplemental Programmatic Environment Impact Statement. Along with the one-page resolution we also included 22-page comments from 256 community members, and some of which were included in congressional record. Your drive for more weapons production is an addiction and many of you need to go into rehab. It is heartbreaking that you disregard the sacred nature of land. You appear to want to make Los Alamos a permanent and perpetual nuclear bomb factory. It's the genocide of pueblo people.

Scott Shuker
 Santa Fe, NM

256-1

256-2

256-1 NNSA notes the commentor's opposition to continued operations at LANL. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the SEIS.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

256-2 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

NNSA notes the commentor's opposition to build a plutonium pit production complex at LANL. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission, (including stockpile stewardship, maintenance, and pit production), but they are

Commentor No. 256 (cont'd): Scott Shuker

not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Chapter 3, Section 3.10, of the *CMRR-NF SEIS* has been updated to include additional information on the minority and low-income populations surrounding LANL. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority or low-income populations, including Native Americans and Hispanics, under any of the alternatives.

Commentor No. 257: Alexis Brown

From: Alexis Brown [lamariposa@gmail.com]
Sent: Friday, July 01, 2011 3:58 PM
To: NEPALASO@doeal.gov
Subject: opposition to CMRR Nuclear Facility project

Because of the drought, the massive size of the Las Conchas fire, the fact that the state has burned nearly 2000 square miles this year alone, and the fact that LANL is located in a high risk fire zone, I am writing to voice my opposition to the CMRR Nuclear Facility project.

In addition to the fire danger and the risks associated with that, I am also opposing this project because the tax dollars can and should be used to HELP society, not destroy it. \$6B can create jobs, help the environment, aid social service non-profits. I do NOT want my tax dollars paying for this project.

Alexis Brown
 Santa Fe, New Mexico

257-1

257-1

NNSA notes the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 258: Lauren Heartsill

From: Lauren heartsill [laurenheartsill@gmail.com]
Sent: Friday, July 01, 2011 3:19 PM
To: NEPALASO@doeal.gov
Subject: Hi

Dear Sirs,

I would like to protest the proposed Plutonium Production Plant at Los Alamos...we do not need any more production of these horrible weapons...we have enough!

Lauren Heartsill

258-1

258-1

NNSA notes the commentor's opposition to nuclear weapons and the construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 259: Annie Degen

From: annie degen [laanniemala@yahoo.com]
Sent: Friday, July 01, 2011 4:22 PM
To: NEPALASO@doeal.gov
Subject: los Alamos

i , for one
want ouut of using nuclear energy.
is it 10% of our energy use??
i would easliy use that much less
as it is i am on very minimal solar
nuclear energy is DANGEROUS
as nature has been trying to tell us
poison for all living beings and the planet as well
i conclude that humans are greedy and insane.
please stop now.
annie degen

259-1

259-1

NNSA notes the commentor's opposition to nuclear energy. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 260: Michelle Victoria-Delon

From: michelle delon [smartlifeways@gmail.com]
Sent: Friday, July 01, 2011 4:28 PM
To: NEPALASO@doeal.gov
Subject: comments

I am writing as a concerned citizen and Santa Fe resident about the proposed project at LANL that will create a plutonium pit to build nuclear weapons. This plan is so dangerous for many reasons, one of which we are experiencing right now-a major fire. Already the fire came quite close to Los Alamos and it is only thanks to the wind direction that the lab has not faced the fire on its property, and the work of the fire fighters.

As temperatures increase it is becoming increasingly clear that more fires can be expected. This is one reason this project cannot be allowed to continue. In addition the lab sits on and near fault lines, which also increase the potential dangers of this site. I have also read that such a facility will use tremendous amounts of water and as the entire southwest faces droughts we need all the water just to sustain the existing communities...there is no extra water in this part of the country for such a project.

The issue of whether or not we need additional nuclear weapons is also something to be considered. While encouraging the rest of the world to decrease nuclear arsenals it makes no sense for the US to be rebuilding theirs. This will only encourage other nations to do the same.

Another factor is that in these times of economic crises how such expenditures can be justified is hard to imagine. Teachers are being fired, schools shut down, people are losing jobs and homes daily and our government wants to spend billions to build more dangerous weapons. It is time for our government to start paying more attention to community building and not bomb building. I recognize that these are policy issues and cannot be decided in such a forum, however they do need to be considered.

260-1

260-2

260-3

260-4

260-1 NNSA notes the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

260-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 260 (cont'd): Michelle Victoria-Delon

But as far as this location for this sort of plant it is just far too dangerous. As we have narrowly escaped this time, at least so far, from the fires devastation at LANL we may not be so lucky next time.

I thank you for your deep consideration of these comments and those that come from other concerned citizens.

Kind regards,

Michelle Delon

Michelle Victoria-Delon

Smart Lifeways LLC

www.smartlifeways.com

michelle@smartlifeways.com

twitter: smartlifeways

facebook: SmartLifeways

PO Box 9449

Santa Fe, NM 87504

xxx-xxx-xxxx

xxx-xxx-xxxx mobile

SmartLifeways...it's easier than you think.

P Please consider the environment before printing this e-mail

As shown in Chapter 4, Tables 4–15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. LANL approaches sustainability on a site-wide basis, knowing that new facilities will require the use of limited resources. New projects such as the proposed CMRR-NF are constructed in a manner that improve the efficiency of energy and water use site wide. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

260-3 President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

260-4 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. See Section 2.7, Economic Impacts, of this CRD for information on the economic impacts as evaluated in the *CMRR-NF SEIS*.

Commentor No. 261: Danae Falliers

From: danae falliers [danae@studiotodo.com]
Sent: Friday, July 01, 2011 5:01 PM
To: NEPALASO@doeal.gov
Subject: warheads in Los Alamos

NO!!!!!!!
Danae Falliers
www.studiotodo.com

|| 261-1 261-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD.

Commentor No. 262: Betsy Bauer

From: Betsy Bauer [betsy@betsybauer.com]
Sent: Friday, July 01, 2011 5:12 PM
To: NEPALASO@doeal.gov
Subject: Plutonium Pit

Hello,

I live in Santa Fe and am definitely against the proposed plutonium pit here in NM. I am writing for myself, my children and future generations. Please listen to our words.

Thank you,
Betsy Bauer
Santa Fe, NM

262-1

262-1

NNSA notes the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD.

Commentor No. 263: Reverie de Escobedo

From: Reverie Escobedo [reveriee2@gmail.com]
Sent: Friday, July 01, 2011 6:43 PM
To: NEPALASO@doeal.gov
Subject: Stop plutonium project

As an informed citizen concerned about my own health and that of my fellow citizens I am firmly requesting that this project be stopped immediately. I know you know all of the scientific research and dangers involved, as well as the alternatives to this work. STOP NOW!

Regards, Reverie de Escobedo

263-1

263-1

NNSA notes the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD.

Commentor No. 264: Shari Korthuis

From: CenturyLink Customer [skorthuis@centurylink.net]
Sent: Friday, July 01, 2011 6:58 PM
To: NEPALASO@doeal.gov
Subject: CMRR Nuclear Facility Project

Please stop the funding and planning of building the above referenced nuclear facility-With New Mexico's water shortage, fires raging to Los Alamos and all over the state and a 60 year drought (possible) ahead, our country cannot afford this project in terms of human life and well being and social justice and the environment-Use this money to install solar panels, wind power, put people to work, not build more nuclear weapons-They just kill and I think we had done enough killing in our history-Please stop the madness and invest in our people and mother earth-Please don't build this plant-Thanks so much for your time and attention-Shari Korthuis

264-1

264-1 NNSA notes the commentor's opposition to the funding and building of a new CMRR Facility at LANL. Funding decisions regarding major Federal programs (for example, health care and alternative sources of energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 265: Iscah Trujillo

From: Iscah Trujillo [iscah505@gmail.com]
Sent: Friday, July 01, 2011 7:26 PM
To: nepalaso@doeal.gov
Subject: Future Plutonium Pits at LANL

Hello,

I am writing in opposition to the proposed new plutonium pits at LANL.

I am 37 years old, born and raised in New Mexico. Left for ten years and then came back.

This is my home, my families home and home to many people I love. I was pregnant with my daughter during the Cerro Grande fire. She is now ten and once again, we are breathing smoke from Los Alamos, wondering what toxic effects it may have on us. I am asking the person reading this to consider what better options, we as human beings, have for creating a safe world to live in. Is creating more weapons to kill others with, and in the process, creating more life threatening by products, really going to create a safe world for you to live in?

I pray we can find a better way to live together and with our Earth.

Blessings and Love

Iscah Trujillo

265-1

265-1

NNSA notes the commentor's opposition to the CMRR-NF project. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 266: Laure Liverman

From: eva laure liverman [llivman@gmail.com]
Sent: Friday, July 01, 2011 8:08 PM
To: NEPALASO@doeal.gov
Subject: plutonium pit facility - NAY

As a resident of New Mexico I would like to express my opposition to the proposed plutonium pit facility at LANL, particularly in the light of the Las Conchas fire and the presence of a fault line in the area. The explicit reasons are manifold and I'm sure others have expressed it more eloquently and succinctly than I am able to in this email.

I hope that you take all the concerns expressed from respondents into full consideration.

Sincerely,

Laure Liverman RN, MSN
 125 Mesa Verde St.
 Santa Fe, NM 87501

266-1

266-1

NNSA notes the commentor's remarks of opposition to the CMRR-NF project. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 267: Roselynn Broussard

From: Roselynn Broussard [roslynb58@yahoo.com]
Sent: Friday, July 01, 2011 8:15 PM
To: NEPALASO@doeal.gov

I strongly protest any further development at LANL for storage of any nuclear waste.

|| 267-1

267-1

NNSA acknowledges the commentor's protest of any further development at LANL for storage of any nuclear waste. In the *CMRR-NF SEIS*, NNSA is not proposing to store any additional radioactive waste; however, there would be additional low-level radioactive waste, mixed low-level radioactive waste, and transuranic waste generated during operations. There are disposal facilities for these wastes. See Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 268: Roselynn Broussard

From: Roselynn Broussard [roslynb58@yahoo.com]
Sent: Friday, July 01, 2011 8:18 PM
To: NEPALASO@doeal.gov

I AM STRONGLY AGAINST THE PROPOSED PLUTONIUM PIT FOR LANL. NO MORE ENDANGERING THE LIVES OF NEW MEXICO RESIDENTS AS WELL AS THE PLANET EARTH.

ROSELYNNE BROUSSARD
NEW MEXICO RESIDENT

268-1

268-1

NNSA notes the commentor's opposition to plutonium pit production at LANL. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 269: Anna Molitor

From: anna molitor [anna.molitor@gmail.com]
Sent: Friday, July 01, 2011 8:19 PM
To: NEPALASO@doeal.gov
Subject: Opposed to the proposed plutonium pit facility at LANL - please extend comment period due to massive wildfire burning at borders of LANL

As I sit watching the fires from my window here in Santa Fe, I am shocked and heartbroken to hear that there is a proposal for increased nuclear activity at LANL. Every day I put my suitcase in my car as I go to work, wondering if I'm going to have to leave my beloved home in order to protect my health. With the frequency of drought in this land, it is absolutely unconscionable that the nuclear activity increase here. There is more and more danger of fires just like this extreme fire before us now. We cannot allow this to happen.

Please extend the comment period so more of us who are sitting in shock, watching the fires edge closer and closer and crossing the border into LANL, can have time to be heard in this democracy.

Thank you,
Anna Molitor

--

"tell me, what is it you plan to do with your one wild and precious life?" ~mary oliver

269-1

269-2

269-1 NNSA notes the commentor's concern of the fires near LANL and the concerns of water resources and usage. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

269-2 NNSA notes the commentor's request to extend the public comment period. The CMRR Project was first analyzed in the 2003 *CMRR EIS* (DOE/EIS-0350). In response to the Las Conchas fire, which affected the Los Alamos community, NNSA extended the public comment period to July 5, 2011. All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*.

Commentor No. 270: Susan Rose

From: AstroLogo77@aol.com
Sent: Friday, July 01, 2011 9:31 PM
To: NEPALASO@doeal.gov
Subject: Stop the weapons making at Los Alamos!

To whom it may concern:

One need not come from an Indigenous tribe to read the Sign Language that is abundantly expressing itself. I remember noticing what spiritual persons might regard as karmic blowback when after the U.S. launched a war of aggression against Iraq, on a case that was FIXED for war, that having eviscerated that region via The Gulf War, our very own Gulf of Mexico seemed targeted by Nature, Herself. No lesson was learned.

The B.P. oil disaster put human mistakes, and/or hubris on display for all the world to see, and for all the coastal residents to feel. Dead dolphins are but one of the trophies in this war on nature, or thoughtless ecocide.

The awful event comprised of both quake and tsunami that hit Japan in March, has left Fukushima as a gaping wound, emitting radiation that few authorities bother to measure, whilst few media sources dare to panic the public with facts. We know that most of the emissions have substantial half-lives and that many of these atomic particles are correlated to cancer.

Do you know that the spiritual teacher Yogananda gave a talk at the United Nations back in 1949, seeking to explain that violence unleashed by human beings has its counterpart in disrupting invisible energy-based systems. These vibrations have much to do with holding the natural world together, i.e. stabilizing its systems. In spite of so much coming apart, and insurance companies no longer questioning climate change as the numbers are too strongly holding them to account for all the wild, unprecedented events that have spend up in frequency, intensity, and severity very rapidly... where has there been any scaling back in the way of violence?

Martin Luther King wisely stated that a nation that invests more in armaments than spiritual uplift for its people approaches spiritual death. And that is where the U.S., as a nation stands. That so much blood and treasure is wasted on nonsensical wars, those more likely about resource acquisition than any of the noble precepts used to "sell" them to The People, when it's needed at home to fund health care, affordable housing, public education, a stronger EPA, and programs that enrich and TRULY protect the citizenry is anything but the indication of National Security.

270-1

270-1

NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 270 (cont'd): Susan Rose

First there is a knock on the proverbial door. If it's not opened (i.e. the message not received), eventually the door will be blown down. That is what we see with the fires that cannot BE contained surrounding Los Alamos. This is OBVIOUSLY a sign to cease and desist! Although there probably is no greater force of hubris than the U.S. military, incidentally the same machine that Eisenhower warned against in the speech given when he left office, there ARE higher powers. Nature is now showing her muscle.

The Native Americans who live downwind have suffered enough from the nuclear tests facilitated in the 1940's. The uptick in natural disasters makes clear that few to no places are safe, especially when it comes to the storage of weapons so toxic that their radioactive emissions will be the "gifts" that keep on giving for many generations.

Those who have devoted their careers to the agencies of death, and shown such a bankruptcy of conscience as to think this type of endeavor is protected by alleged patriotism know nothing about mercy, compassion, or Universal Law.

If letters from concerned citizens still mean anything, if this is indeed the democracy our defense department claims to be fighting to protect, then hear my voice and those of others! It is time to decommission these tools of death on a massive scale, and instead put the efforts of scientists and military personnel towards designing cities that can withstand the coming earth changes. It is time to GREEN the nation and use a variety of technologies that lessen our collective reliance on fossil fuels. If our thinkers got people to the moon, if they can store incredible amounts of data on a tiny computer chip, a Manhattan Project style incentive based on developing energy technologies that go more gentle on this great earth is overdue. Choose life!

Sincerely, Susan Rose

270-1
cont'd

270-2

270-2

Project decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

**Commentor No. 271: Jennifer Davies, MD and
William Davies, MD**

From: Jenny and Bill Davies [mudpies5@spiritone.com]
Sent: Saturday, July 02, 2011 12:52 AM
To: NEPALASO@doeal.gov
Subject: CMRR Nuclear Facility project

To Whom It May Concern,

We are adamantly opposed to this new project to expand plutonium pit production at LANL. There are so many reasons that this is an inappropriate use of taxpayer money. We need to be investing in a sustainable future. The CMRR project only helps seal our fate as a dying species on this planet.

Sincerely,

Jennifer Davies, MD
 William Davies, MD

271-1

271-1

NNSA notes the commentor's opposition to expanding plutonium pit production at LANL. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 272: Timothy Key Price

From: timothy.key.price [timothy.key.price@valley.net]
Sent: Saturday, July 02, 2011 8:01 AM
To: NEPALASO@doeal.gov
Subject: No more nuc-factories in New Mexico

...stop this plan to make New Mexico a permanent nuclear bomb production state.
...imagine a different and more sustainable and just future for all life on earth.
There exists a brighter future for New Mexico, one that is powered by the sun and the wind—not by nuclear, coal, oil and gas that our Governor Susana Martinez would like to continue to keep us locked in.

timothy.key.price
timothy.key.price@valley.net

272-1

272-1

NNSA notes the commentor's opposition to the funding and building of a new CMRR Facility at LANL. Funding decisions regarding major Federal programs (for example, health care and alternative sources of energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 273: Mary J. Whiteman

From: mary whiteman [mjwhiteman2003@yahoo.com]
Sent: Saturday, July 02, 2011 8:18 AM
To: NEPALASO@doeal.gov
Subject: comments re draft CMRR-NF SEIS

Dear Mr. John Tegtmeier,

Thank you for this opportunity for input of the new building and future one.

I would like to see the lab take a leadership role in the nonproliferation of nuclear weapons and wastes. We do not need ANY new pits or weapons. We have plenty of old ones and high level intelligence can create ways of utilizing and revamping what we have stockpiled already.

In short, (I know you have been reading lots):

Less is best.

- new pits
- generating all sorts of waste
- re potential for contamination of environment, including and especially water.
- re weapons

Increasing responsibility, locally and globally manifested, are what is needed. Thoughts and actions.

Thank you for this opportunity for input and for sending a delegation to Taos for an interaction and opportunity for dialog.

Sincerely,

Mary J. Whiteman

273-1

273-1

NNSA notes the commentor's opposition to nuclear pits and nuclear weapons. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information. The current CMR does support nonproliferation programs, as would the proposed CMRR-NF.

Decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

There are established programs at LANL that address radioactive discharges. LANL has established Pollution Plans that require the cleanup of any spills or leaks, monitoring of surface-water runoff, and implementation of best management practices. See Section 2.5, Cleanup and Waste Management, of this CRD for more information on cleanup of past contamination.

Commentor No. 274: Linda Trageser

From: Shakura [lshakura@aol.com]
Sent: Saturday, July 02, 2011 10:11 AM
To: NEPALASO@doeal.gov
Subject: oppose expanding plutonium projects at LANL that use our precious water

New Mexico, entering a 60 year drought, can not afford to give millions of gallons of ground water to research or bomb manufacturing.

274-1

What good are bombs to anyone if we don't have water to live?

In addition, New Mexico is not safe from earthquakes or uncontrollable fires, the latter which will increase if the ground water is being used.

274-2

Climate change and global warming is real. Put your energy into solving these serious problems before spending money to cause more problems.

274-3

Thank you,
Linda Trageser
Santa Fe

274-1 NNSA notes the commentor's position on water resources. Based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

274-2 The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

274-3 NNSA notes the commentor's statement on funding of climate change and global warming problems. Funding decisions regarding Federal programs and activities (for example, global warming) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*.

Commentor No. 275: Kathy Smith

From: kathy smith [kmsnm1@gmail.com]
Sent: Saturday, July 02, 2011 2:16 PM
To: NEPALASO@doeal.gov
Subject: comment on CMRR

Why is the government pushing the CMRR Nuclear Facility project in such a hurried manner? The supplemental EIS must be retracted and the public comment period must be extended. The Las Conchas Fire has woken us up. We must now stop the maniacal plan to build the plutonium bomb factory at Los Alamos.

Kathy Smith
 Santa Fe, NM

275-1

275-1

NNSA notes the commentor's concerns regarding the publishing of the *CMRR-NF SEIS* and the public comment period. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period. NNSA decided to extend the public comment period by 15 days through June 28, 2011, and to hold an additional public hearing on Monday, May 23, 2011, in Albuquerque, New Mexico. Additionally, in response to the Las Conchas fire, which affected the Los Alamos community, NNSA extended the public comment period to July 5, 2011. All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*.

NNSA also notes the commentor's opposition to the building of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 276: Lynn Pussic

From: Lynn Pussic [pagelayout@uninets.net]
Sent: Saturday, July 02, 2011 3:01 PM
To: NEPALASO@doeal.gov
Subject: Oppose CMRR Nuclear Facility

I am strongly opposed to the CMRR Nuclear Facility at Los Alamos National Lab, nuclear weapons and power plants are destroying people's lives!!! Resources should be used for alternative energy sources and peace work.

Sincerely,
Lynn Pussic
Troy, ME

|| 276-1

276-1

NNSA notes the commentor's opposition to the building of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD. Funding decisions regarding major Federal programs (for example, renewable energy) are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*.

Commentor No. 277: Suzanne Sheridan

From: Suzanne Sheridan [photogo@optonline.net]
Sent: Saturday, July 02, 2011 3:13 PM
To: NEPALASO@doeal.gov
Subject: We the PEOPLE oppose the CMRR Nuclear Facility Project .. are you crazy ??? Don't you love our planet and the people on it

Do you love anything but money ?? a Plutonium Bob Factory at Los Alamos... it does not get more insane than this.

We are American people who love this country, this land and its people, the air we breathe and mother nature.

Why would you think up an idea so dangerous it is symptomatic of a craziness that defies words.

This has not been thought through... Nature through LAS CONCHAS fires is trying to attempt to show us that this idea is so crazy given the propensity for fires in the area.. even if you did not have barrels of Poison in the canyons.

Who thought that this idea was a good one? Those are the people who should be institutionalized for being crazy so the rest of us can live. There is no where else for us to go but this earth... why not take care of it and the rest of us when there are so many worthy alternatives to death and the use of plutonium. Just because you don't know what else to do with it.

That should have been thought through way before now... and not even a 2nd grader would think this was a good idea.

Why is the government pushing the CMRR Nuclear Facility project in such a hurried manner?

The supplemental EIS must be retracted and the public comment period must be extended.

The Las Conchas Fire has woken us up. We must now stop the maniacal plan to build the plutonium bomb factory at Los Alamos.

Suzanne Sheridan
 Sheridan Photography
 277A North Avenue
 Carriage House
 Westport CT 06880-1325
 xxx-xxx-xxxx
 photogo@optonline.net
 Currently Offering Internships

277-1 NNSA notes the commentor's opposition to the building of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD.

NNSA notes the commentor's concerns regarding the publishing of the *CMRR-NF SEIS* and the public comment period. The CMRR Project was first analyzed in the 2003 *CMRR EIS* (DOE/EIS-0350). As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period. NNSA decided to extend the public comment period by 15 days through June 28, 2011, and to hold an additional public hearing on Monday, May 23, 2011, in Albuquerque, New Mexico. Additionally, in response to the Las Conchas fire, which affected the Los Alamos community, NNSA extended the public comment period to July, 2011. All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Funding decisions regarding major Federal programs (for example, health care and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are

277-1

Commentor No. 277 (cont'd): Suzanne Sheridan

constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 278: Arifa Goodman

From: goodkaz@newmexico.com
Sent: Saturday, July 02, 2011 3:41 PM
To: NEPALASO@doeal.gov
Subject: Opposing the CMRR Nuclear Facility project

In the light of the devastating fires that continually threaten LANL; in the light of recent scientific evidence for greater seismic activity in the Los Alamos area than initially believed; in the light of continued drought for the area that makes the estimated 16 million gallons of water needed annually for this project untenable; in the light of the real needs of the planet for sustainable technologies aimed at bettering conditions on the planet, it is foolhardy at best but more accurately completely insane to build this plutonium enrichment facility at LANL whose only purpose is nuclear bomb production. Please put our tax dollars to beneficial use: like spearheading an energy revolution into sustainable, non-polluting technologies. This is what is needed now, not more weapons of mass destruction.

Thank you for your kind consideration of this comment.

Sincerely,
 Arifa Goodman
 PO Box 303
 San Cristobal, NM 87564

278-1

278-1 NNSA notes the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission, (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that

Commentor No. 278 (cont'd): Arifa Goodman

are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

Funding decisions regarding major Federal programs (for example, health care and energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*.

Commentor No. 279: Mary Saunders

From: Mary Saunders [swirlingtheuniverse@gmail.com]
Sent: Saturday, July 02, 2011 3:52 PM
To: NEPALASO@doeal.gov
Subject: Nuclear activity at Los Alamos

To NEPALASO:

I support reparations for the local tribes who have been affected by nuclear activity at the Lab.

Keeping these radioactive substances safe is impossible. Please move to lessen the risks.

Thank you for your attention to this matter,

Mary Saunders
 Oregon

279-1

279-1

NNSA notes the commentor's concerns regarding reparations; however, the commentor's concerns are not within the scope of the *CMRR-NF SEIS*. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. The analysis includes the potential impacts from severe accidents at the CMRR-NF, including possible fires.

Commentor No. 280: Sharyn Scull

From: Rodenham@aol.com
Sent: Saturday, July 02, 2011 4:18 PM
To: NEPALASO@doeal.gov
Subject: We oppose ther CMRR project at Los Alamos

The proposed Los Alamos CMRR project would cost taxpayers billions on an unsafe project, one that will require far too much water in an area experiencing deepening droughts, place more plutonium in an area beset by wildfires, and more. In addition, seismic risks need further assessment, as do construction methods in the ash layers of the area.

Please do not let this project go forward.

Thanks for your attention to my comments,

Sharyn Scull
902 Birdie Way St Augustine, FL 32080

280-1

280-1

NNSA acknowledges the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. Funding decisions regarding major Federal programs (for example, health care and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. The purpose of the *CMRR-NF -SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

In regards to the 'safety' of the project, NNSA must comply with laws and regulations pertaining to the protection of human health and the environment. In addition, DOE has its own orders and directives that must be implemented to protect human health and the environment. The potential impacts of the proposed project are presented in Chapter 4 of the SEIS.

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the

Commentor No. 280 (cont'd): Sharyn Scull

proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 281: John Brewster

From: John [jbrewster@uninet.net]
Sent: Saturday, July 02, 2011 4:56 PM
To: NEPALASO@doeal.gov
Subject: NO MORE PLUTONIUM!!!

How can these (expletive deleted) even think about concentrating ever increasing piles of these 'underworld poisons' and weapons unless they are absolutely SICK IN THE HEAD!!!!!!

|| 281-1

281-1

Comment noted.

Commentor No. 282: Elin Defrin

From: Elin Defrin [elindefrin@optonline.net]
Sent: Saturday, July 02, 2011 5:33 PM
To: NEPALASO@doeal.gov
Subject: NO PLUTONIUM

Please don't do this.

|| 282-1

282-1

NNSA notes the commentor's opposition the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 283: J.A. “Avery” Wright

From: J.A. “Avery” Wright [jawman@gmail.com]
Sent: Saturday, July 02, 2011 6:06 PM
To: NEPALASO@doeal.gov
Subject: I’m an NM citizen opposed to nuclear facilities.

Hello!

Please register my opposition to nuclear facilities here in NM.

Any existing ones ought to be dismantled A.S.A.P., I.M.H.O.

--Avery

|| 283-1

283-1

NNSA notes the commentor’s opposition to nuclear facilities. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 284: Judith Niederquell

From: Judith Stone [judithstone40@yahoo.com]
Sent: Saturday, July 02, 2011 6:12 PM
To: NEPALASO@doeal.gov
Subject: Increased plutonium bomb manufacturing

Dear Sirs (As I know Men are the only ones who would have what they think is this brilliant idea),

Thankfully it has come to my attention of your intention to increase plutonium bomb manufacturing at Las Alamos regardless of whether or not you destroy native sacred sites, native history, reside on a fault line or even bother to use a current and updated EIS. Seems you are hell bent on doing this regardless of the fire danger, regardless of the governments own reports that the fire department is unable to handle any type of fire at Las Alamos, regardless of areas in Las Alamos threatened by the current blazes, because I am writing to protest this ill thought of concept and demand it stops immediately.

You have no business deciding that my children's future isn't viable from the nuclear accident you will surely have-you are already demonstrating your lack of thoroughness and sloppiness by way you are trying to gain expansion of plutonium bomb manufacturing. I suppose Japan wasn't enough to make you stop and ask the question ...what if? We are assured time and again that this question is asked and well planned out; until a disaster occurs "that wasn't thought of." We also have been shown time and again that companies who rush get burned-BP comes to mind.

The earth is taking back what she needs to take back and will continue to do so. She is already spitting up the toxic wastes you have buried within her. They burn her so she is giving them back and you are aware of this but don't care. At the same breath, you seriously ask me to help you (give you tax money) to destroy my planet? No, I won't do that and more importantly won't allow you to either. I am taking a stand and it is for my planet, for my human race, for my country.

Finally, I must ask the obvious question; how many plutonium bombs do you need to destroy the planet? You seriously don't have them stock piled yet? How many times are you planning on bombing once an area is gone? Are you going to go back to decimated area and bomb some more because you have to use them all?

I am unwilling to let you gamble my future, my children's future, my grandchildren's future because you just need to make more bombs. How many programs that are proposed for cuts would be saved by diverting funds into them from this? I intend to ask my Colorado representatives the same question.

Sincerely,

Judith Niederquell

284-1

NNSA acknowledges the commentor's concerns about saving our planet and protecting the environment and our people.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Chapter 4 of the *CMRR-NF SEIS* provides the environmental impacts analysis, which evaluates potentially affected resource areas in a manner commensurate with the importance of the potential effects on each area. Resource areas evaluated include land use and visual resources, site infrastructure, air quality and noise, geology and soils, surface-water and groundwater quality, ecological resources, cultural and paleontological resources (including the potential impact to native sites), socioeconomics, human health, environmental justice, waste management and pollution prevention, and transportation and traffic.

During the public comment period on the *Draft CMRR-NF SEIS*, many commentors expressed the position that a new environmental impact statement is needed, rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

284-1

Commentor No. 284 (cont'd): Judith Niederquell

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL is noted. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Regarding the commentor's concern about the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

In summary, NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 285: Annie Degen

From: annie degen [laanniemala@yahoo.com]
Sent: Saturday, July 02, 2011 6:14 PM
To: NEPALASO@doeal.gov
Subject: new weapons factory at I.a. n.m.

NO NO NO NO NO NO

THIS IS NOT HELPING THE EARTH OR HER PEOPLES.

ARE HUMANS INSANEFOULING THEIR NESTAND THAT OF THE NEXT GENERATIONS FOR MILLIONS OF YEARS??

ANNIE

285-1

285-1

NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 286: Therese

From: Therese [giggle@giggingsprings.com]
Sent: Saturday, July 02, 2011 6:46 PM
To: NEPALASO@doeal.gov
Subject: CMRR Project Comment

Hello,

I just read an article on this project to make plutonium weapons at LANL. I had not heard anything about this, why is this not in the news more?

My comment is that I think it is a very bad idea. I am absolutely totally 100% against this and Am hoping that NM representatives, governor, and lab employees and officials reconsider this idea. There are so many things your amazing brains could be used for. Destructive materials are a waste of your intelligence. Use your amazing resources there for GOOD, not evil! You could do so much to further clean, safe energy and technology---and THIS is what you decide on? This is what you want to use the brightest people in our country for? I don't feel there has been enough research into the seismic consequences of this either. LANL is near a volcano that is active underground at this time, and its on earthquake fault lines. Making things there stable for a 7.0 earthquake is inadequate and dangerous to everyone in the area, maybe even in the county. For God's sake, look at what is happening in Japan due to radioactive materials...and I figure we are not getting all the information on that either. Please re-consider your plan. It's a bad one.

Thank you for reading my comment,

Therese

A local resident

286-1

286-1 NNSA notes the commentor's opposition to pit production and the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Seismic issues are addressed in Section 2.6, Seismic and Geologic Concerns, of this CRD. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

In response to public comments on the possibility of volcano activity in the LANL region, Appendix C, Facility Accidents, and the Geology and Soils

Commentor No. 286 (cont'd): Therese

sections of Chapter 3 and 4 (Sections 3.5.1 and 4.3.5), of the *Final CMRR-NF SEIS* have been revised to include additional information regarding the potential volcanic hazards as described in the report, *Preliminary LANL Volcanic Hazards Evaluation* (LANL 2010c). A volcanic eruption during the life of the CMRR-NF is an unlikely event.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant require a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 287: Marie Fontana

From: Marie Fontana [ricketyr@sbcglobal.net]
Sent: Saturday, July 02, 2011 7:21 PM
To: NEPALASO@doeal.gov
Subject: I say No to the CMRR plutonium bomb facility

Please use the 6 billion dollars to restore the lands and livelihoods of the people suffering from the fires.
Marie Fontana

|| 287-1

287-1

Comment noted.

Commentor No. 288: Lisa Cohen

From: parkslopedoula@aol.com
Sent: Saturday, July 02, 2011 8:15 PM
To: nepalaso@doeal.gov
Subject: Toxic Dumping and Fires in NM

"Las Conchas Fire Woke Us Up—Let Us Now Stop The Plutonium Bomb Factory!"

This is unconscionable! How can you let them get away with poisoning not only the land, not only our people, but people and animals all over the world. Someone must take responsibility for this mess! And prevent more pollution from happening! It is the responsibility, and the sacred mission of the government to prevent this and make those responsible pay for the clean up.

Respectfully,
 Lisa Cohen

288-1

288-1

NNSA notes the commentor's opposition the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1 of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 289: Mercedes Lackey

From: Mercedes Lackey [helloelsie@gmail.com]
Sent: Saturday, July 02, 2011 8:31 PM
To: NEPALASO@doeal.gov
Subject: I oppose the CMRR Nuclear Facility project

1) I oppose the construction of this facility on the grounds that the fires that have already closed the Los Alamos facility prove that it is unsafe to build this facility in fire country. The fires have already overrun many areas of the Los Alamos labs and closed them. It would be insane to build a plutonium-handling facility in fire country.

289-1

2) I oppose the construction of this facility on the grounds that this area is geologically unstable. No good assessment of earthquake potential has been done, yet the proposed site is right on top of a caldera.

289-2

3) I oppose the construction of this facility on the grounds that there is not enough water now for the population of the area, yet it is proposed that millions of gallons of water be virtually stolen from the existing population in order to meet the needs of this facility. Where is the population going to get its water from when it is stolen? Where is the water going to come from to serve existing agricultural and population needs?

289-3

5) I oppose the construction of this facility on the grounds that the existing stockpile of nuclear weapons is more than sufficient. No new nuclear weapons need to be created, when the stockpile that exists is sufficient to rend the entire planet uninhabitable three times over.

289-4

6) I oppose the construction of this facility on the grounds that, given the austerity measures being demanded, it is time to cut back on military spending. When people are dying of treatable illnesses, going hungry, going homeless, and all these is justified in the name of "austerity measures" it is more than time for the military to stop spending money like it was nothing.

289-5

Sincerely

Mercedes Lackey
16525 E 470 Rd
Claremore OK 74017

289-1 NNSA notes the commentor's opposition the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

289-2 Section 2.6, Seismic and Geologic Concerns, of this CRD addresses the commentor's concerns about seismic hazard.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic

Commentor No. 289 (cont'd): Mercedes Lackey

hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage (see Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS*).

289-3 As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

289-4 A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 289 (cont'd): Mercedes Lackey

289-5 NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, defense, education, healthcare, and housing) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 290: Iris Gersh

From: Iris Gersh [igersh@hotmail.com]
Sent: Saturday, July 02, 2011 8:53 PM
To: nepalaso@doeal.gov
Subject: I OPPOSE

the CMRR Nuclear Facility project. I also suggest strongly that the 20000 50-gallon drums of plutonium be stored somewhere else than under tents.

Las Conchas fire has opened our eyes to the dangers of nuclear products, and I appreciate your reading the public's comments past the June 28th deadline.

Sincerely,
 Iris Gersh

290-1

290-1

NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The waste storage domes in TA-54 are not the subject of the *CMRR-NF SEIS*. These domes store transuranic waste and not plutonium materials. Any plutonium materials at LANL is required to be stored in very secure locations.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 291: Molly Brown

From: Molly Brown [mollyeco@sbcglobal.net]
Sent: Saturday, July 02, 2011 9:19 PM
To: NEPALASO@doeal.gov
Subject: Stop the Plutonium Bomb facility at Los Alamos

There are too many risks for safety--fire because of drought brought on by global climate change. It isn't going to go away! It is only going to get worse. Los Alamos needs to commit its sizable brain power to global climate change and safe and non-toxic renewable energy (which means non-nuclear). Don't put the public at risk and spend our taxpayer money to create weapons of mass destruction. Wake up!!!!

291-1

291-1

NNSA notes the commentor's opposition to the CMRR-NF project and to nuclear power. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Regarding the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 292: Lia Bello

From: lia bello [bello@kitcarson.net]
Sent: Saturday, July 02, 2011 9:43 PM
To: NEPALASO@doeal.gov
Subject: No Nuclear

PLEASE stop any plans to create nuclear weapons in New Mexico!

Lia Bello FNP, CCH
3590 Via Brisa Dr. Santa Fe, NM 87507
xxx-xxx-xxxx
www.homeopathicare.org

|| 292-1

292-1

NNSA notes the commentor's opposition to the CMRR-NF project and the creation of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 293: Steve Roddy

From: Steve Roddy [sidingwen@yahoo.com]
Sent: Saturday, July 02, 2011 10:33 PM
To: NEPALASO@doeal.gov
Subject: No to the CMRR Proect at Los alamos

I oppose construction of the proposed nuclear weapons production facility at Los Alamos. The current massive fire there has demonstrated how vulnerable this area is to a catastrophic accident. The government must not put the lives and health of countless people, in NM and neighboring states.

Stop this insane idea! We need fewer nuclear weapons not even more of them!

Sincerely,

Steve Roddy
San Francisco

iPad????

293-1

293-1

NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 294: Persephone Maywald

From: Persephone Maywald [persephone@diamondsoul.com.au]
Sent: Saturday, July 02, 2011 11:06 PM
To: NEPALASO@doeal.gov
Subject: Opposed to bomb production site

I wish to be recorded as totally opposed to the building of a plutonium bomb production site at Los Alamos.

thanks, Persephone Maywald
120 Village Square, Orinda CA 94563

|| 294-1

294-1

NNSA notes the commentor's opposition to the CMRR-NF project and nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 295: Dianne Lindsay

From: Dianne and Cordia [cdwood@cybermesa.com]
Sent: Sunday, July 03, 2011 1:54 AM
To: NEPALASO@doeal.gov
Subject: LANL proposed facility

Dear Mr John Tegtmeir,

I think we are not using good reasoning to continue with nuclear weapons development or for that matter, any continued development of nuclear energy. First Nations Americans have spoken out against trying to harness nuclear energy and we have not listened. The scope of destruction - death, disease, disruption - is not worth it. I oppose the plutonium pit proposal at LANL or at any other facility.

Thank you Dianne Lindsay
Las Vegas, NM

295-1

295-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 296: Natalie Charles

From: Natalie Charles [ncharles@maine.rr.com]
Sent: Sunday, July 03, 2011 8:45 AM
To: NEPALASO@doeal.gov
Subject: CMRR Nuclear Facility project

I am vehemently opposed to building a bomb factory at Los Alamos!!!
Natalie Charles
Maine

|| 296-1 296-1

NNSA notes the commentor's opposition to the CMRR-NF project and nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 297: Ronnie Ortiz

From: Ronnie Lopez [ronnieois@hotmail.com]
Sent: Sunday, July 03, 2011 9:24 AM
To: nepalaso@doeal.gov; jtegtmeier@doeal.gov; rsnyder@doeal.gov; ewithers@doeal.gov; carol.borgstrom@hq.doe.gov; jonathan_epstein@bingaman.senate.gov; matthew_padilla@tomudall.senate.gov

Hello, I'd say buenas dias to you, but it is far from being good.

As to the proposed facility, CMRR Nuclear Facility, simply: NO! HALT!

LANL and subsequent sites should and must clean their sites before anything else is proceeded with - anything at all. If LANL and the government continues with anything other than cleaning up every and all places such as Acid Canyon, it is unpatriotic and defiles our human existence.

What the government has done to our land, air and water since the time of the origination of the Manhattan Project and it's on-going similar projects / sites is nothing short of genocide. Our people will no longer stand by while our government and it's factions poison us with little regard. We're neither stupid nor lemmings. Our earth, our home, has been desecrated for far too long at our expense and it must stop immediately. We do not want nuclear anything in New Mexico at all.

Your LANL house is infested, walls crumble, there are fires hazards, your dishes are dirty, things are rotting in storage, and you haven't thrown the trash, much less wiped your arse.

Viva la revolucion!

Ronnie Ortiz

297-1

297-1

NNSA notes the commentor's opposition to the CMRR-NF project and nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 298: Marc Choyt

From: Marc Choyt [reflective@cybermesa.com]
Sent: Sunday, July 03, 2011 10:00 AM
To: NEPALASO@doeal.gov
Subject: Proposed storage facility

July 3, 2011

To Whom It May Concern:

I strongly oppose the building of a nuclear storage facility in Los Alamos. Given the current fire and the potential for earthquakes, the containment of plutonium in the new structure represents a threat to all surrounding communities. The recent events in Japan also demonstrate that there is no failsafe.

Marc Choyt
 912 Baca St.
 Santa Fe, NM 87505

298-1

298-1

NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Section 2.6, Seismic and Geologic Concerns, of this CRD addresses the commentor's concerns about the potential for earthquakes. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10,

Commentor No. 298 (cont'd): Marc Choyt

4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 299: Dicron Meneshian

From: Dicron Gordon Meneshian [dicron@hotmail.com]
Sent: Sunday, July 03, 2011 11:13 AM
To: nepalaso@doeal.gov
Subject: Please Do Not Build a Plutonium Factory in Fire Country

To whom it may concern,

Even though I am a resident of the state of Connecticut, I am urging you not to build a plutonium factory in fire country.

We live on a very small planet. Everything we do on planet Earth is connected to everything we have share and enjoy on planet Earth.

The repercussions of your actions have effects around the world.

yours,

Dicron Meneshian
 Riverside, CT 06878

299-1 299-1

NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF, nor would plutonium production. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 300: Mary Ross

From: Mary Ross [mary.ross1@myfairpoint.net]
Sent: Sunday, July 03, 2011 12:21 PM
To: NEPALASO@doeal.gov
Subject: Los Alamos Lab CMMR final phase

I adamantly oppose the construction of a new radiological facility at Los Alamos Nuclear laboratory with the intent to increase plutonium production. The facility is already a liability, not an asset, to the American people and the global community.

300-1

The fires currently burning are proof that we cannot continue to promote nuclear technology and assume that human error and environmental influences will not endanger the health of the planet and its inhabitants forevermore.

300-2

Weapons and warfare are not keeping us safe. They are making us more vulnerable and creating more enemies. It is time that we are no longer dominated by those with an assault oriented strategy and we focus on restoring the health of our own nation. The assault oriented perspective has run rampant and unchecked for far too long and has endangered the United States and destabilized our relations globally. Enough.

Mary Ross

300-1 NNSA notes the commentor's opposition to the CMRR-NF project and nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF, nor would plutonium production. Refer to Section 2.4, CMR Mission, of this CRD for more information.

300-2 Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 301: Peter O. Childs

From: Peter & Sharron Childs [poc@Asis.Com]
Sent: Sunday, July 03, 2011 12:29 PM
To: NEPALASO@doeal.gov

Sometimes people get sick and are unable to hear the warnings others try to give them about their behavior. Tragedy can result. But I doubt that you can hear what I'm trying to say to you. I fully expect you to blithely continue with plans for the CMRR Nuclear

Facility Project. God help us. Sincerely, Peter O. Childs

301-1

301-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 302: Joy Kincaid

From: Joy Kincaid [agelessturtle@gmail.com]
Sent: Sunday, July 03, 2011 2:05 PM
To: NEPALASO@doeal.gov
Subject: Fires and Plutonium Bomb Factory

The fires should be a wake-up call to you that we can no longer continue this insanity!!!! What you do is for money, greed and control , not for the good of our precious Earth, her resources and her people.

Stop the destruction and help us to leave a planet behind that will support all peoples (including your family).

Joy

302-1

302-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 303: Jo Ann B. Fineman, MD

From: JABFineman@aol.com
Sent: Sunday, July 03, 2011 3:00 PM
To: NEPALASO@doeal.gov
Subject: oppose CMRR

I write to oppose this project strongly--I am a psychiatrist/psychoanalyst in New Mexico--and I am aware of the arguments -pro and con--for this project; perhaps not in your lifetime or mine will the nuclear threat overwhelm life on this planet--but certainly at some point it will, and we all will have the responsibility for life extinction.

Jo Ann B/. Fineman MD

303-1

303-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 304: Karen Husemeyer

From: Karen Boerboom [t33air@gmail.com]
Sent: Sunday, July 03, 2011 3:39 PM
To: NEPALASO@doeal.gov
Subject:

Plans to increase "war materials" at your location in New Mexico, is it really warranted? If not, I am opposed to what you are doing there. If it is warranted, would you please send me your reasoning?

Karen Husemeyer

304-1

304-1

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decision regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644). Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility.

Commentor No. 305: Margie Borchers

From: marguerite Borchers [margieborchers@gmail.com]
Sent: Sunday, July 03, 2011 5:15 PM
To: NEPALASO@doeal.gov
Subject: stop the insanity!

How many nuclear bombs does one country need? The Earth has become a prison from which there is no escape except total destruction.

Margie Borchers
PO Box 2004
Battle Ground, WA 98604

|| 305-1

305-1

NNSA acknowledges that there is substantial opposition to the development of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 306: Charlotte Talberth

From: Charlotte Talberth [char@cybermesa.com]
Sent: Sunday, July 03, 2011 6:24 PM
To: NEPALASO@doeal.gov
Subject: Comment

I am opposed to the CMRR Nuclear Facilities Project. It seems dangerous and reckless for us as a country to spend more money going down the nuclear track. Also as a resident of Santa Fe, I find the case made by watchdog groups to be compelling, namely that the labs in general are a health and safety risk to ourselves.

Charlotte Talberth, Santa Fe

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NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Chapter 4, Sections 4.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Commentor No. 307: Lisanne Cole

From: lisanne [giasound@yahoo.com]
Sent: Sunday, July 03, 2011 6:44 PM
To: NEPALASO@doeal.gov
Subject: CMRR nuclear facility project

I am writing to oppose the CMRR nuclear facility project .

I live in Santa Fe and we are just going through the biggest fire in our state history near Los Alamos

We must start to live more with the land if any of us and nature is to survive , the idea of building new bombs to blow people animals and the planet up to me is INSANE!! you must consider what you are doing and thinking of , for none of us will have a future.

sincerely Lisanne Cole

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307-1

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the CMRR-NF SEIS, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 308: Barbara Larcom

From: Barbara Larcom [barbara.larcom@gmail.com]
Sent: Sunday, July 03, 2011 10:29 PM
To: NEPALASO@doeal.gov
Subject: Stop the Building of a Plutonium Bomb Factory in Fire Country

I am submitting my comments about the proposed plutonium bomb factory at the Los Alamos National Laboratory (LANL). I am TOTALLY and UTTERLY OPPOSED to this idea. It strikes me as nothing less than insane that it is even being considered.

The area has been described as “between a super volcano - Valles Caldera to the west and the Rio Grande River, our main water source to the east, on an active seismic zone, in a forested wildfire habitat.” (Joni Arends, executive director of Concerned Citizens for Nuclear Safety)

You got lucky this time that the wildfire didn't reach the laboratory. What makes you think you'll always be so lucky, when it comes to future wildfires in the area? And what about seismic activity? Why would you even consider endangering the lives of the human beings and wildlife in the area? Why would you consider destroying an important water source, the Rio Grande River?

In addition, the proposal shows no respect for the desires of the Native Americans like the Pueblo who have lived in the area for many centuries. They have expressed their opposition to the proposed bomb factory.

Finally, why is a bomb factory being proposed at all? There are so many GOOD ways we could spend the \$6 billion that this project would cost. Our country and its people need jobs, education, healthcare – and instead the proposal is to build a BOMB FACTORY for the purpose of DESTROYING THE EARTH?

Barbara Larcom
2743 Maryland Avenue
Baltimore, MD 21218

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“A nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death.”

“Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that....The chain reaction of evil--hate begetting hate, wars producing more wars--must be broken, or we shall be plunged into the dark abyss of annihilation.”

Martin Luther King, Jr.

308-1 NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

308-2 Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the CMRR-NF SEIS, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 LANL SWEIS, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The impacts analysis in the SEIS indicates that there would be minimal impacts on humans and the environment from normal operations under any of the alternatives. The analysis indicates that the risk of environmental contamination is limited to extremely unlikely accident events. There would be essentially no impact on the Rio Grande; under all three alternatives, there would be no operational discharges directly to the environment. All radioactive liquids would

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Commentor No. 308 (cont'd): Barbara Larcom

be transferred to RLWTF. At RLWTF, the liquids would be treated to meet discharge criteria and released through a permitted outfall or to a zero liquid discharge facility. Other liquids would be routed to the Sanitary Wastewater Systems Plant, where they would be treated prior to discharge through a permitted outfall.

- 308-3** Chapter 3, Section 3.10, of the *CMRR-NF SEIS* has been updated to include additional information on the minority and low-income populations surrounding LANL. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority or low-income populations, including Native Americans and Hispanics, under any of the alternatives.
- 308-4** NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 309: Barbara Higgins

From: NEPALASO@doeal.gov on behalf of Barbara Higgins [bach01@gmail.com]
Sent: Sunday, July 03, 2011 11:34 PM
To: NEPALASO@doeal.gov
Subject: CMRR

I oppose the CMRR Nuclear Facility Project in Los Alamos. You do not need to continue this cold-war era mentality. Have some Vision!!! Put your brains and research to work finding a way toward a resource-based economy not toward supporting the war machine, the raping of the earth and the lack of respect for all life!

I am a 32 year resident of Santa Fe and am concerned for the welfare of all of us who live in New Mexico. You are endangering our health and our lives, if you haven't destroyed them already. Hopefully this huge fire was a wake up call! Change course before it is too late! PLEASE!!

Barbara Higgins

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NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. See Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 310: Tom Tarter, Jr.

From: Tom Tarter [rostatler@logonisp.com]
Sent: Monday, July 04, 2011 6:45 AM
To: NEPALASO@doeal.gov
Subject: FYI

At 18, I made it through WWII. Now At 87, the state I live in, New Mexico, and my country is trying to kill me. Pretty stupid and ironic.
-- Tom Tarter, Jr., Roswell.

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Comment noted.

Commentor No. 311: Abbe Anderson

From: Abbe Anderson [abbe@abbeanderson.com]
Sent: Monday, July 04, 2011 9:48 AM
To: NEPALASO@doeal.gov
Subject: please oppose the CMRR project

Hello. Due to the wildfires, more plutonium storage is suicidal. Please redirect the funds into something that can support the people of this beautiful state.

Thank you.

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NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 312: Dave McCoy, Director
Citizen Action

**Comments on the National Nuclear Security Administration (NNSA)
Supplemental Environmental Impact Analysis (SEIS) for the
(CMRR)
Citizen Action New Mexico**

I. The SEIS Fails to Consider Requirements of International Law.

By seeking to proceed with the construction of nuclear weapons at the LANL CMRR and the modernization of nuclear weapons, the United States is violating the Nuclear Nonproliferation Treaty (NPT). The US is acting contrary to the Advisory Opinion of July 8, 1996 of the International Court of Justice (ICJ) regarding the Legality of the Threat or Use of Nuclear Weapons. Both Article VI of the NPT and the Advisory Opinion contain an obligation to negotiate in good-faith for "general and complete nuclear disarmament."

The required cessation of the nuclear arms race applies to all nations, but especially to the United States, Britain, France, Russia, and China, the five nuclear powers acknowledged at the outset of the treaty.

The quadrupled production of nuclear bomb cores and the modernization of nuclear weapons at the LANL CMRR and other national laboratories violates the GOOD-FAITH NEGOTIATION requirement for disarmament. By continuing construction of the nuclear weapons infrastructure, the US is acting contrary to the principle of the long term durability of disarmament measures and disarmament that was approved by the NPT Review Conference in 2000. The code words for programs of nuclear weapons expansion have included: "advanced concepts" research, the "reliable replacement warhead," and "a more robust nuclear weapon."

The continued expansion of nuclear weapons development is evidenced by Sandia National Laboratories ongoing subcritical testing of nuclear weapons through the use of the Z-Machine.

The actions of the President, the Congress and the national laboratories is to build more weapons of mass destruction that will have long term planetary environmental consequences. Production or use of nuclear weapons is in opposition to humanitarian concerns expressed by the International Court of Justice. In consideration of the violations of the principles of humanitarian law, the Court stated some of the following:

36. [I]t is imperative for the Court to take account of the unique characteristics of nuclear weapons, and in particular their destructive capacity, their capacity to cause untold human suffering, and their ability to cause damage to generations to come.

42. The proportionality principle may thus not in itself exclude the use of nuclear weapons in self-defence in all circumstances. But at the same time, a use of force that is proportionate under the law of self-defence, must, in order to be lawful, also meet the requirements of the law applicable in armed conflict which comprise in particular the principles and rules of humanitarian law.

78. The cardinal principles contained in the texts constituting the fabric of humanitarian law are the following. The first is aimed at the protection

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NNSA acknowledges the commentors' concerns about treaty compliance, international law, pit production, and the proliferation of nuclear weapons. Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information. Analysis of the environmental impacts associated with the use of nuclear weapons is beyond the scope of this SEIS.

As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

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Commentor No. 312 (cont'd): Dave McCoy, Director
Citizen Action

of the civilian population and civilian objects and establishes the distinction between combatants and non-combatants; States must never make civilians the object of attack and must consequently never use weapons that are incapable of distinguishing between civilian and military targets. According to the second principle, it is prohibited to cause unnecessary suffering to combatants: it is accordingly prohibited to use weapons causing them such harm or uselessly aggravating their suffering. In application of that second principle, States do not have unlimited freedom of choice of means in the weapons they use.

The Court would likewise refer, in relation to these principles, to the Martens Clause, which was first included in the Hague Convention II with Respect to the Laws and Customs of War on Land of 1899 and which has proved to be an effective means of addressing the rapid evolution of military technology. A modern version of that clause is to be found in Article 1, paragraph 2, of Additional Protocol I of 1977, which reads as follows:

"In cases not covered by this Protocol or by other international agreements, civilians and combatants remain under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience."

In conformity with the aforementioned principles, humanitarian law, at a very early stage, prohibited certain types of weapons either because of their indiscriminate effect on combatants and civilians or because of the unnecessary suffering caused to combatants, that is to say, a harm greater than that unavoidable to achieve legitimate military objectives. If an envisaged use of weapons would not meet the requirements of humanitarian law, a threat to engage in such use would also be contrary to that law . 80. The Nuremberg International Military Tribunal had already found in 1945 that the humanitarian rules included in the Regulations annexed to the Hague Convention IV of 1907 "were recognized by all civilized nations and were regarded as being declaratory of the laws and customs of war" (*Trial of the Major War Criminals, 14 November 1945-1 October 1946*, Nuremberg, 1947, Vol. 1, p. 254).

86. ... "In general, international humanitarian law bears on the threat or use of nuclear weapons as it does of other weapons."

Source: immoral://www.icj-cij.org/docket/files/95/7495.pdf?PHPSESSID=efe26ca87de1e6ed11fde11cc5e2fc65

The NNSA "legal justifications" for the continued production and modernization of the nuclear weapons complex at LANL reflect the mindset of a nation that espouses legal arguments for torture, used two nuclear weapons against civilian populations and invaded at least 18 other nations.

The dissenting opinion of ICJ Judge Weeramantry argues that the use of nuclear weapons produces factual consequences of such an inhumane nature as to clash with the basic principles of humanitarian law. He summarized the effects of the nuclear weapon:

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Commentor No. 312 (cont'd): Dave McCoy, Director
Citizen Action

- (a) Damage to the environment and the ecosystem
- (b) Damage to future generations
- (c) Damage to civilian populations
- (d) The nuclear winter
- (e) Loss of life
- (f) Medical effects of radiation
- (g) Heat and blast
- (h) Congenital deformities
- (i) Transnational damage

The SEIS does not recognize that the CMRR project is designed for the construction of weapons of mass destruction. The above devastating environmental effects from the use of a nuclear weapon produced by LANL should be under consideration in the SEIS. To limit the environmental effects of Plutonium pit production only to workers or the surrounding communities near LANL is to remain blind to the full destructive potential of nuclear weapons on a worldwide scale.

DOE has contaminated every national laboratory site and surrounding communities with hazardous waste and radioactivity. The US spends some \$35 – 50 Billion dollars a year of taxpayer money to merely maintain the US nuclear weapons arsenal. This is a theft from every social program in the nation. Rather than funding the expansion of nuclear weapons programs and generating more waste, the 6 billion dollars that CMRR will cost should be spent on cleaning up the existing nuclear waste at LANL. 21,000,000 cu ft of nuclear and hazardous wastes are already buried at LANL in unlined pits, trenches and shaft without liners.

The consequences of US actions internationally will encourage a competition of worldwide proliferation of nuclear weapons. This increases the reliance on nuclear weapons for state security policies with the increased risk of accidents and deliberate use. The US remains on hair-trigger alert status for the use of nuclear weapons against other nations. Building the CMRR will further exacerbate world tension.

President Obama's "vision" of a nuclear weapons free world is far from the reality of the actions and vast sums of money that are supporting the nuclear weapons industry.

II. The SEIS does not meet legal requirements of the Council on Environmental Quality regulations to provide consideration of alternatives and for the resolution of siting, safety and waste issues. (10 CFR 1502).

No Safety Analysis Report for the LANL Plutonium Bomb Factory (CMRR) has yet been issued as is required to be performed at the earliest practicable point in conceptual or preliminary design.

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312-2 NNSA notes the commentor's opinion regarding the funding priorities of the U.S. Government and concern about cleanup of wastes at LANL. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

312-3 NNSA disagrees with the commentor's opinion that the SEIS does not comply with CEQ requirements. A Preliminary Documented Safety Analysis has been developed by the project and an approved Preliminary Safety Validation Report was issued documenting the NNSA Los Alamos Site Office review of the Preliminary Documented Safety Analysis. Both documents are the appropriate level of safety analysis required at this stage in the project lifecycle.

As discussed in Section 2.2, NEPA Process, of this CRD, the *CMRR-NF SEIS* was prepared in compliance with CEQ and DOE NEPA regulations. Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the CMRR-NF SEIS is based on the 2004 ROD for the *2003 CMRR EIS* (69 FR 6967).

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level

Commentor No. 312 (cont'd): Dave McCoy, Director
Citizen Action

The "need" for the CMRR and the "no-build option" are not addressed by the SEIS. The stated reason is that the policy considerations of President Obama require that the nation continue modernization of the nuclear weapons complex. There is a contradiction between the Presidential vision for a nuclear weapons free world and the expansion of the nuclear weapons complex.

The justification for CMRR production of 80 additional plutonium pits is faulty, given that there are a total of approximately 40,000 plutonium pits in storage and on missiles under US control.

Approximately 5000 of those pits are deployable as nuclear weapons. The US constructed approximately 70,000 nuclear weapons and used two of the weapons over 50 years ago. Nuclear weapons are obsolete and serve no purpose for the taxpayer. None of the US invasions of at least 18 foreign nations including Iraq and Afghanistan have required the use of nuclear weapons.

Alternatives to the proposed action Sec. 1502.14 (d) must include the no-action no-build alternative. NNSA is incorrect in its rationale for not presenting the no-build alternative for CMRR. The National Environmental Policy Act (NEPA 1969) 42 U.S.C.A. 4321 to 4370d and the Council on Environmental Quality regulations require detailed analysis of alternatives that are considered to be the "heart" of an EIS. (§ 4332(C)(iii) and (v) and CEQ § 1502.14). The "no-build" alternative is always included as a benchmark against which the impacts of other alternatives are to be compared. NNSA cannot eliminate the no-action/no-build alternative from discussion. The fact that the no-build alternative does not meet the purpose and need of the NNSA or the President does not allow dismissal of the statutory requirement.

The SEIS offers no assurance that the CMRR can be safely constructed to protect the public and the environment. The chosen site for the CMRR location is above soft volcanic ash and is a formula for seismic disaster. This is described in greater detail below. The alternative or mitigation measure has not been considered for placing the plutonium vault and the water for the fire suppression system at another location. Workers exposure in the event of an accident has not received consideration.

Waste disposal operations are not considered in the SEIS. The Liquid Radioactive Waste Facility, essential to CMRR operations, is at the end of its operational lifetime and is not designed to withstand the large seismic event that can occur. Deactivation, decommissioning, decontamination at end of life for the CMRR are not considered in the SEIS after the proposed 50 years of operation. The amounts of hazardous and radioactive waste that will be generated and the pathway for disposal are not presented.

There is no assurance that the CMRR and the related facilities necessary for operations can comply with the requirements of DOE Orders. DOE O 420.1 and DOE G-420.1-2 require that structures, systems, and components at DOE facilities be designed and constructed to withstand the effects of natural phenomena hazards using a graded approach.

DOE must comply with the federal requirements of Title 10 Part 835 *Occupational Radiation Protection Requirements*. The requirements of DOE Order 420.1 and Guides are to meet compliance with 10 CFR 835. DOE is not in compliance with (1) *DOE G 420.1-1, Nonreactor Nuclear Safety Design Criteria and Explosive Safety Criteria Guide*

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of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Although a number of commentors expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile.

This CMRR-NF SEIS presents the environmental impacts of alternatives for construction and operation of the CMRR-NF at LANL. NNSA believes that the analyses in this CMRR-NF SEIS demonstrate that the CMRR-NF can be safely constructed and operated.

Site-specific geotechnical investigations have been completed for both the Shallow Excavation Option and the Deep Excavation Option. A geotechnical report prepared for the Shallow Excavation Option provides a thorough analysis that focuses on, among other things, the foundation design and performance, taking into account the local seismic setting and the underlying stratigraphy, which includes an unconsolidated tuff layer approximately 15 feet (4.6 meters) below the depth of the proposed foundation (Kleinfelder 2007a, 2007b). The proposed CMRR-NF would be designed and constructed in accordance with geotechnical recommendations provided in the geotechnical report (Kleinfelder 2007a). Similarly, the Deep Excavation Option would be completed in accordance with recommendations resulting from the geotechnical reports (Kleinfelder 2010a, 2010b). This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The results of this evaluation have been included in the design of the CMRR-NF, which is still under way and will continue to evolve. See Section 2.6, Seismic Concerns, of this CRD for more information.

Chapter 2, Section 2.7, of the CMRR-NF SEIS has been revised to describe alternatives that were considered but dismissed as not meeting NNSA's purpose and need. The alternative of distributing AC and MC capabilities among multiple facilities at LANL was considered, but not analyzed as a reasonable alternative. Because of the quantities of special nuclear material involved, to fully perform the AC, MC and plutonium research capabilities, facilities would need to be classified as Hazard Category 2 and Security Category 1. RLUOB was not intended as a nuclear-qualified space to handle Hazard Category 2 or 3 levels of

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Commentor No. 312 (cont'd): Dave McCoy, Director
Citizen Action

for use with DOE O 420.1 Facility Safety and (2) DOE G 420.1-2, *Guide for the Mitigation of Natural Phenomena Hazards for DOE Nuclear Facilities and NonNuclear Facilities*, along with additional requirements.

There is an established hierarchy in the set of documents that specify Natural Hazard Phenomena (NPH) requirements. In this hierarchy, 10 CFR Part 830 Nuclear Safety Management (for Nuclear Facilities only) has the highest authority followed by DOE Order 420.1 and the associated Guides DOE G 420.1-1 and DOE G 420.1-2. The four NPH standards (DOE-STDS-1020, 1021, 1022, 1023) are the last set of documents in this hierarchy.

No indication is given in the SEIS that there is recognition or compliance with Defense Nuclear Facilities Recommendation 2004-2, *Active Confinement Systems* for radiological releases. The CMRR is a Hazard Category 2 nuclear facility that must comply with 2004-2.
http://www.doeal.gov/SWEIS/OtherDocuments/591%20DNFSB%202004%20rec_2004_02.pdf Whether any such reliable confinement system could even be built to withstand the event of ground rupture at the CMRR site is not addressed in the SEIS.

Hazard classification. The CMRR is misclassified as a Hazard Category 2 facility. A Hazard Category 2 facility is defined as a nuclear facility for which a hazard analysis shows the potential for significant onsite consequences. Hazard classifications are an "Evaluation of the consequences of unmitigated releases to classify facilities or operations into the following hazard categories." [DOE 5480.23]

The CMRR should be classified as Hazard Category 1 because of the potential for an accident affecting the surrounding communities. Maintaining 13,200 pounds of plutonium inside the facility given the seismic potential for ground rupture at the site could lead to significant offsite consequences in the event of a plutonium fire, explosion or other unforeseen natural disasters. No credit for the fire suppression system should be taken because it is located in the CMRR where the accident may occur.

• **Hazard Category 1:** Shows the potential for significant offsite consequences. DOE 5480.23 states:

For facilities belonging to Hazard Category 1, for which very substantial limitation of potential risk must be achieved by safety design, management, and well-disciplined operation, *the Safety Analysis Review [SAR] must be particularly thorough and penetrating.* (Emphasis added).

LANL has not produced a thorough and penetrating Safety Analysis Review as demonstrated by failure to receive safety certification from the Defense Nuclear Facilities Safety Board (DNFSB).

The August 2009 Certification Report Resolution of Defense Nuclear Facilities Safety Board Concerns for the Chemistry and Metallurgy Research Replacement Project (CMRR-RPT-PM-1912, R1) shows that no safety analysis is complete for the CMRR
http://www.lanl.gov/orgs/cmrr/publicmeetings/documents/certification_laur09-06015.pdf p.3):

"Between January 16 and March 30, 2009, the DNFSB formally transmitted five findings to NNSA in which they considered resolution a prerequisite to Congressional

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nuclear material. Thus, NNSA would not operate the building as anything other than a radiological facility, which would significantly limit the total quantity of special nuclear materials that could be handled in the building. As a result, AC and MC operations requiring Hazard Category 2 and 3 work spaces could not be carried out in RLUOB. Using space and capabilities in the TA-55 Plutonium Facility would interfere with performing work currently being conducted there and reduce the space available in the building that could be used to conduct future DOE and NNSA mission support work. Use of other locations at LANL would introduce new hazards for which the facilities were not designed and would not conform to the objective of collocating plutonium operations near the TA-55 Plutonium Facility. Performing work at a location remote from the TA-55 Plutonium Facility would necessitate periodic road closures and heightened security to enable transport of materials between the facilities. In addition, other facilities would not have the available space, vaults, and engineered safety controls and requirements for this type of work.

The accident analysis presented in Appendix C in the *CMRR-NF SEIS* considered impacts on workers and the public from a representative set of accidents, including natural phenomena such as earthquakes. See Chapter 4, Section 4.2.10.2, Facility Accidents, and Appendix C, Evaluation of Human Health Impacts from Facility Accidents, of the *CMRR-NF SEIS* for more information.

As summarized in Section 2.5, Cleanup and Waste Management, of this CRD, the CMRR-NF and RLUOB would be designed, constructed, and operated to accommodate the projected waste volumes to be generated at the facilities. Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12 provide estimates of and disposal pathways for all waste types expected to be generated by construction and operation of the CMRR-NF under each of the alternatives. The impacts associated with transportation of radioactive and nonradioactive wastes to offsite treatment or storage facilities have been estimated for all alternatives (see Chapter 4, Sections 4.2.13, 4.3.13, and 4.4.13, of the *CMRR-NF SEIS*). It is expected that waste transportation would occur using trucks using standard types of containers (for example, drums, boxes) and shipping packages (for example, TRUPACT II).

RLWTF currently receives liquid radioactive waste generated by the CMR Building and other LANL facilities, and would receive liquid radioactive waste generated by the proposed CMRR-NF. The planned replacement for the existing

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certification: (1) CMRR Seismic Design; (2) Seismic Design of Active Confinement Ventilation Systems and Support Systems; (3) Documenting and Maintaining Preliminary Documented Safety Analysis (PDSA) Safety-Related Functions and Requirements; (4) Inadequate Identification of Safety-related Controls, Functional Requirements, and Performance Criteria; and (5) System Design Descriptions Do Not Incorporate Preliminary Documented Safety Analysis Requirements Adequately.”

The SEIS claim that a Modified CMRR will be able to withstand the design basis earthquake is without scientific basis. The relationship between the LANL fault structures and to regional tectonics is not well understood and the design basis earthquake is unknown. The NNSA will expose the public to Fukushima-sized risks by construction of the CMRR at the highly risky seismic location of LANL.

The CMRR does not comply with DOE O 420.1A (5/20/02) for nuclear safety, which provides as follows:

4.1.1 Nuclear Safety

4.1.1.1 General Requirements

Detailed application of these requirements shall be guided by safety analyses that establish the identification and functions of safety (safety class and safety significant) Structures, Systems, and Components (SSCs) for a facility and establish the significance to safety of functions performed by those SSCs. **Safety analyses shall consider facility hazards, natural phenomena hazards, and external man-induced hazards. Factors such as proximity to nearby facilities such as airports, pipelines, and barge traffic peculiar to the site shall also be considered. A safety analysis shall be performed at the earliest practical point in conceptual or preliminary design, so that required functional attributes of safety SSCs can be specified in the detailed design. Safety analyses shall be performed in accordance with Safety Analysis Report (SAR) guidance for safety analysis, as described in DOE guidance documents.**

4.1.1.2 Design Requirements

Nuclear facilities shall be designed with the objective of providing multiple layers of protection to prevent or mitigate the unintended release of radioactive materials to the environment. **Defense in depth shall include: siting, minimization of material at risk, the use of conservative design margins and quality assurance; the use of successive physical barriers for protection against the release of radioactivity; the provision of multiple means to ensure critical safety functions (those basic safety functions needed to control the processes, maintain them in a safe state, and to continue and mitigate radioactivity associated with the potential for accidents with significant public radiological impact); the use of equipment and administrative controls which restrict deviations from normal operations and provide for recovery from accidents to achieve a safe condition; means to monitor accident releases required for emergency responses; and the provision of emergency plans for minimizing the effects of an accident.** **Facilities shall be sited and designed in such a manner that gives adequate protection for the health and safety of the public and for workers, including those at adjacent facilities, from the effects of potential facility accidents involving the release of radioactive materials.**

Facilities shall be designed to facilitate safe deactivation, decommissioning, and decontamination at end of life.

Facilities shall be designed to facilitate inspections, testing, maintenance,

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RLWTF, subject to the availability of construction funding, is anticipated to be complete in the same approximate timeframe as the proposed CMRR-NF. The new facility would be designed to withstand anticipated seismic events per the latest nuclear facility safety requirements. Until the replacement facility is available, RLWTF would continue to be maintained and operated under its NNSA-approved authorization basis.

As discussed in Chapter 2, Section 2.10.2.2, DD&D of the new CMRR-NF would be considered at the end of its lifetime, designed to be 50 years. For either the 2004 CMRR-NF or the Modified CMRR-NF, impacts of DD&D of the CMRR-NF are expected to be comparable to those of DD&D of the CMR Building. Although activities involving radioactive materials that would be performed at the CMRR-NF are similar to those currently performed at the CMR Building, construction and operation of the CMRR-NF would reflect over 50 years of experience in facility design and operation and contamination control, with implementation of pollution prevention and waste minimization practices. An appropriate NEPA analysis would be conducted prior to commencing DD&D.

NNSA takes exception to the commentor's assertion that the CMRR-NF and related facilities are not being designed and constructed in accordance with nuclear safety and design, occupational radiological safety, and natural phenomena hazards regulations and DOE orders; and that DNFSB safety concerns have not been resolved. DOE Order 420.1 and its associated guides are being implemented in the safety analysis and the design of the CMRR-NF. Based on the safety analysis, safety structures, systems, and components are being designed to the required rigor in DOE Order 420.1 and DOE-STD-1021, -1021, -1022, and -1023 considering appropriate natural phenomena hazards. In 2009, NNSA received a number of safety concerns from DNFSB regarding the CMRR Project. Some of these concerns questioned the project's ability to demonstrate compliance with DOE Order 420.1. After lengthy exchanges, DNSFB, as well as NNSA, certified to Congress the technical resolution of these cited concerns. The DOE Order 420.1 concerns and the DNFSB resolution can be found in the September 4, 2009, report to Congress.

Regulations at 10 CFR Part 835 are implemented as a safety management program at LANL. 10 CFR Part 835 is used as a design basis for occupational radiation protection requirements.

The project has been reviewed against DNFSB 2004-02 and was found to be in compliance. The DNFSB report to Congress dated June 15, 2011, confirms

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repair and replacement of safety SSCs as part of an overall reliability, availability, and maintainability program. The objective is that the facility can be maintained in a safe state, including during these operations, and in keeping with the as low as reasonably achievable (ALARA) principle for occupational radiation exposure.

Facilities shall be designed to keep occupational radiation exposure within statutory limits and incorporate ALARA principles in design, including design provisions to facilitate decontamination during the operational period.

Facility process systems shall be designed to minimize the production of wastes and minimize the mixing of radioactive and non radioactive wastes. Safety SSCs, identified in accordance with this section shall, commensurate with the importance of the safety functions performed, be designed: (1) so that they can perform their safety functions when called upon to operate, and (2) under a quality assurance program that satisfies 10 CFR 830.120.

DOE is not meeting the requirements of DOE Order 5480.28 and the standards included therein to protect against natural phenomena hazards (NPH).

It is the policy of the Department of Energy to design, construct, and operate DOE facilities so that workers, the general public, and the environment are protected from the impacts of **natural phenomena hazards** on DOE facilities. DOE NPH mitigation requirements are consistent with the safety policy and goals of DOE 5480.1B, DOE 5481.1B, the National Earthquake Hazards Reduction Program, and Executive Order 12699, for all its facilities. For nuclear facilities, DOE additionally requires that, the nuclear safety policy of DOE 5480.23 and Secretary of Energy Notice (SEN), SEN-35-91, NUCLEAR SAFETY POLICY, of 9-9-91, be met for NPH mitigation, and that cost effectiveness is considered. The goals of design, evaluation, and construction for NPH mitigation include:

- (1) Providing for safe work places;
- (2) Protecting against property loss or damage;
- (3) Continued operation of essential facilities; and
- (4) Protecting public health, property, and the environment against exposure to hazardous materials.

LANL is not following the requirements of Executive Order 12699. EO 12699 requires that each Federal agency responsible for the design and construction of each new Federal building shall ensure that the building is designed and constructed in accord with appropriate seismic design and construction standards.

LANL has done poor quality work in investigating the potential for seismic ground rupture at the CMRR site. No network of seismometers to gather seismic data is in place at LANL. Computer models are utilized without gathering actual hard data to make accurate models.

A. 1992. The SHB-1 borehole at TA-55 was drilled in 1992. The seismic profile from the borehole was published in Wong et al in 1995. Gardner et al LANL scientists knew from the velocity profile for Borehole SHB-1 at TA-55 that there were low shear velocities that greatly increased the seismic hazard at the TA-55 site for a plutonium processing facility. Rather than recognize the problem, LANL underestimated

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that no current open issues remain on the project's safety significant active confinement systems (DNFSB 2011b).

312-7 CMRR is appropriately categorized as a DOE Hazard Category 2 nuclear facility in accordance with DOE-STD-1027-92. The CMRR-NF hazard analysis as well as analyses in the *CMRR-NF SEIS* have verified that the facility does have the potential for significant onsite consequences but not the offsite consequences that would categorize it as a DOE Hazard Category 1 nuclear facility.

312-8 NNSA notes the commentor's concerns and technical comments regarding seismic issues related to the *Draft CMRR-NF SEIS*. In addition to the following responses, refer to Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information. Chapter 3, Section 3.5, Geology and Soils, of the CMRR-NF SEIS has been revised to improve the discussion of faulting and seismic hazards at LANL.

The comment indicates that site-specific seismic data are inadequate because studies have not been conducted. Dozens of mapping studies of the Pajarito fault system have been conducted (for example, Gardner and House 1987; Wong et al. 1995; Carter and Gardner 1995; McCalpin 1997; Lavine et al. 2003), including state-of-the-art, high-precision mapping in the vicinity of LANL. In addition, numerous paleoseismic trench investigations have been conducted at 17 sites over the past 20 years (for example, Gardner et al. 1990; Olig et al. 1996; Kelson et al. 1996; McCalpin 1998, 1999, 2005; LANL 2007). These studies clearly show that the Pajarito fault system is a series of normal slip faults that form the best studied fault system in the Rio Grande rift. Admittedly, some parts of the fault have not been as well studied as others; these tend to be those portions outside of LANL, especially where access issues are a problem (for example, the Santa Clara Canyon segment). Additional study of these areas would likely improve our understanding of the fault and could help reduce uncertainties in the inputs, but these studies are not a prerequisite to conducting a PSHA or determining design ground motions at LANL. The uncertainties in regards to fault geometry, rupture behavior, and sense of slip on the Pajarito fault system were fully recognized and addressed in the range of inputs to the PSHA. A range of fault dips was used ($\pm 15^\circ$), a component of oblique slip was considered in calculating slip rates, and two rupture models and various rupture scenarios were included in the analysis to address remaining uncertainties in the geometry and sense of slip of the Pajarito fault system. All of the data and analyses for the

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the CMRR cost to Congress even though LANL knew the initial design was incorrect and not supported by their own information.

B. From page 4-4 in the 2007 LANL PSHA Report: "Downhole velocity surveys were carried out by Redpath Geophysics, from 25 through 30 May 1992, in the four boreholes to measure VS and VP as a function of depth. The resulting velocity profiles are shown on Figures 4-3 to 4-6. Measured VS and VP values are tabulated in Figures 4-7 to 4-9 for SHB-1 to SHB-3 in addition to lithologic units. A detailed discussion of the 1992 borehole program is contained in Wong et al. (1995)."

C. Wong, I., Kelson, K., Olig, S., Kolbe, T., Hemphill-Haley, M., Bott, J., Green, R., Kanakari, H., Sawyer, J., Silva, W., Stark, C., Haraden, C., Fenton, C., Unruh, J., Gardner, J., Reneau, S., and House, L., 1995, Seismic hazard evaluation of the Los Alamos National Laboratory: unpublished final report prepared for the Los Alamos National Laboratory and the U.S. Department of Energy, 3 volumes.

1995 Study. According to the 1995 SEISMIC MARGINS ASSESSMENT OF THE PLUTONIUM PROCESSING FACILITY LOS ALAMOS NATIONAL LABORATORY by Goen and Salmon (Los Alamos National Laboratory), increased seismic shaking would be present at TA-55. <http://library.lanl.gov/cgi-bin/getfile?00818722.pdf>, p.1 Abstract:

DOE Order 5480.28 [1] requires that existing structures, systems and components (SSCs) be evaluated to determine their ability to withstand the effects of natural phenomena hazards. For existing SSCS, 5480.28 requires re-evaluation when changes in the understanding of a hazard results in greater loads. Los Alamos National Laboratory (LANL) has reevaluated its seismic hazard. Results of this study indicate that seismically induced loads will be significantly greater than those for which the SSCS for the Plutonium Processing Facility (PF-4) at Technical Area 55 (TA-55) were designed. (Emphasis supplied).

The Goen study was based on an assumed ground acceleration value of 0.33 g. This PF-4 building is where the Pu pits will be manufactured. PF-4 does not comply with the specifications necessary for seismic safety requirements as per the DOE O 5480.28.

This 1995 report was made before the knowledge obtained in the May 2007 URS Probabilistic Seismic Hazard Analysis and Development of Seismic Design Ground Motions at the LANL that indicated an increased acceleration value of 0.52 g. Even the .52 g acceleration is questionable and may be an underestimate because the selection of the value for Kappa used compromised data. A minimum of three boreholes were supposed to have been drilled down to the reference rock. Only one borehole was drilled. The value of the reference rock for determination of kappa is unknown because the drilling of the one deep borehole did not extend more than 741 ft bgs.

D. The 2007 Probabilistic Seismic Hazard Analysis states: " The preferred range of maximum earthquakes is from moment magnitude (M) 6.5 to 7.3." There is no data from a sitewide network of seismometers to draw that conclusion.

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Pajarito fault system published in the Lewis et al. (2009) study were included or considered in the PSHA update.

In addition, the comment asserts that information from deep boreholes at TA-55 indicates that the seismic hazards are greater than previously reported. Deep geotechnical borings were drilled at TA-55 to characterize the complete geologic column down to the basement bedrock level. Three boring locations were initially identified; however, only two borings were deemed necessary to provide corroborative characterization of the deeper portions of the geologic column. The third boring was identified as an alternative and would have been drilled only if the currently planned site at TA-55 were deemed not viable. Borehole DSC-1B was drilled to a depth of 741 feet (226 meters) below ground surface, while borehole DSC-2A reached a total depth of 550 feet (168 meters) below ground surface. The geologic formations that are most relevant to TA-55 are those that would influence seismic ground response and foundation performance. Seismic ground response, as determined by these two deep seismic characterization borings, is affected by the relatively high seismic wave velocity of the basement rocks, consisting of the Cerros del Rio basalt and Tschicoma Formation dacite (both of which are relatively hard volcanic rocks), and the much lower seismic wave velocities of the overlying, softer Bandelier Tuff. From data provided by Kleinfelder (2007a), DSC-1B was the only deep borehole to penetrate into the Tschicoma Formation dacite. In addition, the presence of the relatively soft Qbt3L between two stiffer units, Qbt3U and Qbt2, is important with respect to the seismic ground response of the site (Kleinfelder 2007a:29,61). Kleinfelder (2007a) states that the sampled portion of the Cerros del Rio basalt and Tschicoma Formation dacite was highly fractured and vesicular. Fracturing and vesiculation are common features of chilled upper portions of relatively harder volcanic flows (Fink and Anderson 2000), and such features would be expected in the upper 40 to 50 feet (12 to 15 meters) of a dacite flow that is hundreds of feet thick, such as the Tschicoma Formation dacite below the proposed CMRR-NF.

In the 1995 PSHA, the peak horizontal ground acceleration (PGA) associated with an annual frequency of exceedance of 4×10^{-4} was reported to be about 0.33 g for TA-55. In the 2007 PSHA, the PGA at the same annual frequency of exceedance was reported to be 0.52 g. An increase in the slip rates on the Pajarito fault system, in addition to other factors, likely contributed to the increased seismic hazard. The 2007 and 2009 PSHAs represent the best knowledge to date on the seismic hazard at LANL, with the uncertainties appropriately incorporated.

Section 3
Public Comments and NNSA Responses

Commentor No. 312 (cont'd): Dave McCoy, Director
Citizen Action

<http://nnsa.energy.gov/sites/default/files/seis/Eval.%20of%20Faulting%20at%20the%20CMRR%20Site%202005%20LA-14170.pdf>

EVALUATION OF FAULTING AT THE CHEMISTRY AND METALLURGY RESEARCH FACILITY REPLACEMENT (CMRR) SITE BASED ON EXAMINATION OF CORE FROM GEOTECHNICAL DRILLING STUDIES, TA-55, LOS ALAMOS NATIONAL LABORATORY by Alexis Lavine, Jamie Gardner, and Emily Schultz, January 2005

Because Los Alamos National Laboratory (LANL) lies on the active western margin of the Rio Grande rift (Figure 1), seismic hazards, including the potential for seismic surface rupture, must be assessed before construction of any new facilities housing nuclear or other hazardous materials.

“Paleoseismic investigations indicate that there have been three Holocene seismic events of magnitude 6–7 on the Pajarito fault system.”

The May 26, 2011 Report *Fault interaction and along-strike variation in throw in the Pajarito fault system, Rio Grande Rift, New Mexico*, Lewis, et al., describes fault interaction and rupturing with the Pajarito Fault (PF) and the Rendijas and Guaje Cyn faults. That led to PF rupture in 2 of 3 Holocene rupture with one of those faults.

The above faults can rupture simultaneously or synchronously (in rapid sequence). Synchronous rupture can cause up to 75% more shaking than simultaneous rupture of the fault system. Although LANL has identified the possibility for synchronous rupture, LANL’s analysis for the design basis earthquake is limited to consideration of the simultaneous rupture event.

DOE is not in compliance with Standard 1020-2002 because it is unable to demonstrate in the SEIS that the CMRR would be able to withstand the ground motions of the Maximum Considered Earthquake with either the shallow option or the deep excavation option.

The Department of Energy Standard 1020-2002

In 2002, DOE published a revision to its seismic siting standard, “Natural Phenomena Hazards Design and Evaluation Criteria for Department of Energy Facilities” It states:

“This natural phenomena hazard standard...provides criteria for design of new SSCs (structures, systems and components) and for evaluation, modification, or upgrade of existing SSCs so that DOE facilities safely withstand the effects of natural phenomena hazards, such as earthquakes, extreme winds, and flooding.”

Legal Issue: The original EIS plan for the CMRR has become impossible to construct because it cannot withstand a large seismic event. Can the CMRR SEIS be used as a supplement or substitute for an EIS that can no longer be implemented?

The 2011 Supplemental EIS is inadequate to offer a meaningful analysis of environmental consequences as a justification for continuance of the CMRR project. 10 CFR 1502.9 for Draft, final, and supplemental statements provides

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The results of this evaluation have been included in the design of the CMRR-NF and, as such, incorporated in the cost estimate.

The change in seismic hazard at LANL is due in large part to new evidence in the activity of the Pajarito fault system, new ground motion prediction equations, and the consideration of temporal clustering in the Pajarito fault system. Considering this new evidence, the estimate of the PGA associated with an annual frequency of exceedance changed from about 0.33 g in 1995 to about 0.52 g in 2007. However, as new evidence becomes available, NNSA’s estimate of the seismic hazard may change slightly, although the hazard estimates are expected to remain fairly stable. For example, the best estimate of the PGA associated with an annual frequency of exceedance of 4×10^{-4} decreased from 0.52 g in 2007 to 0.47 g in 2009 (LANL 2009). This change was in part due to the availability of a new and improved set of ground motion prediction equations.

Chapter 3, Section 3.5, Geology and Soils, incorrectly stated the maximum earthquake of the Pajarito fault system as Richter magnitude 6.5 to 7.0. This mistake has been corrected. These incorrect maximum earthquake magnitudes stated in the draft SEIS are not reflective of information presented in the PSHA and were not used in the design-basis earthquakes for the proposed CMRR-NF.

Based on the latest geologic data, including that published in Lewis et al. (2009) and documented in the PSHA update (LANL 2007), expected maximum magnitudes for the various rupture scenarios of the Pajarito fault system range from M_w 6.5 to 7.3, and these were input as preferred values with a weight of 0.6 in the analysis. The expected magnitudes were calculated using well-established and widely accepted empirical relations (Wells and Coppersmith 1994). Results were checked and peer-reviewed by an internationally recognized Participatory Peer Review Panel during the PSHA update (LANL 2007). Additional uncertainties of ± 0.3 moment magnitude (with a weight of 0.2 each) were included so that the M_w inputs into the PSHA were as large as 7.6, depending on the rupture scenario (LANL 2007). The estimated size of the analogous 1959 Hebgen Lake earthquake is M_w 7.3, whereas the analogous 1983 Borah Peak earthquake was smaller at M_w 6.8 (Doser and Smith 1985). Thus, the range of maximum magnitudes used to calculate design ground motions for CMRR-NF incorporates the magnitudes of historic earthquakes that might be considered analogues for rupture of the Pajarito fault system.

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(c) Agencies:

Shall prepare supplements to either draft or final environmental impact statements if:

- (i) The agency makes substantial changes in the proposed action that are relevant to environmental concerns; or
- (ii) There are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.

The finding of the 2011 SEIS is that the original CMRR described in the 2003 EIS cannot be built. Therefore, the findings of the 2004 EIS do not legally form the basis for the use of this SEIS. Although the basic purpose for building the CMRR remains from the original 2003 EIS and 2004 ROD, the CMRR cannot be built as was proposed due to deficiencies, lack of understanding and dangers inherent in the complex seismic setting at LANL.

The SEIS presents alternatives that are not alternatives at all. The alternative of building the CMRR as originally designed is not possible due to seismic dangers. Continuing use of the old CMR building is not possible according to the SEIS. The SEIS proclaims the only alternative left is to build the CMRR-NF. This is accomplished by ignoring: the no-build alternative, the need for the facility, and the possibility of using non-LANL locations for the CMRR construction.

The SEIS then presents the shallow or the deep construction options for the CMRR as the only possible alternative to what was not viable in 2003.

- Neither option is based on a full understanding of the seismic setting at LANL.
- It is unknown whether either proposed construction option would withstand a powerful seismic event at LANL that could occur from a synchronous seismic event.
- Neither SEIS excavation option can provide the basis for a complete risk analysis of the consequences in the event of a severe seismic event that could result in rupture at the CMRR location.

Thus, neither construction option offers an improvement over the original 2003 EIS CMRR design. Since it lacks reliable seismic data and knowledge, the SEIS is incapable of providing a meaningful analysis for discussion of major points of view on the environmental impacts in relation to other alternatives, e.g., not building the CMRR at all or building it in a different location.

CONCLUSION

Without a thorough and complete analysis of all the factors related to the proposed construction of the CMRR, the public will only find out about the inherent dangers of the CMRR after some unpredicted catastrophic event. The CMRR SEIS must be retracted.

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The PSHA (LANL 2007) included both simultaneous and synchronous earthquake rupture models in calculating design ground motions for TA-55. Simultaneous ruptures were slightly favored in the model with a weight of 0.6 because this is the standard model used in PSHA practice, and displacement data for the Pajarito fault system suggests this type of rupture occurred in the past. However, synchronous ruptures were also included in the analysis with a weight of 0.4. The PSHA estimated slightly higher maximum magnitudes for the simultaneous rupture model. Preferred maximum magnitudes for both simultaneous and synchronous ruptures were estimated using the same general approach. It is somewhat counterintuitive that the slightly bigger simultaneous earthquake can result in a lower ground motion hazard, but the two synchronous earthquakes result in higher ground motions for nearby sites, particularly when the site is located between the rupturing fault segments, because energy is coming from two sources. For both synchronous and simultaneous ruptures, maximum magnitudes were estimated in the PSHA based on surface rupture lengths and available displacement data, as appropriate to the particular rupture scenario. The main difference between the simultaneous and synchronous ruptures is that all of the moment (energy) is released in one event in the simultaneous model, versus the moment being split into two slightly smaller synchronous subevents on different segments of the Pajarito fault system, in the synchronous model. Thus, the slightly smaller magnitudes for the synchronous ruptures are a direct result of splitting the fault rupture into two portions for this model. In addition, the 10 percent difference in the total moment release between the two models results from the different geometries used and the fact that displacements do not scale the same as surface rupture lengths in the empirical relations. Finally, maximum magnitudes for both synchronous and simultaneous ruptures were performed using techniques that meet SSHAC (NRC 1997) and DOE guidelines, and were reviewed and accepted by an external review panel, DOE, and the Defense Nuclear Facility Safety Board.

Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 CMRR EIS, updated seismic hazards analyses of the LANL region were issued in 2007 (LANL 2007) and 2009 (LANL 2009). These documents represent the best knowledge to date on the seismic hazard at LANL, with the uncertainties appropriately incorporated. In addition, site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-

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NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The results of this evaluation have been included in the design of the CMRR-NF, which is still under way and will continue to evolve.

While the PSHA study acknowledges that additional data would provide a more complete understanding of the seismic hazard at LANL, NNSA believes there was sufficient information to complete the study. The uncertainties associated with these areas have been adequately captured and bounded by the results of the study.

312-9 As discussed in Section 2.2, NEPA Process, of this CRD, NNSA determined that supplement to the 2003 *CMRR EIS* is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Therefore, the alternatives reflect the different alternatives for construction of the facility. Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

312-10 NNSA disagrees with the commentor's opinion that the *CMRR-NF SEIS* should be retracted because of concerns about an unpredicted catastrophic event. As described in Section 4.3.10.2 of the *CMRR-NF SEIS*, accident analyses for the CMRR-NF SEIS indicate that there would be no latent cancer fatalities resulting from postulated accidents. These scenarios assume that the CMRR-NF would survive a design-basis earthquake because of the design changes made to meet seismic requirements. See also Section 2.8, Nuclear Accidents, of this CRD for more information about how accidents that could occur at nuclear reactor facilities cannot occur at the CMRR and about other possible accidents and mitigating factors at CMRR-NF.

Commentor No. 313: Robert Aly

John Tegtmeyer
Los Alamos National Labs.
3747 West Jemez Rd.
Los Alamos, NM 87544

Dear Sir,

I oppose ANY New bomb production facility in New Mexico. I also am opposed to Nuclear weapons Production ANYWHERE.

^{proposed}
This facility is a "crime AGAINST the peace" as defined in the Nuremberg Charter AND IS A VIOLATION of article 6 of the NON-Proliferation treaty.

Please notify Dr. Chu that there ^{MANY} are people in New Mexico who are opposed to this project.

Thanks,
Robert Aly
~~room2~~ room2@earthlink.net

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NNSA notes the commentor's opposition to the proposed construction and operation of the CMRR-NF and to the production of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 314: Jason Bohammon

John Tegtmeyer
 Los Alamos National Labs
 3747 West Jemez Rd
 Los Alamos, NM 87544

Dear Sir

I strongly opposed any new construction of bomb production facility in New Mexico. I also opposed to nuclear weapons production anywhere proposed

This proposed facility is a "crime against the peace" as defined in the Nuremberg Charter and is a violation of article 6 of the Non-Proliferation treaty.

Please notify Dr. Chu that there are many people in New Mexico who are opposed to this project

Thanks

Jason Bohammon
 jabo2r@hotmail.com

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314-1

NNSA notes the commentor's opposition to the proposed construction and operations of the CMRR-NF and to the production of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

**Commentor No. 315: Robert H. Gilkeson and
Concerned Citizens for Nuclear Safety (Joni Arends)**

Additional Public Comments of Robert H. Gilkeson, Registered Geologist, and Concerned Citizens for Nuclear Safety (CCNS) about the DOE 2011 draft Supplemental Environmental Impact Statement (draft SEIS) for the proposed Chemistry and Metallurgy Research Replacement Nuclear Facility (CMRR-NF) at the Los Alamos National Laboratory (LANL) Technical Area-55 (TA-55)
* Draft SEIS does not meet NRC 1997 Seismic Hazard Analysis Requirements
* CMRR-NF Not Designed for a Minimum Maximum Magnitude Earthquake of 8.0

To: John Tegtmeier, Document Manager
Roger Snyder, Deputy Site Manager, NNSA Los Alamos Site Office

From: Robert H. Gilkeson, Registered Geologist, rhgilkeson@aol.com
Joni Arends, Concerned Citizens for Nuclear Safety (CCNS)
jarends@nuclearactive.org ccns@nuclearactive.org

Date: July 5, 2011

Re: Insufficient, Incorrect and Misrepresented Seismic Information for Design Basis Earthquakes for Proposed CMRR-NF – Requirement for DOE to Retract DOE 2011 draft SEIS for CMRR-NF

Introduction: There is a requirement for the Department of Energy (DOE) to retract the DOE 2011 draft Supplemental Environmental Impact Statement (DOE 2011 draft SEIS) for the proposed Chemistry and Metallurgy Research Replacement Nuclear Facility (CMRR-NF) at the Los Alamos National Laboratory (LANL) Technical Area-55 (TA-55) because it does not meet the basic purposes of the National Environmental Policy Act (NEPA). Further the DOE 2011 draft SEIS provides an inadequate and incomplete analysis as detailed below.

The DOE 2011 draft SEIS on page 3-25 misrepresents the methods used in the LANL 2007 Probabilistic Seismic Hazards Analysis (LANL 2007 PSHA Report) to follow the Senior Seismic Hazard Advisory Committee's Guidelines for a Level 2 analysis in the most recent guidance from the Nuclear Regulatory Commission (NRC), "Recommendations for Probabilistic Seismic Hazard Analysis – Guidance on Uncertainty and Use of Experts" (NRC 1997 SH Guidance Report). *Please note:* The NRC 1997 SH Guidance Report is not available in the electronic reference documents for the DOE 2011 draft CMRR-NF SEIS.

The NRC 1997 SH Guidance Report was a joint project of the NRC, DOE and Electric Power Research Institute. The Main Report was prepared by the Senior Seismic Hazard Analysis Committee (SSHAC) comprised of: R. J. Budnitz (Chairman), G. Apostolakis, D. M. Boore, L. S. Cluff, K. J. Coppersmith, C. A. Cornell, P. A. Morris, Lawrence Livermore National Laboratory.

One of the objectives of the NRC 1997 SH Guidance Report:

Because PSHA results can be so important for both engineering design and public-policy decision-making, a goal of this project is that the PSHA methodology will ensure the stability of the numerical results for a

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NNSA notes the commentor's concerns and technical comments regarding seismic issues related to the *Draft CMRR-NF SEIS*. In addition to all the following responses, refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information and to sections of the *Final CMRR-NF SEIS* where revisions were made to text in response to comments as noted in the specific response that follows each comment below.

NNSA believes that the *CMRR-NF SEIS* meets the requirements of NEPA. Furthermore, NNSA does not believe it is necessary to retract the *Draft CMRR-NF SEIS* or reissue a revised draft SEIS. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazards analysis of the LANL region (LANL 2007, 2009). (The 2009 update to the 2007 preliminary seismic hazards analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. These changes are included in the Modified CMRR-NF Alternative (see Chapter 2, Section 2.6.2 of the *CMRR-NF SEIS*).

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Neither the LANL PSHA Peer Review Panel nor DNFSB found the 2007 and 2009 LANL PSHAs to be "inadequate and incomplete." The purpose of the 2007 LANL PSHA update (LANL 2007), which was followed by another update in 2009 (LANL 2009), was to assess the earthquake ground-shaking hazard at LANL and based on that hazard, develop site-specific design-basis earthquake ground motions for several LANL sites, including CMRR-NF. Both PSHAs were performed following the guidelines established by SSHAC (SSHAC 1997) for PSHAs, particularly with regard to the incorporation of uncertainty. DOE, NRC, and the Electric Power Research Institute (EPRI) sponsored the development of the SSHAC guidelines. The goal of any PSHA is to develop inputs that represent the composite distribution of the informed technical community. SSHAC recognizes that PSHA inputs can be subject to considerable uncertainties

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reasonable period of time (five to ten years) or until significant new technical information presents itself (Section 1.4, p. 4).

The pertinent excerpt from page 3-25 is pasted below:

The methods used in the updated 2007 analysis [LANL 2007 Probabilistic Seismic Hazard Analysis (PSHA)] follow the Senior Seismic Hazard Advisory Committee's guidelines for a Level 2 analysis in the most recent guidance from NRC, "Recommendations for Probabilistic Seismic Hazard Analysis – Guidance on Uncertainty and Use of Experts" (NRC 1997). Based on this analysis, the dominant contributor to seismic risk at LANL is the Pajarito Fault system, due to its proximity and level of seismic activity. The main element of the fault system is the Pajarito Fault. Secondary elements include the Santa Clara Canyon Fault, the Rendija Canyon Fault, the Guaje Mountain Fault, and the Sawyer Canyon Fault (DOE 2008a; LANL 2007a).

The locations of the above faults in the vicinity of LANL are shown on Figure 1. Figure 2 shows the locations of mapped faults in the LANL 2007 PSHA Report and in the DOE 2011 draft SEIS. Figure 3 is from a report by LANL scientist Kenneth H. Wohletz (Wohletz, 2004) which shows the disagreement among LANL scientists on the location of faults close to the proposed CMRR-NF. The inferred locations of faults on Figure 3 is determined from detailed field mapping of zones of intense fractures both west, north and east of the proposed CMRR-NF.

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due to incomplete data and scientific understanding, as well as from process variability. In particular, when developing the inputs for PSHA, it is recognized that there is always incomplete knowledge because that is the nature of trying to characterize a complex natural process. However, by performing PSHAs in a manner consistent with the SSHAC guidelines, particularly with regards to the incorporation of the range of different interpretations and scientific uncertainties, the results should be robust and stable. Participatory peer review is also an essential element of a successful PSHA and in the case of the LANL PSHAs, an internationally recognized expert panel was engaged. In addition, DNFSB was involved in the 2007 and 2009 studies and provided commentary on the process.

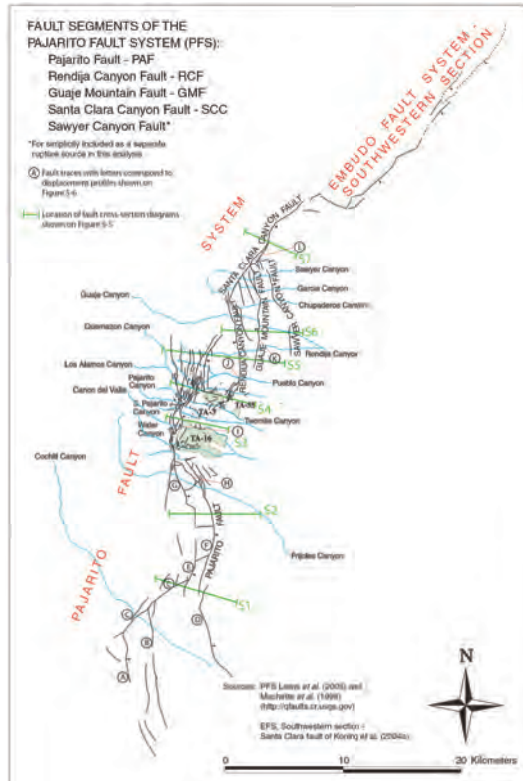
As a result of comments received on the *Draft CMRR-NF SEIS*, Chapter 3, Section 3.5, Geology and Soils, of the *CMRR-NF SEIS* was revised to improve the description of faulting and seismic hazards at LANL.

The fault shown 800 feet (244 meters) west of the proposed CMRR-NF, by Vaniman and Wohletz (1990) and Wohletz (2004), is an inferred fault, meaning that the fault is interpreted to be present at some depth below the location at which it is mapped; however, no evidence for surface-rupturing faults was found along that mapped trace. The work of Vaniman and Wohletz helped spur the LANL Seismic Hazards Program to conduct detailed, site-specific studies around TA-55 (for example, Gardner et al. 1998, 1999, 2008) to determine the presence or absence of surface-rupturing faults, using detailed investigative methods. These methods included conventional geologic mapping at 1:1,200 scale, high-precision total station geologic mapping of Bandelier Tuff subunit contacts to identify faults, and large-scale trenching investigations at the site of the proposed CMRR-NF. Gardner et al. (1998, 1999) identified no faults or offsets along geologic contacts suggesting the presence of a fault at TA-55. Although Gardner et al. (2008) did observe some fractures and small faults confined within units of the tuff, they concluded that fractures and faults exposed at the proposed CMRR site formed very shortly after emplacement of the tuff, 1.26 million years ago, as a result of cooling and compaction, and the structures identified at the proposed CMRR-NF site pose no independent seismic surface rupture hazard. No evidence for active faulting was identified by Gardner et al. (1998, 1999, 2008) near the proposed CMRR-NF, as inferred by early studies of Vaniman and Wohletz (1990) and Wohletz (2004).

The work of Lewis et al. (2009) is a comprehensive, peer-reviewed report and map on the Pajarito fault system. Using data presented in Lewis et al. (2009), the

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Figure 1. Map of the Pajarito Fault System and Embudo Fault System – Southwestern Section in Northern New Mexico. **Source:** Figure 5-4 in LANL 2007 PSHA Report.

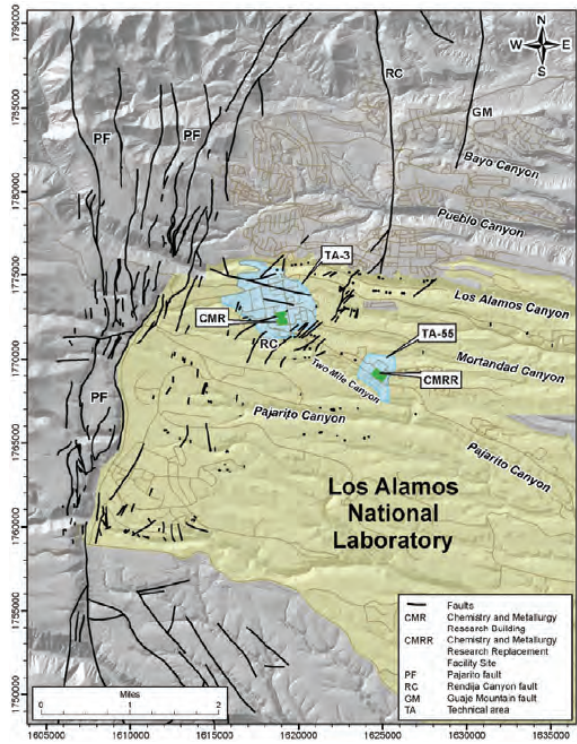


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nearest laterally continuous, surface-rupturing fault to the proposed CMRR-NF is located approximately 3,300 feet (1,000 meters) to the west-northwest, in the western portion of TA-64, with 3 feet (1 meter) of down-to-the-west displacement.

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Figure 2. Mapped Faults in the Los Alamos National Laboratory Area.
Source: Figure 3-5 in the DOE 2011 SEIS for locating the proposed CMRR Nuclear Facility at LANL TA-55.

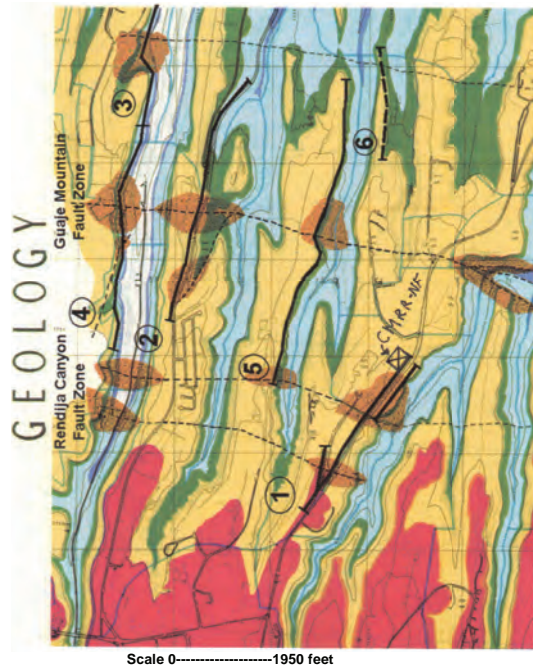


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Figure 3. Map in 2004 LANL Report by Wohletz showing proposed location of Rendija Canyon Fault along the western boundary of LANL TA-55 and Guaje Mountain Fault 2500 feet east of the eastern boundary of TA-55.
Source: Figure 14 in Wohletz, 2004 (LA-UR-04-8337)



- Black X inside rectangle is location of proposed CMRR-NF
- Dashed black lines show trend of inferred faults - - - - -
- Brown patches along dashed black lines are zones of intense fractures
- Circled numbers 1 to 6 have no relation to intense fracture zones.

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The LANL 2007 PSHA Report and the DOE 2011 draft SEIS did not use the demonstrated zones of intense fractures on Figure 3 to identify potential locations for buried active faults. The fault map in the LANL 2007 PSHA Report (see Figure 2) was limited to where field studies mapped displacements on faults. However, the NRC 1997 SH Guidance Report in Section 4 on page 54 describes the importance for knowledge of buried active faults close to the proposed CMRR-NF and for other critical LANL facilities in the following four issue areas:

NRC 1997 SH Guidance Report – Issue 1. Location of buried active faults close to the proposed CMRR-NF.

At a minimum, the location of fault sources must be identified in map view. Usually a fault map depicts the line of intersection of faults with the ground surface. In the case of blind faults that do not intersect the surface, the location of the shallowest extent of the fault should be indicated on the fault maps. With the occurrence of the 1983 Coalinga earthquake and the 1994 Northridge earthquake has come an increasing recognition of the important contribution that blind or buried faults can make to seismic hazard.

A brief description of the buried 1983 Coalinga and 1994 Northridge earthquakes in California follows:

- Description of the 1983 Coalinga Earthquake in the URL listed below
http://earthquake.usgs.gov/earthquakes/states/events/1983_05_02.php

This damaging earthquake [Magnitude 6.4] was caused by an 0.5-meter uplift of Anticline Ridge northeast of Coalinga, but surface faulting was not observed. Ground and aerial searches immediately after the earthquake revealed ground cracks and fissures within about 10 kilometers of the instrumental epicenter, none of which appeared to represent movement on deeply rooted fault structures.

- Description of the 1994 Northridge Earthquake in the URL listed below
<http://nisee.berkeley.edu/northridge/>

At 4:31 A.M. local time, Monday, January 17, 1994 the Northridge earthquake struck the San Fernando Valley region of Southern California with a moment magnitude measured at 6.7 and focal depth of 19 km. The earthquake was centered 32 km west-northwest of Los Angeles along a south-dipping, blind thrust fault. Little if any surface faulting was produced. The earthquake resulted in 57 deaths, more than 5,000 injuries, and structural damage including instances of partial or complete structural collapse. Estimates of more than \$20 billion in property damage make this earthquake the costliest seismic disaster in U.S. history.

Comment by Gilkeson and Arends. *The NRC 1997 SH Guidance Report requires DOE to have accurate knowledge of the presence of buried active faults close to the proposed CMRR-NF. The zones of intense fractures on Figure 3 may indicate buried active faults close to the location of the proposed CMRR-NF. DOE has not performed the necessary field investigations with detailed field mapping, drilling of coreholes and surface geophysics (seismic and aeromagnetics) to determine the presence of buried*

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Chapter 3, Section 3.5.3, Faulting, of the *CMRR-NF SEIS* provides information about fault locations in relation to the CMRR-NF location at TA-55. This includes three figures showing the locations of faults near LANL and the CMRR-NF. No surface faults were found at TA-55, and the zones of higher-density fracturing were found not to correlate to regions of surface faulting (Reneau et al. 1995; Gardner et al. 1998, 1999, 2008). Therefore, it is expected that the CMRR-NF would not be directly affected by surface faulting.

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active faults close to the proposed CMRR-NF. The failure of DOE to characterize buried active faults close to the proposed CMRR-NF requires DOE to retract the DOE 2011 draft SEIS. In addition, the 2009 report by the LANL Seismic Hazards Geology Team (Lewis et al., 2009) described the insufficient knowledge of the southern extent of the Guaje Mountain Fault (GMF) toward the proposed CMRR-NF as follows:

The southern extent and amount of displacement of the GMF are not well characterized (p. 257).

Conclusions. . . . The southern end of the GMF has not been mapped in detail, but its southern termination is likely to be similar to that of the Rendija Canyon fault (p. 268).

Comment by Gilkeson and Arends. A southern termination of the GMF "similar to that of the Rendija Canyon Fault" would locate the GMF close to the proposed CMRR-NF. The above excerpt describes the requirement in the NRC 1997 SH Guidance Report for accurate maps that provide the following:

"At a minimum, the location of fault sources must be identified in map view. Usually a fault map depicts the line of intersection of faults with the ground surface."

Comment by Gilkeson and Arends. The fault map in the DOE 2011 draft SEIS does not provide accurate knowledge of the location of fault sources close to the proposed CMRR-NF because the LANL Seismic Hazards Geology Team describes the need for detailed field investigations to map the southern boundary of the GMF.

NRC 1997 SH Guidance Report – Issue 2. Accurate knowledge of fault geometry is required. The NRC 1997 SH Guidance Report describes the requirement for accurate knowledge of the geometry of the faults as follows:

The need to characterize the three-dimensional geometry of a source is greatest where the source to-site distance is small. For example, if a fault is less than 10 km from a site, the direction and amount of dip away from or toward the site can have a large impact on the source-to-site distance (p. 54).

However, the LANL 2007 PSHA Report describes the lack of knowledge of the fault geometry as follows on page 5-12:

Figure 5-7 shows views of our 3-D structural model for the PFS. These views were extracted from an interactive 3-D representation created by Claudia Lewis in Arcsine using digital elevation data to model the ground surface, digital fault traces to accurately represent complex geometries, and **assumed fault dips** [Emphasis Supplied] (which are within the ranges used in our seismic source characterization for the PFS, Figure 5-8). **It is noteworthy that the fault dips are the most poorly constrained part of the model due to the lack of subsurface structural data** [Emphasis Supplied].

In addition, the LANL report (Lewis et al., 2009) by the LANL Seismic Hazards Geology Team recognized an important deficiency in the LANL 2007 PSHA Report is the lack of

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315-5 Lewis et al. (2009) states that the southern extent and amount of displacement on the Guaje Mountain fault are not well constrained. Detailed geologic mapping of the area between the mapped southern termination of the Guaje Mountain fault and the northern side of Los Alamos Canyon has not yet been undertaken. That said, studies have completed detailed geologic mapping of LANL from Los Alamos Canyon to the north to Pajarito Canyon to the south, and from the Pajarito fault escarpment to the west to TA-46 to the east (for example, Gardner et al. 1999; Lavine et al. 2003). These studies carefully looked for the presence or absence of surface faulting associated with the Rendija Canyon and Guaje Mountain faults within LANL property. Geologic mapping at LANL to identify surface faulting is summarized by Animation 1 in Lewis et al. (2009).

Lewis et al. (2009) shows that the Rendija Canyon fault trends southward to Los Alamos Canyon, then splays southwesterly into a broad zone of deformation in LANL's TA-3. Surface faulting from the Rendija Canyon fault was not identified due south of Los Alamos Canyon, including at TA-55. The surface expression of the Guaje Mountain fault is not visible south of Pueblo Canyon, including within LANL property.

Using the data presented in Lewis et al. (2009), as a comprehensive, peer-reviewed report and map of the Pajarito fault system, the following can be stated with respect to distances from the center of the proposed CMRR-NF:

- the nearest geologic structure with lateral continuity is associated with the Rendija Canyon fault, located approximately 3,300 feet (1,000 meters) west-northwest of the center of the proposed CMRR-NF. This geologic structure is located within the "horsetail" splay of the Rendija Canyon fault, in the western portion of TA-64, exhibits 3 feet (1 meter) of down-to-the-west displacement, and has a mapped length of approximately 100 feet (30 meters).
- the location at the north side of Los Alamos Canyon, where the Rendija Canyon fault changes its trend from southerly to southwesterly, is located approximately 6,250 feet (1,900 meters) north of the center of the proposed CMRR-NF.
- the mapped southern termination of the Guaje Mountain fault, north of Pueblo Canyon, within the Los Alamos townsite, is approximately 13,000 feet (3,960 meters) north-northeast of the center of the proposed CMRR-NF.

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knowledge of the fault geometry for the Pajarito Fault System (PFS) as follows on page 252:

Despite the importance of understanding the geometry of the fault system and potential linkage among faults for purposes of seismic hazard analysis, a robust kinematic model of the [Pajarito] fault system is lacking.

Summary Comment by Gilkeson and Arends. *The DOE draft 2011 SEIS and the LANL 2007 PSHA Report do not provide the knowledge as required in the NRC 1997 SH Guidance Report for the locations of faults and the geometry of faults close to the proposed CMRR-NF. There is a requirement to retract the DOE 2011 draft SEIS and perform the necessary field studies. These field studies should be conducted and reviewed by independent peer reviewers as required by the 2005 Office of Management and Budget.*

NRC 1997 SH Guidance Report - Issue 3. Use of analog earthquake sites to determine the maximum Magnitude (M) of potential earthquakes in the PFS System. The NRC 1997 SH Guidance Report recommends the use of analog sites to determine the maximum earthquake magnitude (M) when there is insufficient knowledge of the dimensions of fault rupture. The above excerpts from Lewis et al., 2009 show that there is insufficient knowledge of fault rupture dimensions for the PFS and especially for the GMF in the immediate vicinity of the proposed CMRR-NF. The maximum magnitude M used as the design basis earthquake for the proposed CMRR-NF was incorrectly calculated as 7.27 (the reason the 7.27 maximum moment M is incorrect is described in Issue 1.A. in the June 28, 2011 public comments of Gilkeson and Arends). The importance to consider the maximum earthquakes for analogous historic earthquakes at other locations that are tectonically similar to the PFS is described in the NRC 1997 SH Guidance Report as follows:

Other considerations in assessing maximum earthquakes for area sources are analogies to other sources. The source of interest may be tectonically similar to another source such that their maximum earthquakes are also deemed to be similar (p. 58).

From consideration of analog earthquakes, the design basis earthquake for the proposed CMRR-NF should have been at least maximum magnitude M 7.5 instead of the incorrect value of M 7.27. This is because the maximum magnitude M 7.5 for the analogous 1959 Hebgen Lake earthquake should have been used. The LANL 2007 PSHA Report described the 1959 Hebgen Lake earthquake as an analog for the PFS and the Valles Caldera as follows:

Another example of a synchronous rupture that is a possible analog for the PFS is the M 7.3 1959 Hebgen Lake earthquake [actually, M 7.5, see below] which involved multiple discrete faults and two subevents: a mb 6.3 event followed 5 seconds later by a mb 7.0 event (Doser, 1985). This is a good possible analog for the PFS because 1) it occurred in a region adjacent to a Quaternary caldera, as does the PFS; 2) it clearly involved multiple overlapping but distinct faults (rupture segments) with complex geometries, including opposing dips like the PFS; 3) it was dominantly extensional; and, 4) it had large displacements [23 feet], as is suggested for the PFS [Emphasis Supplied].

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These data presented above, which are consistent with those provided in Chapter 3, Section 3.5, Geology and Soils, of the *CMRR-NF SEIS*, correspond to data used to calculate design-basis earthquake ground motions for the CMRR-NF.

It is important to note that precise locations of the strands of the Pajarito fault system, with respect to the CMRR-NF, are not needed for estimating the ground-shaking hazard at the site. The ground motion prediction models "flatten" out at short distances, less than a few kilometers for large magnitude earthquakes ($M > 6.5$), so the hazard is not sensitive to uncertainties in fault locations of hundreds of meters. Precise fault locations are needed for assessing the hazard from surface fault rupture, but the potential for surface faulting at the CMRR-NF is considered very low.

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The comment indicates that site-specific data on the geometry and sense of slip of the Pajarito fault system are inadequate because studies have not been conducted. Dozens of mapping studies of the Pajarito fault system have been conducted (for example, Gardner and House 1987; Wong et al. 1995; Carter and Gardner 1995; McCalpin 1997; Lavine et al. 2003), including state-of-the-art, high-precision mapping in the vicinity of LANL. In addition, numerous paleoseismic trench investigations have been conducted at 17 sites over the past 20 years (for example, Gardner et al. 1990; Olig et al. 1996; Kelson et al. 1996; LANL 2007; McCalpin 1998, 1999, 2005). These studies clearly show that the Pajarito fault system is a series of normal slip faults that form the best studied fault system in the Rio Grande rift. Admittedly, some parts of the fault have not been as well studied as others; these tend to be those portions outside of LANL, especially where access issues are a problem (for example, the Santa Clara Canyon segment). Additional study of these areas would likely improve our understanding of the fault and could help reduce uncertainties in the inputs, but these studies are not a prerequisite to conducting a PSHA or determining design ground motions at LANL. The uncertainties in regards to fault geometry, rupture behavior, and sense of slip on the Pajarito fault system were fully recognized and addressed in the range of inputs to the PSHA. A range of fault dips was used ($\pm 15^\circ$), a component of oblique slip was considered in calculating slip rates, and two rupture models and various rupture scenarios were included in the analysis to address remaining uncertainties in the geometry and sense of slip of the Pajarito fault system.

In addition, several of the coauthors of the Lewis et al. (2009) study, including the lead author, were involved in developing the seismic source model of the

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The 7.3 – 7.5 Richter magnitude of the Hebgen Lake earthquake is described as follows in the U.S. Geological Survey Fact Sheet 2005-3024 issued in 2005:

The Hebgen earthquake of August 17, 1959 occurred at 11:37 p.m. Mountain Standard Time. The earthquake had a Richter magnitude of 7.3 – 7.5.

NRC 1997 SH Guidance Report - Issue 4. Because of the record of increasing activity into the future for the youthful PFS, the NRC 1997 SH Guidance Report requires the addition of one-half earthquake magnitude unit M or one intensity unit to the design basis earthquake for the proposed CMRR-NF as follows:

In cases where the maximum historical earthquake has not been assessed to be equivalent to the maximum possible earthquake, past practice has included adding an increment of one-half magnitude unit or one intensity unit to the maximum historical earthquake (p. 57).

The NRC 1997 SH Guidance Report requires the design basis earthquake for the proposed CMRR-NF to be a minimum maximum moment **M** of 8 (7.5 (Hebgen Lake) plus .5 (NRC 1997 SH Guidance Report)) rather than the maximum moment of 7.27 that was used in the DOE 2011 draft SEIS. The fact that the youthful PFS is growing and increasing over time in the potential for more powerful earthquakes is described in the LANL 2007 PSHA Report as follows:

In the 1995 study, recurrence intervals were not used for most of the 26 rupture scenarios due to the lack of recurrence interval data. The weighted-mean recurrence interval was 32,000 years when they were used and the weighted-mean slip rate for most of the rupture scenarios was 0.182 mm/yr. In comparison, the weighted-mean recurrence for Rupture Model C, the strongly favored (weighted 0.85) model in this study is 8,400 years and the weighted-mean slip rate is 0.211 mm/yr (Figure 5-8). Sensitivity studies show that these higher rates have a significant impact on the hazard (Section 7.2.2) and so we know that increased rates on the PFS likely contributed measurably to the increase in hazard for this study, but we cannot specify exactly how much [Emphasis Supplied] (p. 9-6).

Interestingly, the scaling factor needed to adjust segment slip rates in order to achieve preferred target recurrence intervals is 2.11 (see footnote 6 of Table 5-14), which is essentially the same factor between the long term slip rate (0.1 mm/yr) and the weighted mean for the slip rate distribution derived from the RGR (Rio Grande Rift) analysis (cf., slip rate branch for Rupture Model C on Figure 5-8). Thus, the moment balancing approach is implying that the late Quaternary rates are about twice as fast as the long-term Quaternary rates (and the Holocene rates are about 8 to 10 times faster than the Quaternary rates). We already knew this from the paleoseismic data, but it is reassuring to see that our moment-balanced rates for Rupture Model B are consistent with our slip rates assigned to Rupture Model C [Emphasis Supplied] (p. 5-20).

Summary Comment by Gilkeson and Arends. *The DOE 2011 draft SEIS did not follow the requirements in the NRC 1997 SH Guidance Report to use an appropriate analog historic earthquake for the maximum moment **M** and to add one-half magnitude*

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Pajarito fault system for the 2007 PSHA update. All of the data and analyses for the Pajarito fault system published in the Lewis et al. (2009) study were included or considered in the PSHA update. The first draft of the Lewis et al. paper was written in 2007 and it took 2 years to get through the review and publication process.

The claim that the maximum magnitudes were not correctly calculated in the 2007 PSHA, have no technical basis, or were underestimated, because they are less than magnitudes for historic analogue earthquakes (for example, 1959 Hebgen Lake and 1983 Borah Peak earthquakes), is not accurate.

Richter magnitudes (M_L) can differ from moment magnitudes (M_w), especially at large magnitudes. Therefore, to make a direct “apples to apples” comparison, the magnitude values should be compared using the same scale. All magnitudes used in the LANL PSHA were in terms of M_w , not M_L . Based on the latest geologic data, including those published in Lewis et al. (2009) and documented in the PSHA update (LANL 2007), expected maximum magnitudes for the various rupture scenarios of the Pajarito fault system range from M_w 6.5 to 7.3, and these were input as preferred values with a weight of 0.6 in the analysis. The expected magnitudes were calculated using well-established and widely accepted empirical relations (Wells and Coppersmith 1994). Results were checked and peer-reviewed by an internationally recognized Participatory Peer Review Panel during the PSHA update (LANL 2009). Additional uncertainties of ± 0.3 moment magnitude (with a weight of 0.2 each) were included so that the M_w inputs into the PSHA were as large as 7.6, depending on the rupture scenario (LANL 2007). The estimated size of the 1959 Hebgen Lake earthquake is M_w 7.3, whereas the 1983 Borah Peak earthquake was smaller, at M_w 6.8 (Doser and Smith 1985). Thus, the range of maximum magnitudes used to calculate design ground motions for the CMRR-NF incorporates the magnitudes of historic earthquakes that might be considered analogues for rupture of the Pajarito fault system.

The statement in the 1997 SSHAC guidelines “in cases where the maximum historical earthquake has not been assessed to be equivalent to the maximum possible earthquake, past practice has included adding an increment of one-half magnitude unit or one intensity unit to the maximum historical earthquake” is for area sources, not active faults. This statement also refers to “past practice.” Current practice for estimating the maximum magnitude for an area source is based on evaluating the maximum earthquake in analogue seismotectonic regions. For an active fault, SSHAC (1997) describes two general approaches:

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Concerned Citizens for Nuclear Safety (Joni Arends)**

unit for the design basis earthquake for the proposed CMRR-NF because the youthful PFS is growing in power. Accordingly, the NRC 1997 SH Guidance Report required that the design basis earthquake for the proposed CMRR-NF was a minimum maximum magnitude **M** of 8.0 instead of the incorrect maximum magnitude **M** of 7.27 that was used in the DOE 2011 draft SEIS. DOE is required to retract the DOE 2011 draft SEIS because it does not provide a safe and efficient design for the proposed CMRR-NF and does not analyze for a minimum maximum magnitude **M** 8.0 for the design basis earthquake.

Below are our questions from our review of the NRC 1997 Seismic Hazard Guidance Report 1 through 4. Please provide specific answer to our Questions NRC 1997 Seismic Hazard Guidance Report 1 through 4 in your Response to Comments for the DOE 2011 draft SEIS for the CMRR-NF. Please do not generalize or group the important issues raised in these additional comments by Gilkeson and CCNS.

Also, we add the same request not to generalize or group the June 28, 2011 comments of Robert H. Gilkeson, Registered Geologist, and Joni Arends, Concerned Citizens for Nuclear Safety (CCNS) about the DOE 2011 draft SEIS.

NRC 1997 Seismic Hazard Guidance Report Issue 1. The NRC 1997 SH Guidance Report recognizes the importance for the seismic hazard assessment for the proposed CMRR-NF to include locations of active buried faults. The best knowledge of active buried faults close to the location of the proposed CMRR-NF is the detailed field mapping of zones of intense fractures by LANL scientist Kenneth H. Wohletz (Wohletz, 2004). The zones of intense fractures close to the proposed CMRR-NF are displayed on Figure 3. The DOE 2011 draft SEIS did not consider the zones of intense fractures close to the proposed CMRR-NF as a seismic hazard from active buried faults. Accordingly, should DOE retract the 2011 draft SEIS? If not, why?

NRC 1997 Seismic Hazard Guidance Report Issue 2. The NRC 1997 SH Guidance Report recognizes the need for accurate knowledge of the direction and angle of dip for the discrete faults in the PFS, especially for faults close to the proposed CMRR-NF. However, the LANL 2007 PSHA Report states, "It is noteworthy that the fault dips are the most poorly constrained part of the model due to the lack of subsurface structural data." In addition, the LANL Seismic Hazards Geology Team in Lewis et al., 2009 recognized that "The southern extent and amount of displacement of the GMF toward the CMRR-NF are not well characterized." Accordingly, should DOE retract the DOE 2011 draft SEIS? If not, why?

Further, the LANL Seismic Hazards Geology Team in Lewis et al., 2009 recognized the overall failure for knowledge of the direction and angle of dip of the entire network of faults in the PFS as follows:

Despite the importance of understanding the geometry of the fault system and potential linkage among faults for purposes of seismic hazard analysis, a robust kinematic model of the [Pajarito] fault system is lacking.

*Gilkeson and CCNS Additional Comments about DOE 2011 draft SEIS for CMRR-NF * July 5, 2011 * Page 10*

315-7
cont'd

315-8

constraints provided by historical seismicity and estimates of maximum rupture dimensions. Given the lack of significant historical seismicity on the Pajarito fault system, the latter approach has been used to estimate the maximum earthquake in addition to fault displacements from paleoseismic investigations.

There is no geologic or seismologic evidence that the rate of occurrence of surface-faulting earthquakes (magnitude > 6.5) is increasing along the Pajarito fault system. Paleoseismic investigations indicate that three large earthquakes ruptured along the Pajarito fault system during the Holocene period (past 11,000 years), suggesting that this recent activity may represent a temporal cluster in the long-term behavior of the fault (LANL 2007, Lewis et al. 2009). However, this possible pattern in the activity rate of the Pajarito fault system has been incorporated into the PSHA (LANL 2007). There is also no geologic or seismologic evidence that would suggest that the maximum potential earthquake along the Pajarito fault system is increasing in size. The maximum earthquake for the Pajarito fault system has been estimated for the PSHA based on observed fault displacements from past earthquakes and rupture dimensions of the potential fault rupture. Over the lifetime of the CMRR Facility and much longer, that is, thousands of years, the level of seismic hazard at the CMRR site is not expected to change because there are not expected to be changes in the maximum potential earthquake and activity rates of the Pajarito fault system. The general behavior of the Pajarito fault system is not expected to change over the time scale of the next century.

315-3
cont'd

315-9

315-6
cont'd

NNSA notes the commentor's position that the *CMRR-NF SEIS* is inadequate and that a full suite of reasonable alternatives should be evaluated. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information. Chapter 2, Section 2.7, of the *CMRR-NF SEIS*, describes alternatives considered but dismissed from detailed analysis. These alternatives are: (1) alternatives locations outside LANL; (2) extensive upgrades to the existing CMR Building; and (3) moving capabilities to other LANL facilities. In addition, NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. This included options for moving CMR to another location. In the 2008 ROD for the *Complex Transformation SPEIS* (73 FR 77644) NNSA reaffirmed the decision to construct and operate the CMRR-NF at LANL. For the reasons described in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*, these alternatives are not being revisited.

**Commentor No. 315 (cont'd): Robert H. Gilkeson and
Concerned Citizens for Nuclear Safety (Joni Arends)**

The record shows that DOE does not have the required knowledge of the geometry of faults in the PFS that is recognized as an important parameter for calculating the seismic hazard as required by the NRC 1997 SH Guidance Report. Accordingly, should DOE retract the DOE 2011 draft SEIS? If not, why?

315-6
cont'd

NRC 1997 Seismic Hazard Guidance Report Issue 3. The NRC 1997 SH Guidance Report requirement for the maximum magnitude **M** earthquake for the proposed CMRR-NF should be from historic analogs. This is because there is too much uncertainty in the sparse data that was used to incorrectly calculate the maximum magnitude **M** of 7.27 in the LANL 2007 PSHA Report. The reasons the maximum magnitude is incorrectly calculated in the LANL 2007 PSHA Report are described in Issue 1.A. in our June 28, 2011 public comments by Gilkeson and Arends.

The LANL 2007 PSHA Report identified the maximum moment **M** of 7.5 for the 1959 Hebgen Lake Earthquake as an analog for the PFS. The United States Geologic Survey <http://earthquake.usgs.gov/learn/topics/richter.php> reported a 7.5 magnitude earthquake is approximately seven (7) times more powerful for seismic hazard than a 7.27 earthquake. Accordingly, should DOE retract the DOE 2011 draft SEIS because the 1997 NRC Guidance for Seismic Hazard is not followed for the design of the proposed CMRR-NF? If not, why?

315-7
cont'd

NRC 1997 Seismic Hazard Guidance Report Issue 4. The NRC 1997 SH Guidance Report recognizes the need to add one-half magnitude moment **M** to the design basis earthquake for the proposed CMRR-NF. This is required because the youthful PFS is increasing in power for more powerful earthquakes into the future at a rate that cannot be calculated with current knowledge. The pertinent excerpt from the NRC 1997 SH Guidance Report is below:

In cases where the maximum historical earthquake has not been assessed to be equivalent to the maximum possible earthquake, past practice has included adding an increment of one-half magnitude unit or one intensity unit to the maximum historical earthquake (p. 57).

Accordingly, should DOE retract the DOE 2011 draft SEIS because the 1997 NRC Guidance for Seismic Hazard is not followed to add one-half magnitude moment **M** for the design of the proposed CMRR-NF? If not, why?

Our Recommendations:

The DOE 2011 draft SEIS does not meet the basic purposes of the NEPA. 40 CFR 1500 *et seq.* For example, the DOE 2011 draft SEIS does not provide reasonable alternatives for constructing and operating the proposed CMRR-NF, final design is not provided for the two construction options, and the final cost estimates have not been completed. For instance:

315-9

NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before

Regarding the final design of the project, the draft SEIS and PSHA are not intended to be used as design-level documents. The PSHA represents the best knowledge to date on the seismic hazard at LANL, with the uncertainties appropriately incorporated. The results of the PSHA and site-specific geotechnical reports referenced in the geology discussions in Chapter 3, Section 3.5, and Chapter 4, Section 4.5 (Kleinfelder 2007a, 2007b, 2010a, 2010b), have been included in the preliminary design of the CMRR-NF, which will be finalized subsequent to completion of the SEIS. Per DOE Order 413.3, Program and Project Management for the Acquisition of Capital Assets, final or detailed design cannot be started until the NEPA document (Final SEIS in this case) has been completed, so as not to prejudice the outcome, or restrict or narrow the range of alternatives to be considered.

Regarding the cost of the project, the cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Commentor No. 315 (cont'd): Robert H. Gilkeson and Concerned Citizens for Nuclear Safety (Joni Arends)

actions are taken. The information must be of high quality. Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA. Most important, NEPA documents must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail. 40 CFR §1500.1(b).

**315-9
cont'd**

NEPA also requires that "if a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion." 40 CFR §1502.9(a). Because the seismic issues impact each and every aspect of the proposal to construct and operate a CMRR-NF – and the fact that the DOE 2011 draft SEIS does not analyze for a minimum magnitude 8.0 earthquake, we urge DOE to retract the DOE 2011 draft SEIS. DOE must prepare and circulate a new revised draft environmental impact statement for public review and comment.

**315-1
cont'd**

Further, the Office of Management and Budget requires that for large projects, such as the proposed \$6 billion CMRR-NF, that the documents be peer reviewed. "This new guidance is designed to realize the benefits of meaningful peer review of the most important science disseminated by the Federal Government." Final Information Quality Bulletin for Peer Review, 70 Fed. Reg. 2664 (2005), available at <<http://www.whitehouse.gov/omb/memoranda/>>.

**315-2
cont'd**

Thank you for your careful consideration of our comments.

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Commentor No. 316: Patricia O’Leary

From: Patricia O’Leary [PSOLEary@msn.com]
Sent: Sunday, July 03, 2011 9:54 AM
To: NEPALASO@doeal.gov
Subject: Re: No Nuclear/plutonium bombs at Los Alamos!

I am very concerned with regard to the proposal to build new plutonium bombs at Los Alamos Lab. Too much risk in view of fires and earthquakes.

Patricia O’Leary
PSOLEary@msn.com

316-1

316-1

NNSA notes the commentor’s opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The commentor’s earthquake concerns are addressed in Section 2.6, Seismic and Geologic Concerns, of this CRD. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 317: Lasita Shalev

From: Human Design America [hdamerica@mac.com]
Sent: Sunday, July 03, 2011 11:07 PM
To: NEPALASO@doeal.gov
Cc: Marcia Starck; Barbara Moser-Kranjcec; Sharon Russell-Gicelter; Abbey Jennings; John Borrelli; branka copic; Dvir Itshaki; Carly Newfeld; Grace Weisman; Elisha Weisman; Raphael Weisman; Frank Camarda; Jonathan Gimbel; Gabrielle Wagner; Hilary Clayton
Subject: Comments about Los Alamos Plutonium Pit Project

To whom it may concern!!!

We have enough bombs to explode the world hundreds of times over and they are all still viable and yet people propose we make more.

Are you lot crazy?

Introducing more plutonium and the consequent "toxic waste" from it into New Mexico is ludicrous and very unfunny

Please pay attention to the health needs of NM residents!

Blessings and Peace,

Lasita Shalev

PLEASE SEND YOUR COMMENTS IN TO THIS GOV address NEPALASO@doeal.gov _____

317-1

317-1

NNSA notes the commentor's opposition to the CMRR-NF project and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Commentor No. 318: Vic and Barby Ulmer

From: Barby and Vic Ulmer [odw@magiclink.net]
Sent: Monday, July 04, 2011 3:43 PM
To: NEPALASO@doeal.gov
Subject: Stop plans for Plutonium Bomb Plant

A plutonium bomb plant at Los Alamos is or at least ought to be unthinkable. What with the 60 year drought predicted, the severe lack of water for human needs, the danger of fire made real with the current one ranging and the tremendous need for water for such a plant it makes NO SENSE whatsoever to build one. Nor is this the step we should be taking politically, especially since we've signed a treaty and made a committment to scale down, not build up nuclear weapons. Please don't allow this to happen.

Sincerely,
Vic and Barby Ulmer
Saratoga CA 95070

318-1

318-1 NNSA notes the commentor's opposition to the CMRR-NF project and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 319: Susan Osberg

From: Susan Osberg [susanosberg@mac.com]
Sent: Monday, July 04, 2011 5:19 PM
To: NEPALASO@doeal.gov
Subject: CMRR Nuclear Facility

AS a citizen on the U.S., in the light of Fukushima, of Desmond Tutu's call to honor the treaties of Nuclear Disarmament and the terrible fires that are sweeping through the region threatening the wellbeing of us all, I do not support CMRR The Nuclear Facility project in Los Alamos. The 6 billion dollars can be put to great use.

Susan Osberg
susanosberg@mac.com
www.susanosberg.com

319-1

319-1 NNSA notes the commentor's opposition the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding the Fukushima Daiichi Nuclear Power Plant, there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Current operations at LANL do not violate any treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials, including vegetation, are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Regarding the commentor's statement about funding, decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 320: Abbe Anderson

From: Abbe Anderson [abbe@abbeanderson.com]
Sent: Monday, July 04, 2011 9:48 AM
To: NEPALASO@doeal.gov
Subject: please oppose the CMRR project

Hello. Due to the wildfires, more plutonium storage is suicidal. Please redirect the funds into something that can support the people of this beautiful state.

Thank you.

320-1

320-1

NNSA notes the commentor's concern regarding the storage of plutonium at the CMRR-NF. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Regarding funding priorities, decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 321: Richard Miller

From: Dick Miller [dick_miller@comcast.net]
Sent: Monday, July 04, 2011 6:24 PM
To: nepalaso@doeal.gov
Subject: Supplemental EIS for CMRR

Mr John Tegtmeler,

Pardon my slightly late response. I was a nuclear physicist before I retired in 1996. I worked primarily at SAIC for the DNA and participated in a number of projects involving LANL personnel. My basic work involved measuring the x-ray spectral output of nuclear devices at underground test sites at the Nuclear Test Site in Nevada, thus providing the DNA with information that they could use to estimate the effectiveness of nuclear rockets designed to be used to deter Soviet nuclear rockets from reaching our country, in the event of a Soviet nuclear attack.

I find the 20+ billion dollars to be spent to build a new CMRR at LANL so that new plutonium pits can be designed and built absurd, given that existing pits have been evaluated to last essentially indefinitely, so that there would be adequate time to build new pits at the first sign of the deterioration of present pits. And even then, what is the need for a new design for something with a very long life that hopefully and probably will never be used. What example does this set for the rest of the world as we on the other hand try to evolve into a nuclear free world? The US and the Russians have more than adequate nuclear arsenals to defend ourselves if not the world. We have no need for an updated CMRR, let alone one built on a seismic fault line in an area prone to fires as presently now are burning near Los Alamos. I recognize that money should be spent to maintain scientists and engineers as myself with nuclear capabilities that might be required should our present nuclear capabilities and equipment deteriorate, but that is not an issue at present. Should it become an issue for whatever reason that I am currently unaware of, then there would be more than enough time to deal with this issue, given the speed with which LANL and Livermore were able to respond during WWII. The money to support our nuclear labs should be devoted to new technology to aid the evolving world, such as global warming and newer and safer energy producing resources, as well as health and information technology and other issues that hopefully will come about with government research funding.

Thank you for providing me the opportunity to express my views, however late they might arrive.

Richard Miller (PhD UC Berkeley, MBS MIT)

321-1

321-1 NNSA acknowledges the commentor's concerns regarding costs but notes that the estimated cost for the CMRR-NF is \$3.7 billion to \$5.9 billion (DOE 2011b). The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility.

Seismic issues are addressed in Section 2.6, Seismic and Geologic Concerns, of this CRD. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the

Commentor No. 321 (cont'd): Richard Miller

proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Regarding the commentor's concern about the funding priorities of the U.S. Government, funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 322: rikistevens@cybermesa.com

From: rikistevens@cybermesa.com
Sent: Monday, July 04, 2011 10:04 PM
To: NEPALASO@doeal.gov
Cc: rikistevens@cybermesa.com
Subject: Re: New plutonium project
Importance: High

Dear Lab Director: Recent danger to LANL should have provided enough evidence that new and/or more plutonium facilities could have even more negative effects than what we already have seen this week. Other countries are now discontinuing nuclear facilities because recent events in Japan and here have given cause for real concern. STOP NOW>

322-1

322-1

NNSA notes the commentor's opposition to plutonium facilities at LANL. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Regarding the accident that occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant, there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 323: Stephanie Hiller

From: Stephanie Hiller [hiller.stephanie@gmail.com]
Sent: Tuesday, July 05, 2011 12:18 AM
To: NEPALASO@doeal.gov
Subject: CMRR SEIS

I am opposed to the construction of the CMRR as planned, and to the use of this SEIS to support the chosen design, for several reasons, but the main reason is that I do not believe the United States needs to manufacture more plutonium pits for new or "modernized" nuclear weapons. We have enough pits and we have enough weapons. I thought we were committed to eliminating these weapons in accord with Article 6 of the Nuclear Nonproliferation Treaty! Modernization of our weapons threatens to alarm Russia and inspire other nations to do the same, as I believe is already occurring amongst the nuclear weapons states.

This is insane. We already know that nuclear weapons in the hands of terrorists are a threat to our survival. The idea that making more or better weapons serves as an effective deterrent has been disproved.

Deterrence is an outdated theory that does not apply to the current geopolitical situation -- if it ever worked at all.

Since the CMRR is clearly intended to make more weapons possible, at terrific cost to the taxpayer, and with unacceptable seismic risk, and because it will use more of our precious resources, especially water, I urge you to declare the SEIS incomplete and unacceptable, cancel the project, and find more useful ways to spend \$6 billion.

Thank you.

Stephanie Hiller
writer
Santa Fe, New Mexico

323-1

323-1 NNSA notes the commentor's opposition to the CMRR-NF project and pit production. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Seismic issues are addressed in Section 2.6, Seismic and Geologic Concerns, of this CRD. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the

International Building Code so that the facilities remain safe in the event of a large earthquake.

Regarding funding priorities, decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 323 (cont'd): Stephanie Hiller

Commentor No. 324: Benjamin Abbott

From: Benjamin Abbott [benjamin.abbott@gmail.com]
Sent: Tuesday, July 05, 2011 8:30 AM
To: NEPALASO@doeal.gov
Subject: Comments on CMRR-NF SEIS

Hello,

I'm emailing to express my opposition to the Chemistry and Metallurgy Research Replacement (CMRR) Project. Spending billions on new pit production is a slap in the face to everyone suffering in this country. It only benefits the corporations involved; the rest of us have to pay and live with the risk of environmental contamination. The project can accomplish nothing positive. The last thing we need is more weapons of mass destruction.

Sincerely,

Benjamin Abbott
UNM American Studies PhD Program

324-1

324-1 NNSA notes the commentor's opposition to the construction and operation of the CMRR Project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding the commentor's concern about the funding priorities of the U.S. Government, funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

NNSA acknowledges the commentor's concern about environmental contamination risk. Chapter 4 of the *CMRR-NF SEIS* provides the environmental impacts analysis, which evaluates potentially affected resource areas in a manner commensurate with the importance of the potential effects on each area. The analysis indicates that the risk of environmental contamination is limited to extremely unlikely accident events.

Commentor No. 325: Joanne M. Roberts

From: Joanne Roberts [litfut@comcast.net]

Sent: Monday, July 04, 2011 1:44 PM

To: NEPALASO@doeal.gov

Subject: Withdraw the Proposed Nuclear Facility of the Chemistry and Metallurgy Research Replacement (CMRR) Project at the Los Alamos National Laboratory (LANL)

Hello,

I urge you to withdraw the draft Supplemental Environmental Impact Statement (draft SEIS) for the Proposed Nuclear Facility of the Chemistry and Metallurgy Research Replacement (CMRR) Project at the Los Alamos National Laboratory (LANL)

The National Environmental Policy Act (NEPA) requires a federal agency to provide a range of alternatives. DOE has not provided viable and workable alternatives.

The draft SEIS misrepresents the seismic hazard at the location of the proposed CMRR–Nuclear Facility is of great concern.

The draft SEIS demonstrates that DOE will continue to waste water for manufacturing nuclear weapons; create more radioactive, hazardous and toxic waste; spew pollution into the air; and exceed its existing electric power needs.

Please withdraw the draft EIS on this project.

There are other better alternatives.

Sincerely yours,

Joanne. M.Roberts
116 Fairview Ave. E. # 403
Seattle WA
98109

325-1

325-2

325-3

- 325-1** NNSA notes the commentor’s opinion that the *CMRR-NF SEIS* does not provide a range of viable and workable alternatives. The SEIS was prepared in accordance with NEPA, as amended (42 U.S.C. 4321 et seq.), as well as CEQ regulations and DOE NEPA implementing procedures codified in 40 CFR Parts 1500–1508 and 10 CFR Part 1021, respectively. Chapter 1, Section 1.4, of the *CMRR-NF SEIS* identifies the three alternatives analyzed in the SEIS. These alternatives are addressed in more detail in Chapter 2, Section 2.6. Section 2.7 of the SEIS provides a discussion of alternatives that were considered and dismissed from detailed analysis. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.
- 325-2** Seismic issues are addressed in Section 2.6, Seismic and Geologic Concerns, of this CRD. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. This section was updated for the *Final CMRR-NF SEIS*. Subsequent to the original proposal of the CMRR Facility and preparation of the *2003 CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazard analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve.
- 325-3** As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4–15 through 4–17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water

Commentor No. 325 (cont'd): Joanne M. Roberts

Resources and Usage, of this CRD for more information on water resources at LANL.

Sufficient capacity exists at LANL or at offsite facilities to dispose of all of the projected waste associated with any of the alternatives included in the *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. As summarized in Chapter 2, Table 2-3, no air quality standards would be exceeded.

Electrical power impacts are addressed in Chapter 4, Section 4.2.3, 4.3.3, and 4.4.3, of the SEIS. Options for adding to or modifying the existing electrical distribution at LANL to support the requirements of the proposed CMRR-NF are analyzed in the SEIS (for example, adding an electrical substation in TA-50).

Commentor No. 326: Lisa Adkins

From: Lisa Adkins [annalisa.adkins@comcast.net]
Sent: Tuesday, July 05, 2011 9:29 PM
To: nepalaso@doeal.gov
Subject: In support of CMRR

Mr. John Tegtmeier, CMRR-NF SEIS Document Manager
 U.S. Department of Energy
 National Nuclear Security Administration
 Los Alamos Site Office
 3747 West Jemez Road, TA-3, Building1410
 Los Alamos, New Mexico 87544

Dear Mr. Tegtmeier:

I have lived in Santa Fe, New Mexico for over 30 years. This email is in support for the construction of the Chemistry and Metallurgy Research Building Replacement (CMRR) Project and the "Preferred Alternative" as described in the draft Supplemental Environmental Impact Statement.

I believe the completion of such a project will provide a significant economic boost to Santa Fe, northern New Mexico and the Los Alamos National Laboratory, which is especially important to the long term health and vitality of New Mexico.

The existing Chemistry and Metallurgy Research (CMR) Building was built nearly 60 years ago and needs to be replaced with a modern facility meeting current design requirements. I, and many other Santa Feans, fully support the replacement facility and urge that its construction be started at the earliest possible opportunity.

Lisa Adkins
 2631 Via Berrenda
 Santa Fe, NM 87505

326-1

326-1

NNSA notes the commentor's support for construction of the CMRR-NF. The socioeconomic sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative and the Modified CMRR-NF Alternative would require a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

Commentor No. 327: Ken Adkins

From: kenneth.adkins@comcast.net
Sent: Tuesday, July 05, 2011 8:56 PM
To: nepalaso@doeal.gov
Subject: Santa Fe supports LANL and CMRR!

Mr. John Tegtmeier, CMRR-NF SEIS Document Manager
U.S. Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Road, TA-3, Building1410
Los Alamos, New Mexico 87544

Dear Mr. Tegtmeier:

I am a 20-year resident of Santa Fe, New Mexico. This email is in support for the construction of the Chemistry and Metallurgy Research Building Replacement (CMRR) Project and the "Preferred Alternative" as described in the draft Supplemental Environmental Impact Statement.

Completion of such a project will provide a significant economic boost to Santa Fe, northern New Mexico and the Los Alamos National Laboratory, which is especially important to the long term health and vitality of the state of New Mexico.

The existing Chemistry and Metallurgy Research (CMR) Building was built nearly 60 years ago and needs to be replaced with a modern facility meeting current design requirements. I, and many other Santa Feans, fully support the replacement facility and urge that its construction be started at the earliest possible opportunity.

Ken Adkins
2631 Via Berrenda
Santa Fe, NM 87505

327-1

327-1

NNSA notes the commentor's support for construction of the CMRR-NF. The socioeconomic sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative and the Modified CMRR-NF Alternative would require a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

Commentor No. 328: Amy Gup

From: a gup [ajgup18@yahoo.com]
Sent: Tuesday, July 05, 2011 4:13 PM
To: NEPALASO@doeal.gov
Subject: cmrr nuclear facility project

please, for the sake of all the people's of new mexico, do not build this facility.
thank you
amy gup
new mexico resident

|| 328-1

328-1

NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 329: Katherine Franger

June 21, 1011

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544

Dear Mr. Tegtmeir:


I am writing to protest the proposed Chemistry and Metallurgy Research Replacement Project in Los Alamos.

CMRR would be built near a fault line, thus exposing this project to a disaster much worse than Fukushima or Chernobyl. The billions of dollars added to the original 2004 estimate apparently is supposed to address this, but no amount will prevent a huge disaster in the event of an earthquake in the area over 7 on the Richter Scale.

The US already has more "Plutonium Pits" than could ever be used (God forbid). Increasing the production from 20 pits per year to 80+ per year is another way of using taxpayers' money for unnecessary projects.

This foolish, unnecessary, and unbelievably costly project should be stopped and abandoned immediately.

Sincerely,


Katherine Franger
820 Sevely Drive
Mountain View, CA 94041

CC: Senator Dianne Feinstein
Senator Barbara Boxer

329-1

NNSA notes the commentor's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF. For more information, refer to Section 2.6, Seismic and Geologic Concerns, of this CRD.

329-1

329-2

329-1
cont'd

Regarding an accident like that at the Fukushima Daiichi Nuclear Power Plant, there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

329-2

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2,

Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 329 (cont'd): Katherine Franger

Commentor No. 330: Mary vanderBerg Green

06/28/2011 12:19 FAX 5757511300

SOUTHSIDE

002



Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegtmier, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, 1A-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov

This building was first designed in 2004 and the world has changed greatly since then a SEIS does not adequately assess the impacts of this proposal. I request a complete and new EIS.

A request for an estimated \$6B building at a time when Fukushima has happened, and two US reactors are in the midst of floods while Los Alamos is burning in a forest fire at this very moment is unacceptable and must not be taken on by the taxpayers of our nation.

Mary vanderBerg Green
PO Box 1779, Taos, NM 87571

CMRR-NF Hearings:

Tues. Mar. 24, 3:00 p.m. to 6:00 p.m., Holiday Inn Express, 60 Entrada Dr., Los Alamos
Wed. Mar. 25, 2:00 p.m. to 5:00 p.m., Santa Clara Hotel, 461 S. Riverdale Dr., Espanola
Fri. Mar. 28, 5:00 p.m. to 9:00 p.m., Santa Fe Community College, Juncos Rowan, 601 Ruidoso Ave., Santa Fe
View or download SEIS document: <http://www.nepa.energy.gov> or <http://www.nnsa.energy.gov/nepa/contents>

330-1

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

330-1

330-2

NNSA notes that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could not happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

330-2

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Section 3
Public Comments and NNSA Responses

Commentor No. 331: Ann Mattingley

06/28/2011 12:29 FAX 5757511300

SOUTHSIDE

001



Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegmeier, CMRR NF SEIS Document Manager, NNSA Los Alamos Site Office,
3547 West Jemez Road, FA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov

Deadline June 28, 2011

I request that you please complete
a new and complete SEIS
before considering building a
new plutonium pit production
complex in Los Alamos, NM.

Thank you, concerned citizen

Ann Mattingley
HERI BOX 6027
Questa, NM 87556

6/28/11

CMRR-NF Hearings:

Mon, May 23, 8 to 9 p.m. Albuquerque Marriott, Suite F, 2101 Louisiana NE, Albuquerque, NM 87106
Tue, May 24, 8 p.m. to 9 p.m. Holiday Inn Express, 600 Avenida De Los Barrios
Wed, May 25, 8 p.m. to 9 p.m. Santa Clara Hotel, 404 S. Riverside Dr., Espanola
Thu, May 26, 8 p.m. to 9 p.m. Santa Fe Community College, Jemez Rooms, 801 Richards Dr., Santa Fe
View or download SEIS document: <http://www.doe.energy.gov> or <http://www.nnsa.energy.gov> / seis

331-1

331-1

Comment noted. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

Commentor No. 332: Spencer Floyd

06/28/2011 12:30 FAX 5757511300

SOUTHSIDE

002



Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegmeier, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
1717 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov

Deadline June 28, 2011

This fine is a wake up call to
stop the continued development of
nuclear weapons at LANL. Please
end the insanity.
6/28/2011

Spencer Floyd
#C 81 Box 6027 (14 North Star Rd)
Quartz Hill, N7556

[Redacted]

332-1

332-1

NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Section 3
Public Comments and NNSA Responses

CMRR-NF Hearings:

Mon, May 23, 8:30 a.m. Albuquerque Marriott, Salton F. 2101 Lomasanta NE, Albuquerque, NM 87106
Tues, May 24, 8:30 a.m. 1597 pm, Double Inn Express, 601 Entrada Dr., Los Alamos
Wed, May 25, 8:30 a.m. 10:30 pm, Santa Clara Hotel, 164 S. Riverside Dr., Espanola
Thu, May 26, 8:30 a.m. 10:30 pm, Santa Fe Community College, Jemez Campus, 6801 Jemez Rd., Santa Fe
View or download SEIS document: <http://www.nepa.energy.gov> or <http://www.nraa.energy.gov/nepa/cmrrseis/>

Commentor No. 333: Renné Hardy

Jun 26 11 10:03a

P. 1

██████████
 Attn: MR JOHN TEGTMEIR

1. I would like to submit the following comment

1. AM IN OPPOSITION TO
 PLUTONIUM PIT PRODUCTION
 AT LOS ALAMOS

1. Re EIS -
 need an EIS not S-EIS

to study: seismic issues
 (May 2007 updated seismic eval)
 and unstable geological strata

2. Re Cleanup @ "Legacy Sites"
 this cleanup should be addressed
 first

3. Exploration of other alternatives
 1. NO ACTION
 2. upgrading existing CMR bldg

Thank you! Renné Hardy
 124 E Bent St
 Tros N M 87571

333-1

NNSA notes the commentor's opposition to pit production at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

333-1

As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazard analyses of the LANL region (LANL 2007, 2009). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See also Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

333-2

333-2

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to

Commentor No. 333 (cont'd): Renné Hardy

be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

333-3

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the CMRR-NF SEIS). The No Action Alternative included in the CMRR-NF SEIS is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967). In response to public comments, additional information was added to Chapter 2, Section 2.7 of the *CMRR-NF SEIS*. Refer to Section 2.11, Alternatives Considered, of this CRD for additional information.

Commentor No. 334: Elana Sue St. Pierre
Healthy Water NOW ASAP

Mr. John Tegmeier, CMRR-NF
 SEIS Document Manager
 NNSA Los Alamos Site Office
 3747 West Jemez Road,
 TA-3 Building 1410,
 Los Alamos, New Mexico, 87544.

Healthy Water NOW ASAP
 Elana Sue St. Pierre OTR/L
 Santa Fe New Mexico 87505
 6-21-11

Respectfully, Earnestly, and Truthfully to the Powers that Be

I am writing as Spokes Woman for Healthy Water NOW ASAP a growing network of over 300 parents of children with developmental disabilities (often genetically related), pediatric therapists, early childhood interventionists, child advocates, midwives, dulas, nurses, and physicians . We are speaking out for the voiceless children whose lives will hold all decision makers accountable in days yet to come regarding the nuclear bomb factory(Chemistry and Metallurgy Research and Replacement Nuclear Facility --CMRR) which is now being seriously questioned .

As humanity, as a world society, grows and our consciousness expands strategic rational for war and national defense must evolve to protect our human potential and to meet the true threats of our national security. In the days proceeding Aug and Sept 1945 when the first weapons of mass destruction were unleashed on helpless pregnant women and children, it was a war strategy that met the needs of the that Cold War Era. War and surrender was based on killing as many civilians as possible to force the governments fueling the war into submission. The massive massacre that the nuclear bombs created ended the war yet the nuclear fallout from these bombs continues to affect all our lives in deep invisible ways. In these early days of the nuclear age the effects of global contamination and health effects over generations of lives were not understood.

We now understand that nuclear fall out is carried in the soil which becomes our own nations contaminated food, it blows in the wind carried beyond all countries' boundaries, and it contaminates our living water which becomes waters within the womb birthing lives plagued by deformity, sickness and death through generations. Civilian deaths from the "little boy" and the "fat boy" (code names for these first nuclear weapons of mass destruction) continue today in Japan. For within the ovaries of the first surviving women exposed to the nuclear bombs where the eggs of their grandchildren who today experience third generation genetic birth defects.

There is no old or new and improved nuclear bombs which can protect civilian populations , our sole/soul justification for our involvement in the Lybian War. Today the Kamikaze fighters have left their planes abandoning their cause....Japan now fights an internal nuclear catastrophe. Terrorism, the threat of this decade, is fought undercover of secret missions and all nuclear facilities have become potential targets with inadequate protections from terrorism attack. Hitler's bones have turned to dusts and the race to create bigger and better killing "Gadgets" no longer serves a propose of national defense but rather creates potential national disasters. Germany now leads the way away from the nuclear age transforming their nuclear foot prints into alternatives.

The nuclear foot prints of this nation's first weapon of mass destruction lies hidden in secret files,documents and the nuclear wasted buried in the canyons between Los Almos and the Rio Grande, our communities major source of water. Less than 100 yards from the intake of this

334-1

334-1

NNSA notes the commentor's concerns about downstream and downwind contamination from LANL and the effects on human health. It is NNSA policy to conduct operations in a manner that ensures the protection of public health and safety and the environment through compliance with applicable Federal, state, and local laws and regulations, DOE Orders, and other requirements. LANL operations are subject to all of these requirements. Chapter 5 of the *CMRR-NF SEIS* describes the environmental laws and regulations that apply to the CMRR-NF operations.

Some LANL operations may result in the release of radioactive materials to the air through a stack or other forced air release point (called point sources). Limits or requirements for these emissions are set forth in the Clean Air Act, specifically the National Emissions Standards for Hazardous Air Pollutants for DOE facilities. Under these regulations, radioactive air emissions from LANL must be controlled to ensure that no member of the public receives an effective dose equivalent of 10 millirem per year.

Impacts on surface water can be caused by industrial outfalls, stormwater runoff, dredge and fill activities, or sediment transport. LANL has one sanitary outfall and 14 industrial outfalls; effluents from LANL facilities are discharged in accordance with a National Pollutant Discharge Elimination System permit that establishes limits on the volume and quality of the discharge. These outfalls are sampled weekly, monthly, or quarterly, as specified in the permit, to analyze effluents for compliance with permit levels. Over the past 5 years, LANL has maintained an average rate of compliance with industrial permit conditions of 99.5 percent. LANL also had a 93 percent compliance rate with National Pollutant Discharge Elimination System stormwater requirements at its permitted construction sites (LANL 2006a).

The Albuquerque water utility has monitored the Rio Grande by collecting and testing samples at various sites from the Heron Reservoir along the river to Albuquerque for metals, minerals, nutrients, organic substances, and radionuclides (City of Albuquerque 2006). The river water meets EPA drinking water standards for all of these substances (specifically, the levels of radionuclides are far below the EPA standards).

Regarding the Buckman well field, in 2006, LANL staff collected a groundwater sample from Buckman Well #1 as part of routine quarterly sampling that is conducted at three water-supply wells in the Buckman Well Field. This sampling

Commentor No. 334 (cont'd): Elana Sue St. Pierre
Healthy Water NOW ASAP

community's water supply lies traces of plutonium and radioactive heavy metal buried only three foot deep within the Buckman well field along the banks of the Rio Grande. Current radioactive clean up standards and methods for radioactive cleanup do not protect us. These silent yet deadly nuclear foot prints may be seeping into our life giving limited water resources. The air we breath and soil that grows our food radiates background contamination from these nuclear bombs, nuclear foot prints of the nuclear age threatening our national security, as well as, the immediate health and safety of this down wind/down stream community.

We currently are in a sever drought. This proposed bomb factory would use over 326,000gallons of our water need for growing food and supporting lives. Where would the water needed for cooling a melt down or accident come from? Although we face the same Earthquake threats that Japan now faces we do not have a near by ocean to keep pumping water at an unsolvable catstrophe for indefinite periods of time.

The degrading current nuclear facility at LANL, situated on our active fault line, needs to be rendered inert and safe with full bio remediation of the site. Yet where is the research, technology and funding to do so? Degrading stock piles and contamination sites of deadly nuclear wastes threaten every state of our great nation and has spread across the face of our planet...all originating from here. LANL and DOE lack funding for research and development for alternative bio remediation of the nuclear contamination that originated here. When will our world's greatest scientists again gather here to find the true solutions that can transmute our nuclear foots prints one step at a time? The time can be NOW.

The nuclear age has served the purpose of teaching us that the true threat to national security can no longer be met by weapons of mass destruction. The true threats to our national security are now being caused by creations of our own making....environmental disasters due to uncontrollable weather patterns set out of balance by our unbridled carbon foot prints and the earth quaking...., shifting entire continental shelves where our nuclear foot prints lie buried within our ignorance and failure to move beyond the consciousness of nuclear war. The consciousness of mass destruction no longer serves our national security or defense strategies. The budget of 3 billions dollars for improving nuclear bombs can be to totally redirected toward a resurgence of nuclear research for life supporting bio remediation.

We intend that all funding for this bomb factory((Chemistry and Metallurgy Research and Replacement Nuclear Facility -CMRR) be redirected toward bio remediation of the growing nuclear contamination that already threatens us. We intend there be a re-evaluation that prevents any nuclear bomb factory (CMRR) from being created in this water scarce and seismographically active region. A few years back the Pecos River flowed backwards due to an earthquake. The Valla Caldera was created when the planets largest mountain was blown to pieces from the Earth quaking. And we all quake to think that our world's best scientist would plan to store over 13,000lbs of plutonium in this unstable area. We ask that lessons form past mistakes move forward with greater insight in a new directions using the billions of dollars ear marked for this disastrous plan be re-directed for bio-remediastion and alternative energy research.

Respectfully, Earnestly, and Hopefully
Visioning a Nuclear Free Future for The Children
Healthy Water NOW ASAP
Spokes Woman :Elana Sue St. Pierre OTR/L
6-21-11



334-1
cont'd

334-2

334-2

is performed pursuant to a cooperative agreement with the City of Santa Fe. The samples were sent to an independent laboratory for radiochemistry analysis where it was reported that they detected plutonium-238 at a level about 3 percent of the DOE concentration guide for water ingestion. However, after recent reviews of legacy data by LANL staff and further discussions with the analytical laboratory, the laboratory has confirmed that computer analyses of the results were incorrect. The laboratory concluded that plutonium-238 was *not present* in the sample from Buckman Well #1. No further reports of plutonium detection have occurred since this occurrence in 2006 (LANL 2011e).

334-3

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

334-3

Regarding the commentor's statements about research, technology, and funding related to bioremediation, these subjects are not within the scope of the *CMRR-NF SEIS*. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 334 (cont'd): Elana Sue St. Pierre

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMFF-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF. The CMRR-NF would be designed, constructed and operated in accordance with applicable regulations and standards for environment, health, and nuclear safety (including seismic standards).

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect the workers and public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. The potential environmental impacts of the proposed alternatives for construction and operation of the CMRR-NF are discussed in Chapter 4 and summarized in Chapter 2, Section 2.10 of the *CMRR-NF SEIS*.

Commentor No. 335: Mary M. Koponen

Supplemental EIS for the Nuclear Facility Portion of the
Chemistry and Metallurgy Research Building Replacement Project
at Los Alamos National Laboratory, Los Alamos, New Mexico

Comment Form
Forma para comentarios

Thank you for your input
Gracias por su participación

Date/Fecha: June 22, 2011

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SEIS?
¿Que comentarios tiene usted sobre el Draft SEIS?

Good day.
Glad to hear your budget has
been cut some, unfortunately in the cleanup
has been cut too.
I would prefer: (1) NO NEW BUILDING
be built; (2) PRODUCTION HALTED; (3) ALL
FUNDS GO TO CLEAN UP; (4) NO MORE
WASTE BE TRUCKS MADE OR TRANSPORTED
ON OUR HIGHWAYS.

PLEASE USE THE GREAT MINDS
AT LOS ALAMOS TO HELP OUR PLANET
WHICH IS OUR HOME.

CLIMATE CHANGE IS REAL
AND MUCH MORE THREATENING THAN ANY
TERRORIST THREATS.
PLEASE HELP!

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Mary M. Koponen

Address/Dirección: PO Box 456

City, State, Zip Code/Ciudad, Estado, Zona Postal: Disc. NM 87327

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SEIS; comments received are included in the SEIS in their entirety.

NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SEIS; todo comentario recibido es incluido en su totalidad en el SEIS.

PLEASE HAND THIS FORM IN OR MAIL BEFORE JUNE 28, 2011, to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO ANTES 28 DE JUNIO 2011 A:



Mr. John Tegmeier, CMRR-NF SEIS Document Manager • U.S. Department of Energy
National Nuclear Security Administration • Los Alamos Site Office • 3747 West Jensen Road, TA-3, Building 1410
Los Alamos, New Mexico 87544

335-1

NNSA notes the commentor's opposition to the CMRR Project and production and the suggestion that funds be directed to cleanup. In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

335-1

335-2

It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the CMRR-NF SEIS. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Each of the alternatives would result in the generation of radioactive waste. Sufficient capacity exists at LANL or at offsite facilities to dispose of all of the projected waste associated with any of the alternatives included in the CMRR-NF SEIS, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. As summarized in Chapter 2, Table 2-3, transportation impacts from waste transport would be small, with no latent cancer fatalities or traffic accident fatalities expected.

335-2

Comment noted.

Commentor No. 336: Dimitra Doukas, Ph.D.**Submit Questions or Comments about the Draft CMRR-NF SEIS to:**

Mr. John Tegtmeyer, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov

OF COURSE THE CMRR-NF PROJECT REQUIRES A FULL
EIS, AND A REAL ONE, BASED ON A NEW PROFESSIONAL
STUDY, WITH NEW DATA COLLECTION BY QUALIFIED
SCIENTISTS FROM ALL RELEVANT DISCIPLINES - AS
MANY AS POSSIBLE BEING NM RESIDENTS, TOO
OFTEN AN EIS IS A BUREAUCRATIC RECYCLING OF
OLD DATA, A "PLACEBO" FOR A PUBLIC WHOSE
CONCERNS ARE VIEWED AS GROUNDLESS. NEW MEXICANS'
CONCERNS ABOUT THIS PROJECT ARE NOT GROUNDLESS.
AS THE NUCLEAR DISASTER IN JAPAN THIS SPRING
SHOULD SHOW US - NUCLEAR FACILITIES MUST NOT
BE SITED IN SEISMIC FAULT ZONES. NEW MEXICANS
ARE ABSOLUTELY RIGHT TO RESIST THE SENTENCE
THAT GREED AND NATURAL UNPREDICTABILITY HAVE
PASSED ON THE JAPANESE PEOPLE. A SCIENTIFICALLY
HONEST EIS HAS TO CONCLUDE THAT THE PROPOSED
SITE CANNOT SUPPORT A NUCLEAR FACILITY AND THAT
THIS PROJECT AS PROPOSED MUST NOT GO
FORWARD. - DIMITRA DOUKAS, PH.D.

DIMITRA.DOUKAS@GMAIL.COM

CMRR-NF Hearings:

Tues. Mar 24, 3 p.m. to 9 p.m., Holiday Inn Express, 60 Entrada Dr., Los Alamos.
Wed. Mar 25, 3 p.m. to 9 p.m., Santa Claran Hotel, 464 N. Riverside Dr., Espanola.
Thurs. Mar 26, 3 p.m. to 9 p.m., Santa Fe Community College, Jemez Rooms, 6401 Richards Ave, Santa Fe.
View or download SEIS document: <http://www.nepa.energy.gov> or <http://www.nnsa.energy.gov/nepa/cmrrseis>

336-1 NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information. The *CMRR-NF SEIS* was prepared using the most current information about LANL and the CMRR project.

336-2 NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground

336-1

336-2

Commentor No. 336 (cont'd): Dimitra Doukas, Ph.D.

motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 337: Jean Richards

Supplemental EIS for the Nuclear Facility Portion of the
Chemistry and Metallurgy Research Building Replacement Project
at Los Alamos National Laboratory, Los Alamos, New Mexico

Comment Form
Forma para comentarios

Thank you for your input
Gracias por su participación

Date/Fecha: June 22, 2011

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

- 1. What comments do you have on the Draft SEIS?
¿Que comentarios tiene usted sobre el Draft SEIS?

We need a comprehensive EIS from the EPA, not this hurried SEIS prepared to combat the Los Alamos Study Group's suit.

And of course, many of us in Taos who are 60 miles downwind from Los Alamos wish the scientists up there would turn their attention to renewable energy, and a way to safely extract nat. gas as well as medicinal treat this is Parkinson's.

We do not need more nuclear warhead projects!!

Also put their brains on what to do with the nuclear waste at all of our plants. That would make sense!!

337-1 337-1

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Also, in accordance with NEPA regulations, NNSA is the agency responsible for preparing the SEIS. Refer to Section 2.2, NEPA Process, of this CRD for more information.

337-2

337-2

NNSA notes the commentor's opposition to projects related to nuclear warheads. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Thank you!

I have attended meetings in Los Alamos, Taos, and also the Alb. lawsuit on this subject

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Jean Richards

Address/Dirección: PO Box 30, #

City, State, Zip Code/Ciudad, Estado, Zona Postal: Arroyo Seco NM 87514

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SEIS; comments received are included in the SEIS in their entirety.
NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SEIS; todo comentario recibido es incluido en su totalidad en el SEIS.

PLEASE HAND THIS FORM IN OR MAIL BEFORE JUNE 28, 2011, to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO ANTES 28 DE JUNIO 2011 A:



Mr. John Tegmeier, CMRR-NF SEIS Document Manager • U.S. Department of Energy
National Nuclear Security Administration • Los Alamos Site Office • 3747 West Jemez Road, TA-3, Building 1410
Los Alamos, New Mexico 87544

Commentor No. 338: Virginia J. Miller

From: Virginia J Miller [vjmopus@cybermesa.com]
Sent: Tuesday, July 05, 2011 6:04 PM
To: NEPALASO@doeal.gov
Subject: No. 2 Comments on the draft SEIS for proposed CMRR-NF at LANL

John Tegtmeier, CMRR-NF
SEIS Document Manager
NNSA Los Alamos Site Office
Los Alamos, New Mexico

I just learned that there is a seventh key parameter that must be investigated at the CMRR-NF LANL site, in addition to the six I mentioned in my comments submitted last week. It is the shear velocity of the the reference rock, which is dacite. Field studies must be conducted, as also recommended several times by LANL scientists, but not carried out, in order to obtain accurate information of the seismic hazard. Plutonium particles are deadly.

It is utterly foolhardy to build an unnecessary plutonium facility in an earthquake zone not far from a volcano and in an area threatened by dangerous wildfires every few years due to serious drought conditions.

It is imperative that we divert funding for the CMRR-NF to the thorough cleanup of radioactive, toxic and hazardous wastes at LANL that will help protect our health and environment in northern New Mexico including the Rio Grande and our watersheds and the sacred sites of Pueblo people. Clean water is life. Thank you.

Virginia J. Miller
125 Calle Don Jose
Santa Fe NM 87501

338-1

338-1

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The 2007 and 2009 probabilistic seismic hazard analyses represent the best knowledge to date on the seismic hazard at LANL, with the uncertainties, such as the shear velocity in dacite, appropriately incorporated. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Chapter 3, Sections 3.5.1 and 3.5.5, and Appendix C have been revised to add information regarding volcanic hazards. The analysis of seismic events provides a conservative estimate of potential consequences that would be comparable to the impacts associated with volcanic events.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For

Commentor No. 338 (cont'd): Virginia J. Miller

the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 339: Jose A. Cisneros

From: Jose Cisneros [joseacisneros@aol.com]
Sent: Tuesday, July 05, 2011 10:03 PM
To: NEPALASO@doeal.gov
Subject: Draft CMRR-NF SEIS Comments

Mr. John Tegtmeir, CMRR-NF SEIS Document Manager
U/S> Department of Energy

National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Road, TA-3 Building 1410
Los Alamos, New Mexico, 87544

Dear Mr. Tegtmeier,

As a retired career employee of the National Park Service, I have a long association with the Los Alamos National Laboratory beginning in 1973 when I worked in the Southwest Regional Office of the Park Service in Santa Fe. I later served as Superintendent of Bandelier National Monument in the late 1980's during which time I worked closely with our neighbors at the Laboratory. As you may know, Bandelier National Monument housed many of the employees of the Laboratory in its early years. That has become an important component of the Monument's administrative history and one of which we are proud of.

The Laboratory has served as an important component of the economy of New Mexico since its beginnings in addition to its work on the nuclear component of this country's defense mechanism. It is because of this partnership that I write to support the planned construction of the Chemistry and Metallurgy Research Building Replacement Project and its "Preferred Alternative" as described in the draft Supplemental EIS. After 50 years of use, the Chemistry and Metallurgy Research Building is due replacement and modernization. I applaud your efforts to proceed with its construction.

Jose A. Cisneros
2611 Via Caballero Norte
Santa Fe, NM 87505

339-1

339-1

NNSA notes the commentor's support for the proposed CMRR-NF project. NNSA believes that the 60-year-old CMR Building needs to be replaced in order to address safety, reliability, consolidation, and safeguards and security issues related to performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production). Due largely to seismic and safety concerns, the existing CMR Building operates at a reduced level that does not fully support the NNSA plutonium mission. The proposed Modified CMRR-NF would provide the capability to fully meet the mission need in a modern structure that meets all seismic safety and security standards.

Commentor No. 340: Nona Lee Gregg

TO: Mr. John Tegmeier, CMRR-NF
SEIS Document Manager
NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico, 87544

As a member of impacted communities from the nuclear weapons industrial complex, I wish to express my opposition toward the proposed CMRR-NF SEIS (Chemical Metallurgy Research and Replacement Nuclear Facility, Supplemental Environmental Impact Statement) based on the following:

- A new environmental impact statement (EIS) needs to be created because the current supplemental EIS does not cover the changes in size, cost (4.5 billion and rising), and scope.
- Environmental standards need to be held to **highest level** of nuclear safety regulations.
- I am in **solidarity** with Santa Clara Pueblo's Tribal Resolution No. 08-16, which opposes the expansion of plutonium pit production at LANL (Los Alamos National Laboratory) and making that production capacity permanent through this complex.
- The current SEIS **does not** adequately address the increased seismic dangers, unstable geological strata, storm runoff contamination, and fire risks that exist with the proposed location.
- Expansion in proposed plans would only add to the 60+ years of legacy waste contamination in NM and should **not be allowed** until clean up is addressed in accordance with the 2005 consent order with the NMED (New Mexico Environmental Department).
- Money spent on unusable nuclear weapons **does not** support or spur economic growth, but goes straight into corporate pockets, depriving local communities of federal funds.

Additional Comments:

Printed Name:

NONA LEE GREGG

Signature:

Nona Lee Gregg

Date:

5/26/11

Email:

Mailing Address:

3471 Corvallis Rd #69, Santa Fe, NM 87505

340-1

340-1 NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

340-2

340-2 All proposed new DOE facilities are required to be designed, constructed, and operated in compliance with applicable DOE orders, requirements, and governing standards, established to protect public and worker health and the environment.

340-3

340-3 NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

340-4

340-5

340-6

340-4 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region

Commentor No. 340 (cont'd): Nona Lee Gregg

were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The *CMRR-NF SEIS* does address the potential for storm runoff. LANL staff manages stormwater runoff from both industrial and construction activities, such as the proposed construction of the CMRR-NF, under Storm Water Pollution Prevention Plans. These plans require the cleanup of any spills or leaks, monitoring of surface-water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. As described in the *SEIS*, there are plans for temporary and permanent detention ponds for the proper management of stormwater runoff.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Commentor No. 340 (cont'd): Nona Lee Gregg

- 340-5** Note that cleanup activities are not within the scope of the *CMRR-NF SEIS*. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.
- 340-6** NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. See Section 2.7, Economic Impacts, of this CRD for information on the economic impacts as evaluated in the *CMRR-NF SEIS*.

Commentor No. 341: Emily Koponen

To the Proposed CMRR contract June 16, 2001

#1) I support NO alternative which is to NOT build and to clean up the decrepid TA-55 that exists.

#2) I want the \$180 Billion for "modernization" of nuclear sites to be spent on

- ① Education (schools, teachers, libraries and materials and transportation)
- ② Public Transportation
Rapid transit trains
Bike paths
ecological buses
safe footpaths

③ Organic Agriculture
no more use of pesticides
clean forests beginning
no more poison in food
Sustainable

④ Alternative Energy
water power
solar + wind
off grid support
NEEDS funding & away from ALL Nuclear Coal gas

all above funding

341-1

341-1

NNSA acknowledges the commentor's position. Note that the estimated cost for the CMRRNF that is the subject of this SEIS is \$3.7 billion to \$5.9 billion (DOE 2011b). Cleanup of TA55 as suggested in the comment is not within the scope of the CMRRNF SEIS.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the CMRRNF SEIS. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. See Section 2.7, Economic Impacts, of this CRD for information on the economic impacts as evaluated in the CMRRNF SEIS.

Commentor No. 341 (cont'd): Emily Koponen

4) Alternative Sustainable Energy
 use of Humane powered
 (No more flush toilets)

5) Health
 single payer health care
 preventive medicines
 away from pharmaceuticals

6) Social Structures
 all areas above w/ meaning
 ful work + good pay
 youth + senior centers
 facilities
 gathering places
 anon

The financial destruction +
 robbery and poisoning could be so
 better spent!

Light to you?

Emily Koponen
 D.ikon N.M.
 87527

341-1
 cont'd

Response side of this page intentionally left blank.

Commentor No. 342: Gary Vogt

5065 Wolverton Drive
Florissant, MO 63033

June 16, 2011

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico 87544

Dear Mr Tegtmeir:

This is the time to do everything possible to eliminate all nuclear weapons from the face of the earth. Yet the proposed CMRR would expand the production of plutonium pits, the triggering devices for thermonuclear bombs.

This is a huge failure of morality, dangerous beyond belief and should be haulted at once! Instead of creating more of these triggers, the ones we now have should be destroyed, the plutonium mixed with large amounts of waste and the resulting material buried miles beneath the surface.

To spend anything on creating these triggers is obscene, and all the more so to spend billions at a time of budgetary crisis. Redirect necessary funds to the destruction of our stockpile and return the rest to the Treasury. Our leaders must halt the mad arms race against ourselves, and show the way to fortitude and confidence, not fear!

Since willingness to build these hellish devices shows an enormous disregard for human life, it is not surprising you care so little for American lives that you would build the CMRR in a seismic fault zone. Plutonium is one of the most toxic substances known to science, and you risk its release with your foolhardy scheme. Once released it will be uncontainable and virtually everyone who is contaminated will die a horrible death.

Stop this horror now!


Gary Vogt

342-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

342-1

Commentor No. 343: Janice Flahitt

OH-102
TOLEDO, OHIO
JANICE FLAHTT
2033 Lehman Ave
Toledo, OH 43611

A beautiful night view of downtown Toledo during the Freedom Festival Celebration.



A POSSIBLE PRINT

Photo by Greater Toledo Convention & Visitors Bureau

Dear Mr. Tegtmeir,

It is very alarming to read about the proposed Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos.

The current projected \$5.86 billion cost in itself is something our nation cannot afford. The strong possibilities of disasters in the future due to a nearby (2/3 mile) fault line also indicate a project which needs to be cancelled. There is also a strong possibility radioactive contamination from the lab contaminating Santa Fe's water supply. Again, the costs to our citizens in terms of money, safety, and health is too great to construct CMRR.

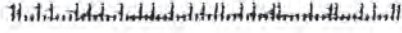
Please cancel America's Thank you for history
Janice

Penn State's Distribution, Grand Rapids MI, Phone (616) 459-5965

POST CARD

Mr. John Tegtmeir
US DoE/NNSA Los Alamos site office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544

PLEASE DO NOT WRITE BELOW THIS LINE. SPACE RESERVED FOR U.S. POSTAL SERVICE



343-1

343-1

NNSA notes the commentor's opposition to the CMRR Project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the CMRR-NF SEIS. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the CMRR-NF SEIS. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

LANL staff manages stormwater runoff from both industrial and construction activities, such as the proposed construction of the CMRR-NF, under Storm Water Pollution Prevention Plans. These plans require the cleanup of any spills or leaks, monitoring of surface-water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. Implementation of Storm Water Pollution Prevention Plans includes a number of temporary and permanent detention ponds that are included in the description of the Modified CMRR-NF Alternative. Under all three alternatives, there would be no operational discharges directly to the environment. All radioactive liquids would be transferred to RLWTF. At RLWTF, the liquids would be treated to meet discharge criteria and released through a permitted outfall or to a zero liquid discharge facility. Other liquids would be routed to the Sanitary Wastewater Systems Plant, where they would be treated prior to discharge through a permitted outfall.

Commentor No. 344: Mary L. Geraets

1500 N 2nd St.
Aberdeen, SD 57401-1288
June 16, 2011

Greetings, Mr. John Tegtmeier,

I am writing to tell you of my sincere hope that the CMRR project be cancelled, and a study of LANL plutonium should be required, including existing & future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CRR must be determined. Thank you.

Sincerely,
Mary L. Geraets

344-1

344-1 NNSA notes the commentor's opposition to the CMRR project. Refer to Section 2.1, Opposition to CMRR-NF, Nuclear Weapons, and Nuclear Technology.

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decision regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644). Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

Commentor No. 345: Paul Helbling

June 15, 2011

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico 87544

Fax: 505-667-5948

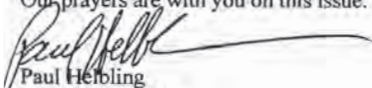
Dear Sir:

If the US government has 15,000 Plutonium pits already in storage and the ability to add 20 per year to this inventory, why does the government need a new Chemistry and Metallurgy Research Building (CMRR) to build 80 plus Plutonium pits per year?

Common sense, in my opinion, would suggest that a new CMRR is not needed.

Especially since, the new enemy facing the security of our country is our national debt. Please pray on this issue. Help our country balance our budget with sound financial decisions in order to control the national debt if not for us then our grandchildren and great grandchildren.

Our prayers are with you on this issue.


Paul Helbling
T606 St. Rt. 109
Liberty Center, Ohio
43532-9720

■■■■■■■■■■

kandpinohio@embarqmail.com

345-1 345-1

NNSA notes the commentor's concern that the CMRR-NF may not be needed, and concerns about pit production and funding priorities. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 346: Rose Bernadette

6-16-11
Mr. John Feggetter
I am strongly concerned for
our nations protection, peace and
economic growth.
In relation to the CMRR project
I am asking that this project be
cancelled. There needs to be a
study of LANL's plutonium +
infrastructure should be required
including existing + future capability
needs + cost Retaining + upgrading
safety features at the existing
CMR. Thank you Rose Bernadette

346-1

346-1

NNSA notes the commentor's opposition to the CMRR-NF project. NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644). Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the *SEIS* has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

Commentor No. 347: Pat Prunty

6/19/11

Mr. Tegtmier,

I am writing you to request that the CMRR project be canceled, a study of LANL's plutonium infrastructure be required, and a realistic cost study for maintaining and upgrading safety features at the existing CMR be determined.

I am very concerned about increasing our nuclear arsenal, the cost of building and maintaining nuclear weapons, and the long range effect they have on the land, people and our global image.

My appeal comes from a need to support the position of America as a global leader in humanitarian issues. I feel we can be much more involved as peacemakers than we are.

Sincerely,
Pat Prunty, kbom

347-1

347-1

NNSA notes the commentor's opposition to the CMRR-NF project. NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644). Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the U.S.'s nuclear weapons stockpile can continue to be managed safely. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the *SEIS* has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. Funding decisions regarding major Federal programs (for example, energy and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and

Commentor No. 347 (cont'd): Pat Prunty

to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 348: Angela Walczyk

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, N.M. 87544
June 16, 2011

Dear Citizen:

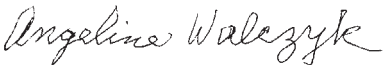
I am writing in concern about the CMRR project.

It is my observation and research that says in conscience that the CMRR project should be cancelled.

We have examples in Japan, Hermoshima and Russia of the devastation of nuclear bombs.

Lets us not be so irresponsible as to repeat fatal acts of history.

Sincerely,


Angeline Walczyk

348-1

348-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. The commentor's concern that an accident similar to that which occurred in Japan and Russia is addressed in Section 2.8, Nuclear Accidents, of this CRD.

Commentor No. 349: Doug Doran

JOHN,

PLEASE NOTE I'VE SENT MY ORIGINAL FORM
TO THE PRESIDENT FIRST FOR HIS REVIEW
AND (POSSIBLY COMMENT) I'VE ASKED THAT HE
THEN SEND IT TO YOU.

IN AN EFFORT TO COMPLY WITH YOUR SUBMIS-
SION DATE OF JUNE 28TH I'VE SENT YOU THIS
COPY OF MY COMMENTS WITH THE REQUEST
THAT YOU ALLOW FOR POSSIBLE SLIGHT DELAY
ON THE ARRIVAL OF THE ORIGINAL.

THANK YOU FOR YOUR UNDERSTANDING ON THIS.

-Doug

Response side of this page intentionally left blank.

Commentor No. 349 (cont'd): Doug Doran

**Supplemental EIS for the Nuclear Facility Portion of the
Chemistry and Metallurgy Research Building Replacement Project
at Los Alamos National Laboratory, Los Alamos, New Mexico**

**Comment Form
Forma para comentarios**

Thank you for your input
Gracias por su participación

Date/Fecha: 6/20/11

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SEIS?
(Que comentarios tiene usted sobre el Draft SEIS?)

I PICKED UP THIS COMMENT FORM AT THE PUBLIC HEARING ON MAY 26TH IN THE JUNE
OFFICE AT SANTA FE CHARIOT COLLEGE AND IN THE DAYS SINCE THEN HAVE BEEN CONSIDERING
THE WAY TO BRIDGE THE GASH BETWEEN MY TRUE POSITION ON THE OVERALL PROJECT
AND THE LIMITED COMMENTARY SET UP IN QUESTION 1 ABOVE TO DO SOLELY WITH THE
DRAFT SEIS. ACCORDING TO THE RANGE IN QUESTION 1, AS I UNDERSTAND IT, YOU WOULD
NOT BE REQUIRED TO ENTERTAIN MY COMMENTS IF THEY FALL OUTSIDE THE PARAMETERS
OF THE DRAFT SEIS. IF THIS IS THE CASE, THEN IT LEAVES ME IN THE DIFFICULT POSI-
TION OF TRYING TO SATISFY BOTH THE OVERALL CONCERNS I HAVE AND, I PRESUME, YOUR
INTEREST IN MY COMMENTS TO DO WITH THE PART OF THE CONCERN CALLED THE DRAFT
SEIS. IN OTHER WORDS TO EXPRESS MYSELF IN WORDS WHICH ANSWER QUES-
TION 1, BUT ALSO ALLOW FOR THE EXPANSION OF THOUGHT WHICH I BELIEVE MY TRUE
POSITION MIGHT REQUIRE. THE WAY IT'S SET UP IS ASKED TO LIMIT MY COMMENTS TO
THE STRICTLY TECHNICAL DATA COMPILED AND MADE PUBLIC ON APRIL 22ND OF THIS
YEAR. I MUST LOOK AT THINGS STRICTLY FROM THIS POINT OF VIEW OR RUN THE
RISK OF BEING IGNORED BY THOSE CHARGED WITH REVIEWING MY COMMENTARY.
AS IT APPEARS, I MUST FIRST ASK MYSELF IF I'M CAPABLE OF ANSWERING QUES-
TION 1. BY PROVIDING YOU WITH MY COMMENTARY. THE ANSWER I COME UP WITH
IS, I DON'T KNOW.

RHETORICALLY, I MUST WONDER IF THE SCOPE OF QUESTION 1

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: DOUG DORAN

Address/Dirección: 504 ALARID ST.

City, State, Zip Code/Ciudad, Estado, Zona Postal: SANTA FE, N.M. 87507

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SEIS;
comments received are included in the SEIS in their entirety.

NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SEIS;
todo comentario recibido es incluido en su totalidad en el SEIS.

PLEASE HAND THIS FORM IN OR MAIL BEFORE JUNE 28, 2011, to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO ANTES 28 DE JUNIO 2011 A:



Mr. John Tegmeier, CMRR-NF SEIS Document Manager • U.S. Department of Energy
National Nuclear Security Administration • Los Alamos Site Office • 3797 West Jemez Road, TA-3, Building 4110
Los Alamos, New Mexico 87544

349-1 349-1

NNSA considers every comment received by U.S. mail, e-mail, toll-free telephone or fax line, or at the public hearings. Responses to comments are included in this CRD. Consistent with the purpose and intent of NEPA and the implementing regulations, public comments assist NNSA in determining the scope of the analysis to be included in a NEPA document and in improving the analysis and range of alternatives evaluated. Refer to Section 2.2, NEPA Process, and Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 349 (cont'd): Doug Doran

(CONT FROM REVERSE SIDE.)

PAGE 2.

WHICH REQUIRES ME TO RESTRICT MY INPUT BETRAYS A BIAS YOU MAY HOLD TO DO WITH THE SUBJECT OF THE DRAFT SEIS FOR THE NUCLEAR FACILITY PORTION OF THE CHEMICAL AND METALLURGY RESEARCH BUILDING REPLACEMENT PROJECT AT LOS ALAMOS NATIONAL LABORATORY, LOS ALAMOS, NEW MEXICO? A BIAS WHICH WOULD OTHERWISE BE DIFFICULT IF NOT POSSIBLE TO DETECT? ON THE OTHER HAND, QUESTION ONE'S LIMITED SCOPE COULD IMPLY A DOUBT, OR DOUBTS, THE DESIGNERS THEMSELVES MAY HAVE AS TO THE VIABILITY OF THE OVERALL PROJECT? DOUBTS THEY'D BE LOATHE TO ADMIT TO ANYONE, MOST ESPECIALLY THEMSELVES? DOUBTS, PERHAPS, ABOUT CONCERNS WHICH DON'T APPEAR WITHIN THE DRAFT SEIS BECAUSE THEY MUST BE SUPPRESSED IN ORDER FOR THE PROJECT TO GO FORWARD?

SO IT COULD BE SAID THIS COMMENT FORM IS NOT SO MUCH TO DO WITH MY COMMENTS TO BE IN ACCORD WITH THE FORM'S GUIDELINE, BUT WITH WORDS I MUST SUPPRESS TO BE IN ACCORD WITH QUESTION 1. IN OTHER WORDS NOT THE COMMENTS I HAVE, BUT THE COMMENTS I'M REQUIRED TO NOT HAVE.

AGAIN, RHETORICALLY, WOULD RAISING DOUBTS AROUND THE ORIGINS OF QUESTION ONE BE PROVIDING COMMENTS I HAVE ON THE DRAFT SEIS? GRANTED, THEY MAY NOT BE IN AN ORTHODOX OR EXPECTED MANNER, BUT BY QUESTIONING POSSIBLE HIDDEN MOTIVES IMPLIED IN THE GUIDELINE OF THE FORM, WOULD THE COMMENTOR BE SAFE IN ASSUMING SUCH COMMENTS WOULD BE TAKEN INTO CONSIDERATION?

IF SO, I THINK ONE COULD LOOK AT THE DRAFT SEIS FROM A DIFFERENT PERSPECTIVE THAN MAY OR MAY NOT HAVE BEEN INTENDED BY DESIGNERS WHO MAY OR MAY NOT BE DARING TO HARBOR DOUBTS WHICH ARE DIRECTLY CONNECTED TO THE DRAFT SEIS BUT MAY OR MAY NOT FALL WITHIN THE BOUNDARIES OF QUESTION ONE.

A DIFFERENT PERSPECTIVE, ONE FROM WHICH DOUBTS AND BIAS DON'T NEED TO BE HIDDEN, BUT CAN BE LOOKED AT AND EXPLORED FOR ALL THEY'RE WORTH. A DIFFERENT PERSPECTIVE WHICH COULD WELL LEAD TO A FAR MORE COMPREHENSIVE DRAFT SEIS THAN THE ONE RELEASED ON APRIL 22ND.

I'M NOT SEEKING SPECIAL CONSIDERATION HERE. I'M ATTEMPTING TO BRIDGE A CHASM BETWEEN PERSPECTIVES, TO PERSUADE YOU THAT MINE IS AS VALID AS YOURS AND, THEREFORE, WORTH CONSIDERING.

THIS MUCH IS CERTAIN, I'M LESS THAN CONVINCED THAT THE DRAFT IS EQUALS NUCLEAR SECURITY. I ASSUME THAT'S ITS BOTTOM LINE.

(CONT. ON PAGE 3.)

349-1
cont'd

349-2

The purpose of a NEPA document, such as the *CMRR-NF SEIS*, is to "insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken" (40 CFR 1500.1(b)).

NNSA is fully aware of the updated seismic hazard analyses of the LANL region (LANL 2007, 2009). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. These changes are included in the Modified CMRR-NF Alternative (see Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS*). See also Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

349-2

Commentor No. 349 (cont'd): Doug Doran

(CONT. COMMENTS DRAFT EIS FROM PAGE 2.)

PAGE 3.

PURPOSE, TO SATISFY LAY CONCERNS RELATED TO NUCLEAR SECURITY. IF MY ASSUMPTION ON THE PURPOSE OF THE DRAFT IS CORRECT THEN THE DOCUMENT SIMPLY FAILS TO PASS MUSTER. ANYONE WITH A MEASURED OVERVIEW WOULD AGREE WITH ME ON THIS, I THINK.

AS IS SAID, THE DEVIL IS IN THE DETAILS AND IN THE CASE OF THE DRAFT EIS, THE DETAILS ARE QUESTIONS RAISED WHICH REMAIN TO BE ANSWERED. IN ONE RESPECT WHAT WE SEEK TO HAVE GOING ON HERE IS A RELUCTANT COLLABORATION UNDER THE AUSPICES OF NEPA BETWEEN THE DESIGNERS AND THE TREE HUGGERS, IF I MAY BORROW FROM THE VERNACULAR. NEITHER SIDE AGREES WITH THE OTHER WHEN IT COMES TO THE MEANING OF THE TERM 'NUCLEAR SECURITY' BUT BOTH ARE REQUIRED BY LAW TO WORK SOMETHING OUT. SO THERE'S A LOT OF BACK AND FORTH ON THE SUBJECT AND WELL THERE SHOULD BE RAISED TO DO WITH THE LOGICAL STABILITY OF THE BUILDING CONSIDERING THE CONSEQUENCES OF A MISS CALCULATION. THE TENDENTIOUS WEIGHT OF THE PROPOSED BUILDING SITES. THIS LEADS ME TO COMMENT THAT THE VALUE OF THIS PROCESS CANNOT BE OVERESTIMATED. ITS TRANSGENERATIONAL, TRANSCULTURAL. IT IS PSYCHOLOGICAL.

A, IF YOUVE READ THIS FAR I SUPPOSE YOU CATCH MY DRIFT AND, B, I COULD GO ON AND ON. AND THEN ON SOME MORE FOR ANYONE LEFT IN THE ROOM. AND MAYBE SOMEDAY IT WILL BE NECESSARY FOR ME TO DO THAT.

SO TO CLOSE, THE DRAFT EIS WHICH IS THE SUBJECT OF THIS BRIEF ELABORATION SHOULD BE WITHDRAWN BECAUSE IT FALLS WOEFULLY AND IRREPAIRABLY SHY OF MEETING WITH, NOT ANY CRITERION (THOUGH IT DOESN'T) BUT WITH ITS OWN CRITERION WHICH IS TO ESTABLISH BEYOND ANY DOUBT A SENSE OF NUCLEAR SECURITY AS MUCH IS IMPLIED IN QUESTION 1. WHICH SOLICITS MY COMMENTS

NOW AS FAR AS I CAN TELL THERE'S NO LEGAL REQUIREMENT FOR YOU TO PROVIDE ME WITH YOUR COMMENTS ON MY COMMENTS. BUT IF YOU'RE INCLINED TO PLEASE DON'T HESITATE FOR I'M ALSO AWARE OF NO REASON YOU COULD NOT LEGALLY DO THAT. ☺

END OF DOUG'S COMMENTS ON THE DRAFT EIS. (CONT.)
SARAFI, N.H. * STATEMENT

349-2
cont'd

349-3 349-3

See the response to comment 349-2. In addition, it should be emphasized that the purpose and need is to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the CMRR-NF SEIS).

349-1
cont'd

Commentor No. 349 (cont'd): Doug Doran

PAGE 4

~~Some~~ VALID CONCERNS, OTHER SERIOUS QUESTIONS HAVE BEEN RAISED OVER THE VULNERABILITY OF THE ~~EXISTING~~ REPLACEMENT BUILDING TO ATTACK. ~~THIS~~ THIS IS AN AREA OF CONCERN WHICH DEMANDS MUCH FURTHER CONSIDERATION THAN APPEARS IN THE DRAFT SEIS. THE OFFICIAL CALCULATIONS TO DO WITH THE PROBABILITY RATIO APPEAR TO BE DANGEROUSLY FLAWED IN THEIR ESTIMATION WHICH, GIVEN THE EXTREMELY HIGH VALUE OF THE TARGET TO AN ENEMY, COULD BE INTERPRETED AS A CHIP ON THE SHOULDER. ONE WOULD WONDOR HERE AS TO THE WISDOM OF SUCH WILD EYED BRAVADO. ANY SECURITY ~~ISSUES~~ THEN WE HAVE THE ISSUE OF THE HUGE INCREASE IN THE AMOUNT OF WATER THE DRAFT SEIS ESTIMATES WILL BE NEEDED. I UNDERSTAND PLANS ARE BEING MADE TO PUMP WATER OFF THE DIVERSION PROJECT TO MEET THE DEMANDS OF THE PROJECT. TO MY KNOWLEDGE THIS IDEA WAS NEVER DISCUSSED DURING THE PLANNING PHASE OF THE RIVER DIVERSION. IF IT HAD BEEN THERE CAN BE LITTLE DOUBT IT WOULD HAVE BECOME A VERY SERIOUS ~~ISSUE~~ AND CONTROVERSIAL ISSUE. WHO SHOULD BE SA THIS POINT WE COME TO OTHER POTENTIAL PROBLEMS CONNECTED TO THE LARGE AMOUNTS OF WATER DESIGNED TO BE STORED INSIDE THE BUILDING TO BE USED IN CASE OF FIRE. THIS INDICATES THE POSSIBILITY OF ACCIDENTAL FIRE IS REAL. THE WATER IS THERE FOR SAFETY, AND THE WATER USED TO PUT OUT THE FIRE CANNOT BE RETURNED TO ITS STORAGE TANK AFTER IT'S BEEN USED TO PUT OUT THE FIRE. THE WATER DRAINS OFF INTO THE GROUND BELOW THE REPLACEMENT BUILDING FURTHER UNDERMINING THE ABILITY OF THE GROUND TO SUPPORT THE WEIGHT OF THE BUILDING.

SO IF THE DRAFT SEIS OVERLOOKS OR UNDERESTIMATES THE PROBLEMS RAISED BY THESE CONCERNS WHICH APPEAR ON THE HEARING RECORD IN MUCH GREATER DETAIL THAN I PROVIDE HERE, ONE MUST WONDER WHAT OTHER POTENTIAL PROBLEMS REMAIN YET TO BE CONSIDERED. ANY SECURITY HERE? I THINK NOT. ~~IN~~ IN FACT IT'S EASIER TO SAY THE OVERSIGHTS CONTAINED WITHIN THE DRAFT SEIS DO NOTHING BUT GENERATE INSECURITY WHICH OPENS THE DOOR TO ~~UNSAFE~~ STATES OF MIND LESS THAN SUITABLE TO MANAGE ~~OPERATING~~ SAFELY. PERSONALLY I'M CONVINCED THE DESIGNERS ARE AWARE OF THIS TRUTH BUT ARE NOT OR PERCEIVE THEMSELVES NOT TO BE IN A POSITION TO OPENLY EXPRESS THIS. THE DRAFT SEIS ALSO FAILS TO TAKE INTO CONSIDERATION THE EFFECTS SUCH THOUGHT SUPPRESSION HAS ON THE MIND SET OF THOSE CHARGED WITH MAKING SURE THE PROJECT MEETS WITH ITS GOAL OF PROVIDING NUCLEAR SECURITY. EVIDENCE OF THE EFFECTS OF SUCH THOUGHT SUPPRESSION ARE ALL AROUND US. ASKING BRILLIANT MINDS TO BREAK THEMSELVES TRYING TO FIT A SQUARE INTO A CIRCLE. IN FACT NUCLEAR SECURITY ITSELF IS NOTHING MORE THAN EVIDENCE OF AN ILLUSION.

AND THIS BRINGS US FACE TO FACE WITH MY TRUE POSITION ON THE OVER ALL CONCERN WHICH, ACCORDING TO QUESTION 1, IS THE REQUIRED NOT TO HAVE.

SO TO SUSTAIN THE ILLUSION WE MUST FIND WAYS TO SUPPRESS THE AFFECTS OF HAVING TO SUPPRESS CONCERNS THAT ARE SIMPLY TOO REAL FOR THE ILLUSION TO TOLERATE. AND NEPA CALLS FOR THE EXPRESSION OF SUPPRESSED THOUGHTS. NEPA REQUIRES THAT WE BE SANE. NEPA REQUIRES THAT WE NOT BECOME TRAPPED IN AN ILLUSION. NEPA EMPowers US TO SPEND 2 BILLION DOLLARS ^{TO} SAY, RESTORING A RAINFALL WATERSHED. THANKS DAVID, NEPA TURNS US ON. NEPA EQUALS SECURITY.

[↑] THROUGHOUT NORTHERN NEW MEXICO. END OF COMMENTS.

*INSTEAD OF ON THE REPLACEMENT BUILDING.

349-4

349-4

Chapter 4, Section 4.2.10.3, Intentional Destructive Acts, of the *CMRR-NF SEIS* discusses scenarios such as terrorist attacks. These types of acts were analyzed as part of a classified appendix. Although the results of the analyses cannot be disclosed, the following general conclusion can be drawn: the potential consequences of intentional destructive acts are highly dependent on the distance to the site boundary and the size and proximity of the surrounding population; the closer and denser the surrounding population, the higher the consequences. In addition, it is generally easier and more cost-effective to protect new facilities because new security features can be incorporated into their design. In other words, the protective forces needed to defend new facilities may be smaller due to the inherent security features of a new facility. New facilities can, as a result of design features, better prevent attacks and reduce the impacts of such attacks.

349-5

349-5

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL. There are no plans to use water from the proposed San Juan/Chama transmountain diversion project for the CMRR-NF

349-6

349-6

The commentor is correct that the design of the Modified CMRR-NF includes tanks for fire suppression water. This is one of many prudent safety measures incorporated into the building design. Fires are not expected to occur, but the hazard must be anticipated and appropriately managed. If a fire were to occur in the CMRR-NF, the fire suppression water would be managed to ensure that it does not create additional hazards.

349-7

349-7

Comment Noted.

Commentor No. 350: Bob Walsh

July 5, 2011

Mr. John Tegtmeier
U.S. DOE/NNSA
Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico, 87544
by email to: nepalaso@doeal.gov

In a later dated June 2, 2011, I commented on the *Draft Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico*, DOE/EIS-0350-S1, April 2011 (Draft SEIS). The recent Las Conchas wildfire stimulated a few hours in further contemplation of Chapter C, Evaluation of Human Health Impacts from Facility Accidents. I now submit these supplementary comments and would appreciate their serious consideration by the National Nuclear Security Administration (NNSA). I look forward to the agency's comprehensive response.

This letter contains five supplementary comments on Chapter C. The first four comments address specific technical issues, specifically volcanism, wildfires, economic impact, and sources for parameters used in analyses. The final comment expands on my earlier request for independent technical review of the Draft SEIS.

Supplementary Comment 1. Volcanism.

Section C.3 states that the selection and evaluation of accidents was based on the Nonreactor SAR Preparation Guide. In that guide, Section 3.4 states, "External events ... will be ... analyzed ... if frequency of occurrence is estimated to exceed 10⁻⁶/yr conservatively calculated, or 10⁻⁷/yr realistically calculated.... The analysis that substantiates frequency need only be referenced."

According to Wikipedia articles on "Valles Caldera" and "Jemez Mountains," there have been at least two major eruptions in the region within the last two million years, at least one of which is considered a "supervolcano," in a class with the Krakatoa event. Please include in the EIS an explanation of why the possibility of an eruption in the Jemez Mountains is omitted from the accident analysis.

Supplementary Comment 2. Wildfires.

In Section C.3.3 of the Draft SEIS, it appears that the only fires considered are those that are ignited within the facility. Events of the last forty years show that the 10-year wildfire in the Jemez area is a very significant event. Prehistoric wildfires are more difficult to estimate than prehistoric volcanism. How bad is the 100-year wildfire, the 1000-year wildfire, the 10,000-year wildfire?

350-1

350-2

350-1 DOE NEPA guidance for evaluation of accidents differs from DOE guidance for preparation of Documented Safety Analyses but still requires consideration of low-probability and potentially high-consequence events. The goals of the two processes are different. In DOE's current safety analysis process, the goal is to ensure that adequate controls are in place to protect the public from a range of accidents. For EISs, DOE NEPA guidance requires that EISs consider enough accidents to give both the public and the decisionmakers an understanding of the potential accident risks associated with the proposed action and the reasonable alternatives. In the case of the CMRR-NF and the CMR Building, the existing safety analyses systematically consider a wide range of potential hazards and then select accidents that would bound the potential impacts and identify controls that would prevent or mitigate those accidents. For natural phenomena-initiated accidents, severe seismic events are considered much more likely and threatening than a major volcanic event that would threaten the integrity of the CMRR Facility. The safety analyses consider the potential impacts of events such as seismic collapse with no controls to prevent release of radioactive materials, and then the effects of various controls, such as HEPA filters, in preventing those releases.

The accidents reported in the *CMRR-NF SEIS* are based on the extensive safety analyses that have been prepared for both the existing and proposed nuclear facilities. The accidents presented in the SEIS result in conservative estimates of the potential risk from each of the alternatives.

In response to public comments on the possibility of volcano activity in the LANL region, Appendix C, Facility Accidents, and the Geology and Soils sections of Chapter 3 and 4 (Sections 3.5.1 and 4.3.5), of the *Final CMRR-NF SEIS* have been revised to include additional information regarding the potential volcanic hazards as described in the report, *Preliminary LANL Volcanic Hazards Evaluation* (LANL 2010c). A volcanic eruption during the life of the CMRR-NF is an unlikely event. A variety of volcanic phenomena could occur as a result an eruption with a dispersion of a large ash cloud likely to affect a large area of the region. As discussed in Appendix C, such an event would have consequences that are represented by other accidents analyzed in the SEIS.

350-2 The Documented Safety Analyses upon which the accidents reported in the SEIS are based consider a wide range of accident initiators, including wildfires. Wildfires are expected events; however, except for the Cerro Grande Fire in 2000, the impact of wildfires on LANL facilities has been minimal. Even the Cerro

Commentor No. 350 (cont'd): Bob Walsh

What is the potential for a fire that completely surrounds the laboratory area, requiring evacuation of all personnel? Such a fire might have multiple ignitions, such as a major lightning storm with little rain, or an earthquake that downs multiple power lines, or deliberate action by an anti-nuclear psychopath.

350-2
cont'd

Can the analysis be conservative without considering that an exceptionally large wildfire might result in a firestorm, or even a fire swirl? Consider the 1923 Great Kanto event.

Supplementary Comment 3. Economic Impacts

It appears from a scan of Section C of the Draft SEIS that it does not mention economic impacts, such as the impact of a required evacuation of a neighboring community. If the considered accident scenarios would have no economic impact (other than would have resulted without the presence of LANL), that should be stated in the document.

350-3

Supplementary Comment 4. Sources for Parameters

I accepted an electronic copy in lieu of a printed copy of the Draft SEIS, expecting a 21st Century technology, including links to sources. Not only are such links absent, but Section C.4 presents the parameters used in the risk calculations without page citations and in most cases without any indication of the uncertainty in the parameter. Page C-5 lists more than one document as the source for a particular type of parameter; there is no indication of which source is linked to an individual parameter.

For example, the last paragraph of page C-6 states, "The released respirable fraction (airborne release fraction times respirable fraction) is estimated to be 0.00025 for metal ..." By providing this parameter with two significant digits, the uncertainty is implied to be on the order of 10%, which seems suspicious.

350-4

For airborne release fraction, as for respirable fraction, page C-5 lists three references: LANS 2011a, 2011b, and DOE 1994. Of these, only DOE 1994 shows a URL in the reference list. Today, that URL has timed out every time I attempted to access it; however, I was able to access it at: <http://www.ornl.gov/ddsc/dose/doehandbook.pdf> Section 4.2.1.1.3 covers the situation of self-sustained oxidation of plutonium above the ignition temperature and indicates that there is great uncertainty. The final sentence suggests bounding values of 0.0005 and 0.5. Other sections cover other conditions with other bounding values. Section 4.2.1.1.4 considers a disturbed molten metal surface with high turbulence, with bounding values of 0.01 and 1.0.

It appears that the value given on page C-6 is based on Section 4.2.1.1.3. If so,
1. The value should be stated as 0.0003 to avoid implying small uncertainty.
2. It should be stated that this is a bounding value, not an estimate.

350-3

Grande fire did not impact the CMR Building or the TA-55 Plutonium Facility due to the design of the facility and lack of combustible vegetation near either facility.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in Appendix D of the 2008 *LANL SWEIS* (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are primarily constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials, including vegetation, are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

Wildfires are considered a design-basis threat and the design and safety features for the proposed CMRR-NF would mitigate the propagation of the fire to the loading dock and the external building structure. The controls that would be present to mitigate fires following a design-basis earthquake would also provide adequate protection for other fire initiators, such as a wildfire and lightning-induced fire. In those cases, the structure provides the first and perhaps, most significant control in the line of defense for the nuclear material in the facility. The structure prevents a wildfire from entering the facility and provides protection against fires initiated by lightning. No additional controls are necessary beyond those identified in the design-basis earthquake. The safety controls include the requirement that the building exterior boundary walls and slabs be designed to maintain structural integrity during wildfires.

A specific analysis of wildfires was not reported in the *CMRR-NF SEIS* because much more severe fires could be initiated by other means, such as process events and earthquakes. These are reported in the SEIS. The discussion in the SEIS has been expanded to discuss the wildfire threat and why the threat to the facilities discussed in the SEIS alternatives is minimal.

The text in Appendix C of the *Final CMRR-NF SEIS* has been expanded to discuss some of the potential impacts on the community following a severe, beyond-design-basis earthquake. These impacts can be both societal and

Commentor No. 350 (cont'd): Bob Walsh

3. There should be justification for assuming this condition rather than "disturbed molten metal surface with high turbulence," which would increase the calculated risk by a factor of 40.

I am suspicious of other parameters presented in Section C.4, but am not adequately funded to track the sources down without proper citations to available sources. In fact, I am not funded at all.

Supplementary Comment 5. Independent Technical Review

As noted in my previous comments, having discovered multiple oversights upon brief examination of only one section suggests that this document has not been subjected to rigorous independent review. Considering the expected public scrutiny, the quality of this Draft SEIS raises doubts about the capability of the NNSA to provide technical management. This has contributed to public concern that:

1. The operation of the facility will not be properly overseen; there are risks from mismanagement are not included in the Draft EIS.
2. This threat from mismanagement is greater than any threat in the current world political situation that could be mitigated by nuclear weapons.

The general public is neither technically qualified nor adequately funded to perform a comprehensive review. I therefore repeat my previous request for a rigorous review of this document by an independent professional organization. After that, please submit the corrected document for public comment.

Thank you for your consideration,

Bob Walsh
1553 Camino Amado
Santa Fe, NM 87505
(xxx) xxx-xxxx, walshb@cybermesa.com

350-4
cont'd

350-5

economic due to potential disruptions associated with monitoring and cleanup of potentially contaminated lands.

350-4

As indicated in Appendix C, the *CMRR-NF SEIS* reports the results of extensive safety analyses performed for existing and proposed nuclear facilities at LANL. Each of the accident scenarios presented in the SEIS is supported by dozens to a hundred or more pages of analysis that supports the high-level results reported. These more-detailed analyses form the safety basis for the ongoing or proposed nuclear facility operations at LANL. For security reasons, these analyses are not available to the public but have undergone extensive review by DOE and NNSA. In addition, DNFSB, an independent government agency, reviewed the safety basis for both the existing and proposed nuclear facilities discussed in the SEIS.

The Documented Safety Analyses, upon which the accident impacts in the SEIS are based, follow the standard DOE guidance for their preparation. The accident analysis factors, such as material at risk, damage ratios, airborne release fractions, respirable fractions, and leak path factors, follow the standard DOE practice as demanded by the current safety practices for DOE facilities. As indicated in the SEIS, airborne release fractions and respirable fractions for both the safety analyses and the SEIS are based on the recommended bounding values reported in DOE Handbook 3010, *Airborne Release Fractions/Rates and Respirable Fractions for Nonreactor Nuclear Facilities*, available at: http://www.hss.doe.gov/nuclearsafety/ns/techstds/docs/handbook/hdbk301094_cn.pdf

The accidents presented in the SEIS bound the potential risk from each of the alternatives.

350-5

The Defense Nuclear Facilities Safety Board (DNFSB) is an independent organization within the executive branch chartered with the responsibility of providing recommendations and advice to the President and the Secretary of Energy regarding public health and safety issues at DOE defense nuclear facilities. In operation since in October 1989, DNFSB reviews and evaluates the content and implementation of health and safety standards, as well as other requirements, relating to the design, construction, operation, and decommissioning of DOE's defense nuclear facilities.

DNFSB has a full time, onsite representative at LANL whose responsibility is to provide an independent review of nuclear safety at LANL. This site representative prepares weekly reports on the status of safety activities at LANL

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and these reports are made public at <http://www.dnfsb.gov/board-activities/reports/site-rep-weekly-reports>. In addition, DNFSB prepares technical reports and recommendations. Safety at LANL nuclear facilities has been an area of intense oversight and review by DNFSB over the last decade and its issues and concerns have helped DOE and NNSA focus on safety issues such as the need for a replacement for the CMR Building and the need to ensure that LANL nuclear facilities can adequately protect the public even in a severe natural phenomena-initiated event, such as a severe earthquake. DNFSB reports and correspondence between DOE and DNFSB is public and is available at: <http://www.dnfsb.gov/board-activities/reports>.

As would be indicated by review of the DNFSB weekly reports, technical reports, recommendations, and other LANL-related DNFSB activities, the safety documents and safety processes for existing and proposed LANL nuclear facilities have undergone intense, detailed scrutiny. This level of independent review is comparable to the independent review provided by NRC for nuclear power plants.

Commentor No. 351: Governor Walter Dasheno, Sr.
Santa Clara Pueblo

SANTA CLARA

POST OFFICE BOX 580
(505) 753-7330
(505) 753-5375 Fax



INDIAN PUEBLO

ESPAÑOLA, NEW MEXICO
87532
OFFICE OF GOVERNOR

June 24, 2011

John A. Tegtmeier,
CMRR SEIS Document Manager
US DOE/NNSA
Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544

Re: **Santa Clara Pueblo's Comments on Draft Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory (DOE/EIS-050-S1)**

Dear Mr. Tegtmeier:

Santa Clara Pueblo submits the following comments on the *Draft Supplemental Environmental Impact Statement for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory* ("CMRR-NF DSEIS").

Although the CMRR-NF DSEIS states that the agency proposing the action is the National Nuclear Security Administration ("NNSA"), because the NNSA is part of the U.S. Department of Energy ("DOE"), with which Santa Clara Pueblo enjoys a formal government-to-government relationship, we trust these comments will be respected as part of our government-to-government relationship with the DOE. As you know, that relationship is formalized not only in the DOE Order 144.1 (approved January 16, 2009) and the DOE American Indian and Alaska Native Tribal Government Policy ("DOE Indian Policy") but also more specifically through an Accord developed in 1992 directly between our Pueblo and the DOE which was restated and reaffirmed by both governments in 2006 ("2006 Accord").

As you may also know, Santa Clara Pueblo has gone on record in recent years objecting to any

Response side of this page intentionally left blank.

Commentor No. 351 (cont'd): Governor Walter Dasheno, Sr.
Santa Clara Pueblo

Mr. Tegmeier
Santa Clara Pueblo's Comments on the CMRR-NF DSEIS
June 24, 2011
Page 2

attempt by the DOE/NNSA to increase and make permanent plutonium pit production at Los Alamos National Laboratory ("LANL"). See, e.g., Santa Clara Pueblo Tribal Council Resolution No. 08-16, *Supporting the Submission of Comments for Santa Clara Pueblo to the Department of Energy regarding the Complex Transformation Draft Supplemental Programmatic Environmental Impact Statement* (May 20, 2008). The Tribal Council has opposed expanding plutonium pit production at LANL when the impacts on the environment from sixty years of contamination at LANL still have not been adequately addressed. We thus are concerned about any "back door" attempt to increase pit production and address those concerns here in our comments on the CMRR-NF DSEIS.

First, however, we begin our comments with some background information regarding Santa Clara Pueblo and then follow with specific comments regarding the CMRR-NF DSEIS. While we appreciate the fact that the DOE and NNSA are finally acknowledging the considerable seismic risks that exist at LANL which would need to be taken into account in the design of a facility where special nuclear material would be handled and stored, we believe the analysis in the CMRR-NF DSEIS is incomplete and therefore fatally flawed. A revised draft supplemental environmental impact statement or an entirely new environmental impact statement should be issued with an opportunity for review and comment by the public and with proper government-to-government consultation with Santa Clara Pueblo.

Although our comments focus on very specific aspects of the National Environmental Policy Act ("NEPA") which we believe the NNSA has not properly followed, please bear in mind that this is no sterile regulatory matter for Santa Clara Pueblo. The Pajarito Plateau, where LANL is situated, contains many areas of traditional importance to the Santa Clara Tribal community. Environmental degradation of this place that is profoundly holy to the Santa Clara community affects the cultural survival of Santa Clara Pueblo.

I. Overview regarding Santa Clara Pueblo

Santa Clara Pueblo is a federally-recognized Indian tribe located in northern New Mexico, approximately twenty-five (25) miles northwest of the City of Santa Fe. Much of the City of Española, approximately one (1) mile to the west of our Tribal government offices, actually is located within the exterior boundaries of Santa Clara lands. While our Tribal offices are approximately eighteen (18) miles away from LANL, our closest border is actually only about five (5) miles from the current-day boundaries of LANL. In fact, early maps reveal that LANL once shared a boundary with Santa Clara Pueblo and that the area now located between LANL and Santa Clara was once referred to as "Area E." Our traditional lands include lands taken for the Manhattan Project.

While we always will emphasize the need for DOE to respect its government-to-government relationship with the Pueblo, Santa Clara Pueblo is not only a government in some bureaucratic

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sense of the word. In the broader cultural sense, we are also an Indian community of people, a society unto ourselves numbering less than a few thousand, distinct from every other Indian community in our traditions. We have similarities with the other Pueblos in New Mexico, especially those who also speak our Tewa language, but we are a separate sovereign Indian nation, recognized as such over the past 400 years by three different sovereign governments – Spain, Mexico, and the United States of America. Tribal leaders at Santa Clara Pueblo still carry the canes presented to our ancestral leaders by the Spanish and Mexican governments, as well as a similar cane presented by President Abraham Lincoln after New Mexico was annexed by the United States. Tribal protection and management of our natural resources along our ancestral homelands in the Jemez Mountains, Pajarito Plateau, and Rio Grande Valley began many thousands of years ago, long before the Spanish, Mexican, or American periods of our history.

The modern-day boundaries of our Pueblo include over 53,000 acres of land. This acreage figure includes some of our traditional lands that we have fought to regain but does not encompass all of our aboriginal territory. Many of the various vegetative communities and the innumerable wildlife species they support have significant traditional and spiritual value to us as a people. The Pajarito Plateau contains many areas of cultural importance to our people and our cultural practices connected to these areas continue to this day.

II. The CMRR-NF DSEIS does not take into account new information since the Complex Transformation Supplemental Programmatic Environmental Impact Statement ("SPEIS") Record of Decision was issued, which skews the entire NEPA analysis

A. New information since the Record of Decision was issued for the Complex Transformation SPEIS affects the Purpose and Need for the CMRR-NF DSEIS

In the CMRR-NF DSEIS, the NNSA proposes to complete the Chemistry and Metallurgy Research Building Replacement ("CMRR") Project at LANL by constructing a new nuclear facility portion ("CMRR-NF") of the CMRR Project to provide the analytical chemistry and materials characterization capabilities currently or previously performed in the existing, but now aged, Chemistry and Metallurgy Research ("CMR") Building. NNSA completed an environmental impact statement for the CMRR Project in 2003 and received a Record of Decision ("ROD") in 2004 to build the CMRR-NF at LANL Technical Area ("T.A.") 55. However, as indicated in the CMRR-NF DSEIS, since 2004, safety and seismic concerns associated with the CMRR-NF have caused the NNSA to reevaluate the design for the CMRR-NF. See CMRR-NF DSEIS at iv.

NNSA has indicated that the "scope of operations remains the same as before," meaning the scope of operations for the CMRR-NF discussed in the current document remains the same as it

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NNSA notes the commentor's objections about pit production at LANL and the adequacy of the SEIS. The need for the CMRR-NF is not connected to a specific level of operations. The CMRR-NF is not expanding capabilities that have historically been undertaken in the CMR Building; it is replacing the CMR Building capabilities because the CMR Building is not being operated to the full extent needed to meet DOE and NNSA operational requirements because of the need to comply with safety requirements. The CMRR-NF would be designed to meet all safety requirements necessary to undertake its mission.

As a result of comments received on the *Draft CMRR-NF SEIS*, Chapter 2, Section 2.7, Alternatives Considered but Dismissed, has been revised to describe alternatives that were considered but dismissed as not meeting NNSA's purpose and need. The alternative of distributing analytical chemistry and materials characterization capabilities among multiple facilities at LANL was considered, but not analyzed as a reasonable alternative. Because of the quantities of special nuclear material involved, to fully perform the AC, MC and plutonium research capabilities, facilities would need to be classified as Hazard Category 2 and Security Category 1. RLUOB was not intended as a nuclear-qualified space to handle Hazard Category 2 or 3 levels of nuclear material. Thus, NNSA would not operate the building as anything other than a radiological facility, which would significantly limit the total quantity of special nuclear materials that could be handled in the building. As a result, analytical chemistry and materials characterization operations requiring Hazard Category 2 and 3 work spaces could not be carried out in RLUOB. Using space and capabilities in the TA-55 Plutonium Facility would interfere with performing work currently being conducted there and reduce the space available in the building that could be used to conduct future DOE and NNSA mission support work. Use of other locations at LANL would introduce new hazards for which the facilities were not designed and would not conform to the objective of collocating plutonium operations near the TA-55 Plutonium Facility. Performing work at a location remote from the TA-55 Plutonium Facility would necessitate periodic road closures and heightened security to enable transport of materials between the facilities. In addition, other facilities would not have the available space, vaults, and engineered safety controls and requirements for this type of work. For more information on this issue refer to Section 2.11, Alternatives Considered, of this CRD.

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was in the 2004 ROD for the facility, and thus consequently this current draft supplemental environmental impact statement only addresses "structural aspects and not its purpose." *See id.* at v. Indeed, the NNSA is rather emphatic in the CMRR-NF DSEIS that "[t]he purpose and need for NNSA action has not changed since issuance of the 2003 CMRR EIS" and that the "NNSA is not planning to revisit either the need for the CMRR-NF or locating the facility at another site." *Id.* at S-8, S-14, and 1-9. The NNSA also emphasized in the CMRR-NF DSEIS that the "[p]roduction does not take place at the [current] CMR Building and would not take place in any CMRR facility." *Id.* at S-5, 1-7, and 2-6.

For part of its rationale as to why the purpose of the CMRR-NF has not changed, the NNSA appears to rely on the Complex Transformation SPEIS ROD. *See id.* at S-2 and 1-3. The CMRR-NF DSEIS states that, in the ROD for the Complex Transformation SPEIS, "NNSA announced its decision" that the mission of "manufacturing and research and development involving plutonium" would remain at LANL and that, in the ROD, the NNSA had reaffirmed its decision to construct and operate the CMRR-NF at LANL. *See id.* at 1-19.

A closer look at the Complex Transformation SPEIS ROD, however, reveals that there is new information that has occurred since the issuance of that ROD which does not appear to be properly reflected in the CMRR-NF DSEIS.

While it is true that the Complex Transformation SPEIS ROD did decide that manufacturing and research and development involving plutonium would remain at LANL and that the CMRR-NF would be constructed at LANL to replace portions of the aging CMR facility, the Complex Transformation SPEIS ROD explains that:

NNSA will continue design of a CMRR-NF that would support a *potential* annual production (in LANL's TA-55 facilities) of 20-80 pits. The design activities are sufficiently flexible to account for changing national security requirements that *could result from* a new Nuclear Posture Review, further changes to the size of stockpile, or future Federal budgets.

73 Fed. Reg. 77648 (Dec. 19, 2008) attached in Appendix A to CMRR-NF DSEIS (emphasis added).

In that ROD, however, the NNSA indicated it was "not making any new decisions regarding production capacity [beyond the authorized 20 plutonium pits per year] until completion of a new Nuclear Posture Review in 2009 or later." *Id.* As the CMRR-NF DSEIS acknowledges, a new Nuclear Posture Review was issued by the Obama Administration in April of 2010. *See* CMRR-NF at 1-4. What the CMRR-NF DSEIS does not appear to acknowledge, however, is that the new Nuclear Posture Review that was issued did *not* increase the annual production of plutonium pits from the 20 pits per year currently authorized in the ROD for the LANL Site

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Wide Environmental Impact Statement. See 73 Fed. Reg. 33232 (July 10, 2009) attached in Appendix A to CMRR-NF DSEIS.

Thus, we have new information that has not been factored into the CMRR-NF DSEIS – namely, that there is no need to continue with an expansive design for the facility to accommodate support needs for more than 20 pits per year.¹ In other words, the purpose and need section for the CMRR-NF DSEIS must be amended to reflect this new information. See 40 C.F.R. §1502.9(c)(1)(ii)(indicating that agencies shall prepare a supplemental environmental impact statement when “[i]here are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts”).

B. New information since the Record of Decision was issued for the Complex Transformation SPEIS affects the Range of Alternatives for the CMRR-NF DSEIS

Of course, this new information (that, because of the 2010 Nuclear Posture Review, the design for the CMRR-NF need not be so expansive to support increased pit production capabilities as was stated in the 2008 Complex Transformation ROD) not only affects the purpose and need for the CMRR-NF, it also affects the range of reasonable alternatives that must be discussed in the CMRR-NF DSEIS. It is the purpose of an action which determines the universe of alternatives an agency must consider. See *id.* at §1502.13. While courts will defer to agency expertise, agency discretion in forming and evaluating alternatives is not unlimited. The agency still must exercise its discretion in a manner which is reasonable, especially taking into account the facts of the situation and the important goals of informed decision-making and protection of the environment found in NEPA. As the Council on Environmental Quality has emphasized in its NEPA regulations, the identification and evaluation of alternative ways of meeting the purpose and need of the proposed action is the “heart of the environmental impact statement” and the agency must “[r]igorously explore” all reasonable alternatives. *Id.* at § 1502.14.

Simply put, the CMRR-NF DSEIS does not present a reasonable range of alternatives in accordance with the mandates of NEPA. The NNSA readily admits that two out of the three alternatives it currently analyzes are unworkable, which automatically tilts the analysis in favor of the NNSA’s preferred alternative. See CMRR-NF DEIS at 1-10 and 1-11 (stating that the No Action Alternative - to build the CMRR-NF as envisioned in the 2004 ROD – “could not satisfy

¹ The other two reasons given in the Complex Transformation SPEIS ROD to justify an expansive design for the CMRR-NF to support up to 80 pits per year are also equally specious. The size of stockpile will be reduced over time with the new START treaty and the trends are that Federal budgets, if anything, will be decreasing. Indeed, in recent weeks, the U.S. House Appropriations Committee reduced the amount of funding for early construction activities for the CMRR-NF by one hundred million dollars. See discussion in Section IV.B, *infra*.

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current facility seismic and nuclear safety requirements” and therefore could not meet the purpose and need for NNSA to build the facility); *see also id.* at 1-10 and 1-13 (stating that the Continued Use of CMR Building Alternative would not meet the purpose and need for NNSA because use of the current building would have to be lessened over time due to safety concerns). Since the NNSA pronounces two of its current three alternatives as, essentially, being unsafe, this only leaves the NNSA’s preferred alternative – which is to build the new CMRR-NF at T.A. 55 as originally planned but with beefed up design and construction modifications to address seismic and other safety concerns. *See id.* at 1-10.²

However, as discussed above, since there no longer appears to be any need for the expanded design of the CMRR-NF to provide a support function for the production of what was once contemplated to be 80 plutonium pits per year,³ there are now other alternatives that need to be addressed and further analyzed by NNSA to meet the revised purpose and need (for design space to accommodate support for only 20 pits per year). One alternative, for instance, that appears to have been given short shrift in the analysis in the CMRR-NF DSEIS is the consolidation of CMR functions into the CMRR Project’s first phase building, the newly-built Radiological Laboratory, Utility, and Office Building (“CMRR-Rad Lab”), in combination with upgrading the already existing T.A. 55 Plutonium Facility-4, which is LANL’s existing pit production facility. The NNSA dismisses the ability to use the CMRR-Rad Lab because it was not built to be a “nuclear-qualified space.” *See id.* at 1-20. With respect to the Plutonium Facility-4, however, the CMRR-NF DSEIS simply indicates that:

[u]sing space and capabilities in the TA-55 Plutonium Facility would interfere with performing work currently being conducted there and reduce the space available in the building that could be used to conduct future DOE and NNSA mission support work.

Id. at 2-28.

² As discussed further in Section IV.B, *infra*, even the discussion of NNSA’s preferred alternative is too incomplete as to meet the needs of NEPA.

³ If there are other justifications for needing to design a CMRR-NF to support a potential annual production of 80 pits other than the Complex Transformation SPEIS ROD, those explanations are not readily apparent in the CMRR-NF DSEIS. To not provide such an explanation in a draft environmental impact statement in clear and concise terms that the public can easily ascertain renders the statement “so inadequate as to prevent meaningful analysis.” 40 C.F.R. §1502.9(a); *see also* 40 C.F.R. §1500.2 (explaining the agencies shall, to the fullest extent possible, ensure that environmental impact statements are clear in order to assist the public and decisionmakers).

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That analysis is woefully slim on substance and fails to meet the standards of NEPA to have federal agencies ensure, to the fullest extent possible, that environmental impact statements promote informed decision-making by public officials. See 40 C.F.R. § 1500.1(c). And, in any event, an upgraded Plutonium Facility-4 plus CMRR-Rad Lab alternative may need to be reexamined in light of the revised and updated "purpose and need" for the CMRR-NF DEIS.

We note that we continue to have concerns that the already existing Plutonium Facility-4 can be made safe enough to address seismic risks,⁴ but we include this example to point out that there are a number of additional alternatives which may prove more reasonable than building a new costly facility and which must first be rigorously explored in order to comply with NEPA.

III. NNSA must prepare a new, revised draft supplemental environmental impact statement or a whole new environmental impact statement and must consult with Santa Clara Pueblo before it is issued

There are two possible solutions for the NNSA to fix the NEPA flaws in its current CMRR-NF DSEIS. One is to issue a new, revised draft supplemental environmental impact statement:

If a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion.

40 C.F.R. §1502.9(a).

Here, of course, the portions needing updating and amending are the purpose and need and the range of alternatives analyzed.

The other solution is for the NNSA to actually issue a new environmental impact statement because enough has changed since 2004 that the analysis no longer falls into the category of simply needing supplementation. See *id.* at §1502.9(c).

In either event, when the updated, revised or new draft document is issued, government-to-government consultation with Santa Clara Pueblo regarding the revisions or additions must occur before the document is issued for additional public comment. See 2006 Accord at 3 ("DOE will consult with the Pueblo to assure that tribal rights, responsibilities, and concerns are addressed prior to the DOE taking action, making decisions, or implementing programs that may affect the Pueblo."). Moreover, no final supplemental environmental impact statement regarding the CMRR-NF should be issued without first consulting with Santa Clara Pueblo to ensure

⁴ See *Albuquerque Journal*, "LANL's Earthquake Study 'A Big Deal'" (April 16, 2011)(discussing LANL's Seismic Analysis of Facilities and Evaluation of Risk (SAFER) Project citing potential for significant earthquake damage to the Plutonium Facility-4 structure).

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NNSA does not agree that a revised *Draft CMRR-NF SEIS* or an entirely new EIS is needed to reach a decision about construction of the CMRR-NF. NNSA does, however, intend to continue to consult with Santa Clara Pueblo officials in accordance with the 2006 Accord. NNSA has determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the proposed construction changes for CMRR-NF. See Section 2.2, NEPA Process, of this CRD for more information. The alternatives considered in the *CMRR-NF SEIS* address options for the proposed construction changes. The purpose and need for the CMRR-NF are addressed in Chapter 1 of the *CMRR-NF SEIS* and in Section 2.4, CMR Mission, of this CRD. The need for the CMRR-NF is not connected to a specific level of operations. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility.

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compliance with the 2006 Accord and to ensure DOE has lived up to its commitment to "protect and promote" Tribal Trust resources in order try to avoid impacts to those resources. DOE Indian Policy at 3 (Section I).

IV. NNSA must consult with Santa Clara Pueblo about, and more fully address, additional concerns the Pueblo has with the CMRR-NF DSEIS

A. Transuranic and mixed waste management for a new CMRR-NF needs to be better addressed

Activities at a new CMRR-NF, as envisioned in the NNSA's preferred alternative for a modified design, would generate transuranic and mixed transuranic waste. The CMRR-NF DSEIS indicates those wastes would go to the Waste Isolation Pilot Plant ("WIPP"). CMRR-NF DSEIS at 4-58. However, the NNSA admits that disposal operations at WIPP are only currently approved through 2034 and that WIPP could meet its "statutory disposal limit before the end of the operational period of the Modified CMRR-NF." *Id.* To try to quell that concern, the CMRR-NF DSEIS simply states that "[i]f necessary, transuranic or mixed transuranic waste generated without a disposal pathway would be safely stored pending development of additional disposal capacity." *Id.*

In other words, there is not necessarily a waste disposal pathway for the waste the NNSA is contemplating generating as part of the CMRR-NF. To continue to generate new transuranic waste, without a known disposal pathway, when LANL has yet to clean up the legacy waste it has generated, is highly irresponsible. The NNSA needs to explain to Santa Clara Pueblo how it intends to address this problem.

B. Seismic concerns, especially associated with the NNSA's preferred alternative for the CMRR-NF, need to be better addressed

The NNSA has been clear that a primary reason why this CMRR-NF DSEIS was issued was because the 2004 design of the CMRR-NF no longer would satisfy current DOE nuclear facility seismic and safety requirements. *See, e.g., id.* at S-17. Instead, the NNSA has advocated the inclusion of "certain construction enhancements and additional associated construction support activities" to ensure that a newly-designed CMRR-NF at T.A.55, as part of the NNSA's preferred alternative, would be safe. *Id.* The CMRR-NF DSEIS explains fairly clearly and concisely why new information on seismicity near T.A.55 caused the NNSA to redesign the facility, *see, e.g., id.* at 3-25, but does not seem to explain in any clear or concise way (as required by NEPA) why it still makes sense to build a facility of that type in that location given the concern expressed by NNSA about the seismicity of the location. This is especially important to do given LANL's recent "self-reporting" to the NNSA about the potential for

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351-3 NNSA intends to dispose transuranic waste from operations at RLUOB, the proposed CMRR-NF, and other LANL facilities at WIPP or a similar facility. The waste volumes projected over the 50-year life of the new facilities would require up to 12 percent of the current unsubscribed WIPP disposal capacity. Decisions about disposal of any significant quantities of transuranic waste, however, would be made within the context of the entire DOE complex. It was assumed for analysis in the *Waste Isolation Pilot Plant Disposal Phase Final Supplemental Impact Statement (WIPP SEIS II)* (DOE 1997) that transuranic waste would be received at WIPP over about a 35-year period, through approximately 2033. However, because the total quantity of transuranic waste that may be disposed at WIPP is statutorily established by the WIPP Land Withdrawal Act, the actual operational period for WIPP will depend on the volumes of transuranic waste received at WIPP from all DOE waste generators. Waste minimization efforts across the DOE complex would extend the WIPP operating period. If waste disposal capacity at WIPP is no longer available over the operating life of the CMRR-NF, then any transuranic waste generated at the CMRR-NF or elsewhere at LANL would be safely stored until additional disposal capacity becomes available. Because the issue of transuranic waste disposal affects several sites across the DOE complex, NNSA is confident that Congress would address any future need for additional transuranic waste disposal capacity in a timely manner.

351-4 NNSA does not agree that a revised *Draft CMRR-NF SEIS* or entirely new EIS is needed, and a decision on construction of the CMRR-NF need be delayed, pending the development of new seismic information. As addressed in Section 2.6, Seismic and Geologic Concerns, of this CRD, DOE has been proactive in the assessment of the potential seismic hazards at LANL and the resulting design ground motions for the CMRR-NF reflect the best science and engineering available. As future studies are performed on the geology and seismology of LANL, there may be new information that becomes available that should be evaluated for potential impacts on the assessment of the seismic hazards.

All proposed new DOE facilities are required to be designed, constructed, and operated in compliance with applicable DOE orders, requirements, and governing standards, established to protect public and worker health and the environment. DOE Order 420.1B, "Facility Safety," requires that nuclear or nonnuclear facilities be designed, constructed, and operated so that the public, the workers, and the environment are protected from the adverse impacts of natural phenomena hazards, including earthquakes. The order stipulates the natural

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earthquake damage for structures at T.A. 55. See news release, "Preliminary study assesses potential impact of seismic event at Los Alamos," at <http://www.lanl.gov/news/releases/>.

This is not an idle concern for Santa Clara Pueblo. As the CMRR-NF DSEIS acknowledges, the Pajarito Fault connects to a number of secondary faults -- the Santa Clara Canyon Fault, the Rendija Canyon Fault, the Guaje Mountain Faults, and the Sawyer Canyon Fault. See CMRR-NF DSEIS at 3-25. This fault system connects to Santa Clara Pueblo's landbase and, among other concerns, Santa Clara Pueblo remains deeply concerned that this fault system provides a means of transport for groundwater contamination to our lands.

In any event, it appears additional seismic investigations are still underway at LANL as part of the Seismic Analysis of Facilities and Evaluation of Risk (SAFER) Project and thus decisions about the CMRR-NF are premature. In fact, just a week or so ago, the U.S. House Appropriations Committee cited the need for the DOE to "first resolve major seismic issues with its design" of the CMRR-NF as a reason why that Committee reduced the amount of funding for early construction activities for CMRR-NF. See U.S House of Representatives Committee on Appropriations, *Report: Energy and Water Development Appropriations Bill, 2012*, at 131 (report can be accessed at: http://appropriations.house.gov/UploadedFiles/FY_2012_ENERGY_AND_WATER_FULL_COMMITTEE_REPORT.pdf).

In fact, in the CMRR-NF DSEIS, the NNSA seems to admit that its analysis of construction methods for its preferred alternative is incomplete at best. The CMRR-NF DSEIS discusses two different construction methods for the NNSA's preferred Modified CMRR-NF. One option, the so-called Deep Construction Option, the NNSA indicates is "more mature, having undergone technical review by NNSA, NNSA's contractors, and the Defense Nuclear Facilities Safety Board." The other, the so-called Shallow Construction Option, NNSA admits has "more uncertainty" associated with it and still "needs to be subjected to the same level of technical review as the Deep Construction Option." CMRR-NF DSEIS at S-18; see also *id.* at 2-14. This analysis is hardly reassuring to those of us who live close to LANL (and who, as Santa Clara Pueblo people, will always reside on this land even after LANL is no longer needed) and who are deeply concerned about seismic risks and it hardly meets the requirement that NEPA help public officials make decisions that are based on understanding environmental consequences. 40 C.F.R. §1500.1(c).

If anything, the continued uncertainty regarding design and construction issues associated with the seismic activity at the NNSA's preferred location for the CMRR-NF underscores our request above that a new, revised, draft environmental impact statement or an entirely new environmental impact statement be issued for the CMRR-NF when this new information becomes available.

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phenomena hazards mitigation requirements for DOE facilities. DOE Standard 1020-2002, *Natural Phenomena Hazards Design and Evaluation Criteria for Department of Energy Facilities* (DOE 2002a), implements DOE Order 420.1B and provides criteria for the design of new structures, systems, and components to ensure that DOE facilities can safely withstand the effects of natural phenomena hazards.

The potential seismic hazards at LANL have been the subject of numerous studies performed in the past 30 years. Since the early 1990s, it has also been recognized that LANL is situated within and over the seismically active Pajarito fault system. The surface trace of the main Pajarito fault is the western boundary of LANL and dips underneath LANL, whereas subsidiary strands of the fault system, including the Rendija Canyon fault, extend into portions of LANL. The Pajarito fault system has been mapped in detail in the northern and western portions of LANL property, as well as in the vicinity of LANL.

In LANL seismic hazard evaluations issued in 1995, 2007, and 2009, a concerted effort was made to properly capture the uncertainties in input parameters. These analyses were reviewed and accepted by an external review panel, DOE, and DNFSB. Hence, it is expected that new information would not have a significant impact on the current assessment of the seismic hazard or design-basis earthquake ground motions for LANL. In addition, site-specific geotechnical investigations have been completed for both the Shallow Excavation Option and the Deep Excavation Option for construction of the CMRR-NF (Kleinfelder 2007a, 2007b, 2010a, 2010b). Therefore, there appears to be no compelling need to delay a decision on construction of the CMFF-NF pending the development of new seismic information.

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V. Conclusion

Santa Clara Pueblo reemphasizes here the DOE's and thus NNSA's duty, in accordance with our 2006 Accord and the DOE Indian Policy, to continue to consult with Santa Clara Pueblo on a government-to-government basis before any additional actions are taken or decisions made regarding this CMRR-NF DSEIS. It is our hope that the NNSA will live up to the words of our 2006 Accord by addressing the concerns Santa Clara Pueblo has expressed here in a manner that "recognizes and respects the continued existence of the Pueblo's values and culture in the exercise of its sovereignty."

Sincerely,


Walter Dasheno, Sr.
Governor

cc:

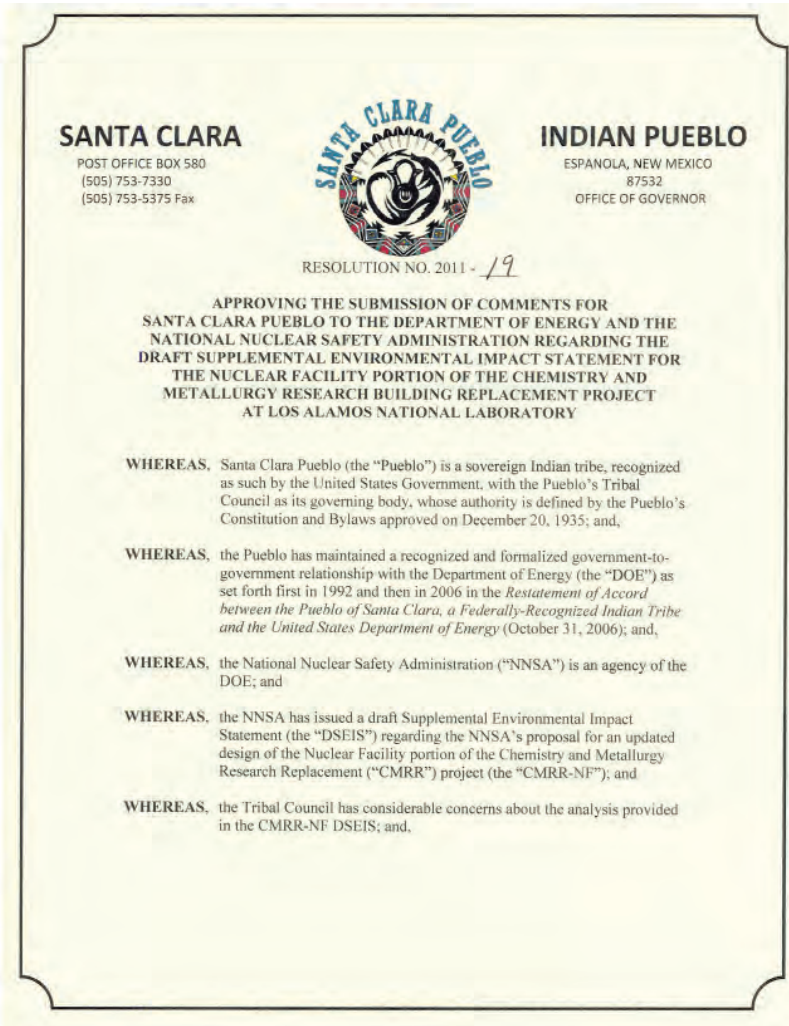
Members of the Santa Clara Tribal Council
DOE Secretary Steven Chu
NNSA Administrator Thomas P. D'Angostino
DOE Director of Intergovernmental and Tribal Affairs David Conrad
Senator Jeff Bingaman
Senator Tom Udall
Representative Ben Ray Lujan
Representative Martin Heinrich
Representative Steve Pearce
Governor Susana Martinez
New Mexico Environment Department Secretary F. David Martin
New Mexico Indian Affairs Department Secretary Arthur Allison
Joseph M. Chavarria
Jessica Aberly

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NNSA intends to continue to consult with Santa Clara Pueblo officials in accordance with the 2006 Accord.

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WHEREAS, after careful consideration, the Tribal Council is of the view that it is in the best interest of the Pueblo to submit the attached comments regarding the CMRR-NF DSEIS;

NOW THEREFORE BE IT RESOLVED that the Tribal Council hereby approves the attached comments regarding the CMRR-NF DSEIS.

BE IT FURTHER RESOLVED that the Tribal Council authorizes and directs the Governor to execute and submit the attached comments regarding the CMRR-NF DSEIS on behalf of the Pueblo.

CERTIFICATION

I, the undersigned, duly elected Governor of the Santa Clara Pueblo, do hereby certify that the Tribal Council, at a duly called meeting that was convened with proper notice and was held on the 24 day of June, 2011, at Santa Clara Pueblo, New Mexico, a quorum being present, approved the foregoing Resolution with 7 in favor, and 0 opposed, 1 abstaining, 2 being absent.


Governor Walter Dasheno, Sr.

ATTEST:


Secretary Francis Pafoya

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Commentor No. 352: Yvonne Scott

May 23, 2011

Mr. John Tegtmeir
 US DOE/NNSA
 Los Alamos Site Office
 3747 West Jemez Road
 TA-3 Building 1410
 Los Alamos, NM 87544

Dear Mr. Tegtmeir,

I am a citizen of New Mexico. I am a citizen of the United States of America. I am a citizen of this planet, a mother, grandmother, and a person of conscience:

I submit this letter in protest to the planned desecration of more New Mexican land to an unsafe and unsustainable addiction catalyzed by power hungry scientists to create more disasters such as we have witnessed in Russia, in Japan and in our own Three Mile Island. How many more meltdowns, or disasters will it take for all of you to wake up and realize that you have been mistaken about this demon unleashed 70 years ago in our own land?

The current building for Chemistry and Metallurgy Research is now partially shut down because of radiation problems. Creating another for "pit production" not 2/3 of a mile from a geologic fault line is sheer madness.

I ask that my remarks be entered in opposition to this proposed building.

Sincerely,



Yvonne Scott
 1810 Mesa Vista NE
 Albuquerque, NM 87106

352-1

352-2

352-1 NNSA notes the commentor's concern regarding the occurrence of nuclear accidents. NNSA operates its nuclear facilities in accordance with Federal, state, and local laws and regulations that are designed to protect human health and the environment and prevent accidents. In addition, DOE has its own orders and directives to mitigate the possibility of an accident occurring and protect human health and the environment. DOE and NNSA perform safety analyses to predict how accidents might occur and the related possible impacts, designing mitigation measures to address these concerns.

352-2 NNSA has curtailed operations at the current CMR Building because of safety restrictions; some types of metallurgical chemistry work have been suspended because of these limitations. The proposed CMRR-NF would replace the CMR Building and would be designed to address the safety restrictions put in place at the CMR Building. Refer to Chapter 1, Section 1.2, Background, for more information regarding what operations at the CMR Building were curtailed.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF.

Commentor No. 353: Al and Julie Sutherland



Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegmeier, CMRR-NP SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1416, Los Alamos, New Mexico, 87544
or fax: (505) 667-3948; or e-mail: NEPALASO@doe.gov

Deadline June 28, 2011

A new EIS is needed as the old one (of 2004) is obsolete & inapplicable. The scope of the project has changed dramatically & the price tag has increased from \$100 million to \$6 billion! We do not need more nuclear weapons. Instead, clean up of legacy waste has ~~to~~ happen for it to be safe. Our children deserve a future free from the terrorist threat that has ~~to~~ ^{now} ~~is~~ ^{become} a reality! We want our health back & think of life-affirming alternatives to this ^{regional} ~~possible~~ ^{destructive} ~~destructive~~ ^{kind} & solar energy are the harbingers of the future & sustainable to ~~not~~ ^{reduce} ~~pollute~~ ^{pollute} & reduce ~~pollution~~ ^{pollution} with PEACE & LOVE. *Al & Julie Sutherland*
HC 81 Box 2, Questa, NM 87536

353-1

353-1

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the CMRR-NF SEIS, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 354: Cliff J. Kirchmer

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico 87544

Dear Mr. Tegtmeir,

I am writing to you concerning the proposed Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico.

I am concerned that the project proposes to build a replacement of the existing CMRR building on a site near a geologic fault line. While the project design is for the building to withstand a grade 7 earthquake on the Richter scale, an analysis in May 2007 showed a potential increase in seismic ground motion and activity, and a more powerful earthquake is possible. The recent earthquake in Fukushima, Japan, was measured at grade 9, a hundred times more powerful than grade 7, and even one of the recent aftershocks in Fukushima was 7.1 on the Richter scale. If the building were struck by an earthquake greater than that for which it is designed, there might be a nuclear disaster like those that occurred in Fukushima or Chernobyl.

The current projected cost of the project (\$5.86 billion) also concerns me, at a time when we have budget deficits and our national debt needs to be reduced. In FY2004, the original cost of the project was estimated to be \$400-550 million.

The CMRR project should be canceled and a study of the Los Alamos National Laboratory (LANL) plutonium infrastructure should be done. This should include existing and future capability needs, and a realistic cost for maintaining and upgrading safety features at the existing CMR should be determined.

Sincerely,

Cliff J. Kirchmer
921 Forrest Park Dr.
Fircrest, WA 98466-6808

354-1

354-2

354-3

354-1 NNSA notes the commentor's opposition to the CMRR-NF project. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

There are also fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

354-2 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

354-3 The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 355: Marlene Perrotte

From: Marlene Perrotte [MarleneP@swcp.com]
Sent: Wednesday, June 29, 2011 1:50 AM
To: NEPALASO@doeal.gov; JTegtmeier@doeal.gov; RSnyder@doeal.gov; Marlene Perrotte
Subject: Draft Environmental Impact Statement for a Proposed Plutonium Facility at, Los Alamos

June 28, 2011

Los Alamos Fire is burning out of control and it is the most dangerous fire in all of the United States because of nuclear weapons labs. The highest alert possible concerns about 20,000 to 30,000 in 55 gallon barrels plutonium waste above ground under tents. Are we not insane to propose such a facility on top of a **volcanic mountain** surrounded by **forests**.

355-1

DOE Must Withdraw the Draft Environmental Impact Statement for a Proposed Plutonium Facility at Los Alamos Because It Is Incomplete and Inaccurate

The "Modified CMRR-NF" Alternative has two options – the "Deep" Option and the "Shallow" Option. All environmental impacts of the Shallow Option are based upon assumptions that are not defensible at this time. As this supplemental EIS itself states, "The Shallow Construction Option needs to be subjected to the same level of technical review as the Deep Construction Option so the two options can be evaluated on the same basis." Most of the environmental impacts proposed in this supplemental EIS for the Shallow Option end up being the same or similar to the Deep Option impacts. This is only speculation at this time. The Draft SEIS for the CMRR-NF fails to offer and analyze realistic alternatives.

355-2

The Costs of Trying to Build a Plutonium Pit Factory in a Geologically Unstable Area Are Just Too High

LANL is located between a rift valley (the Rio Grande in that area) and an inactive supervolcano (the Jemez Mountains) in an active seismic fault zone (the Pajarito Plateau). An updated seismic hazards analysis was published in May 2007. It showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the over \$3 billion in cost estimate increases since 2008 are due to efforts to address the increased seismic hazards. DOE must analyze whether \$6 billion is too high of a premium in order to build a new NF at this location.

355-3

Volcanic Eruption Impacts Must Be Analyzed

The *Preliminary Volcanic Hazards Evaluation for Los Alamos National Laboratory Facilities and Operations Current State of Knowledge and Proposed Path Forward, September 2010* Report states, "The integration of available information on the volcanic history of the region surrounding [LANL] indicates that the Laboratory is at risk from volcanic hazards."

355-4

All Impacts of NF Construction on the State Consent Order Must Be Analyzed

Cleanup of the existing mess must be the priority – not the proposed NF. DOE made a commitment to cleanup the legacy waste sites at LANL when it signed the Consent Order with the New Mexico Environment Department on March 1, 2005. The Order requires cleanup of certain sites by December 31, 2015. The analysis of the impacts of construction activities for the proposed NF must include those for the cleanup activities; including those at the nearby chemical dump, Material Disposal Area C. Precious taxpayer funds must be used to meet the cleanup obligations, not to build a shiny, new CMRR-NF.

355-5

The Draft CMRR-Nuclear Facility SEIS Is Deficient and Must Be Withdrawn!

355-1
cont'd

355-1

The waste storage domes in TA-54 are not the subject of the *CMRR-NF SEIS*. However, NNSA has taken actions to mitigate the risks of a wildfire on the domes. In 2000, the Cerro Grande fire burned a heavily forested canyon area to within about 0.75 miles (1.2 kilometers) of the waste storage domes, but none were burned and there were no radiological releases from the domes. The Las Conchas fire reached the southern border of LANL, but did not get within 2 miles (3.2 kilometers) of the domes. Additional fuel reduction has been conducted since the Cerro Grande fire, both to the vegetation surrounding TA-54 and within the domes themselves (for example, wooden pallets have been replaced with metal pallets), to further decrease the potential for a waste storage dome fire occurring as a result of a site wildfire. Furthermore, NNSA has an active program to remove the waste stored at Area G and ship it to WIPP for disposal.

NNSA notes the commentor's concern about constructing the CMRR-NF at LANL and request that the *Draft CMRR-NF SEIS* be withdrawn. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources). See the response to comment 355-4 regarding the risk of a volcanic eruption.

355-2

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. Alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, include both the Shallow Excavation Option and the Deep Excavation Option. Site-specific geotechnical investigations have been completed for the proposed CMRR-NF

Commentor No. 355 (cont'd): Marlene Perrotte

project site for both the Shallow Excavation Option and the Deep Excavation Option. Either option of the proposed CMRR-NF would be designed and constructed in accordance with recommendations provided in the geotechnical reports (Kleinfelder 2007a, 2007b, 2010a, 2010b). The human health and environmental impacts for both the Shallow and Deep Excavation Options have been analyzed to the same level in the *CMRR-NF SEIS*. The potential impacts of the proposed alternatives for construction and operation of the CMRR-NF are discussed in Chapter 4 and summarized in Chapter 2, Section 2.10, of the *CMRR-NF SEIS*. The Deep Excavation Option would have greater impacts from construction than the Shallow Excavation Option, but the operational impacts would be the same for either option.

355-3 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMFF-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF.

355-4 NNSA agrees that volcanic eruption impacts should be analyzed and has made revisions. In response to public comments on the possibility of volcano activity in the LANL region, Appendix C, Facility Accidents, and the Geology and Soils sections of Chapter 3 and 4 (Sections 3.5.1 and 4.3.5), of the *Final CMRR-NF SEIS* have been revised to include additional information regarding the potential volcanic hazards as described in the report, *Preliminary LANL Volcanic Hazards Evaluation* (LANL 2010c). Based on the report, future planning will be performed to consider CMRR-NF structural requirements for ash-loading.

Commentor No. 355 (cont'd): Marlene Perrotte

355-5 The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Chapter 1, Section 1.5, identifies the decisions to be supported by the *CMRR-NF SEIS*. This does not include decisions on cleaning up (remediating) DOE sites across the country or LANL legacy waste cleanup. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 356: Tina S. Boradiansky, Esq.

From: Tina Boradiansky [mailto:swancloud55@gmail.com]
Sent: Tuesday, June 28, 2011 3:20 PM
To: Tegtmeier, John A.; Snyder, Roger
Subject: Proposed Expansion of Plutonium Program at LANL

Gentlemen:

I have been a resident of New Mexico for 31 years and have seen two gigantic fires encroach into LANL property. At this time we are all holding our breath (Tuesday, June 28, 11).

I am writing in opposition to the proposed expanded plutonium program at LANL. It is simply too dangerous and in the wrong geography for such a program. There are many natural risks inherent to the location, from ongoing extreme fire risk in this desert area, to earthquakes and vulnerable power sources.

PLEASE stop this process of expansion. It ALREADY makes most of us residents nervous to live near the current level of exposure. This massive fire should be a timely warning. PLEASE do not expand.

Thank you,

Tina S. Boradiansky, Esq.
 Post Office Box 6625
 Santa Fe, NM 87502

356-1

356-1

NNSA notes the commentor's opposition to the CMRR-NF project. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the CMRR-NF SEIS, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 LANL SWEIS, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 357: Tim Nelson

Supplemental EIS for the Nuclear Facility Portion of the
Chemistry and Metallurgy Research Building Replacement Project
at Los Alamos National Laboratory, Los Alamos, New Mexico

Comment Form
Forma para comentarios

Thank you for your input
Gracias por su participación

Date/Fecha: 5/24/11

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SEIS?
¿Que comentarios tiene usted sobre el Draft SEIS?

We (the commentor) desperately need the CMRR-NF to
remove us from the aged CRB + support the full gamut
of shelter programs supported by the Laboratory.

357-1 357-1

NNSA notes the commentor's support for the proposed CMRR-NF project. NNSA believes that the 60-year-old CMR Building needs to be replaced in order to address safety, reliability, consolidation, and safeguards and security issues related to performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production). Due largely to seismic and safety concerns, the existing CMR Building operates at a reduced level that does not fully support the NNSA plutonium mission. The proposed Modified CMRR-NF would provide the capability to fully meet the mission need in a modern structure that meets all seismic safety and security standards.

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Tim Nelson

Address/Dirección: 797 Geneva Lane

City, State, Zip Code/Ciudad, Estado, Zona Postal: Whites Rock, NM, 87544

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SEIS; comments received are included in the SEIS in their entirety.
NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SEIS; todo comentario recibido es incluido en su totalidad en el SEIS.

PLEASE HAND THIS FORM IN OR MAIL BEFORE JUNE 28, 2011, to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO ANTES 28 DE JUNIO 2011 A:



Mr. John Tegmeyer, CMRR-NF SEIS Document Manager • U.S. Department of Energy
National Nuclear Security Administration • Los Alamos Site Office • 3947 West James Road, TA-3, Building 1430
Los Alamos, New Mexico 87544

Commentor No. 358: W. Ross

Supplemental EIS for the Nuclear Facility Portion of the
Chemistry and Metallurgy Research Building Replacement Project
at Los Alamos National Laboratory, Los Alamos, New Mexico

Comment Form
Forma para comentarios

Thank you for your input
Gracias por su participación

Date/Fecha: May 25, 2011

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SEIS?
¿Que comentarios tiene usted sobre el Draft SEIS?

What kind of "intelligent" comment can one make
to INSANITY?

To split the atom to boil water is insane.

To blow up the world 10 times over is insane.

To pollute for GENERATIONS our air and water
is
INSANE!

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: W. Ross

Address/Dirección: Downwind

City, State, Zip Code/Ciudad, Estado, Zona Postal: POB 1176, CRESTONE, Co 81151

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SEIS;
comentarios recibidos are included in the SEIS in their entirety.

NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SEIS;
todo comentario recibido es incluido en su totalidad en el SEIS.

PLEASE HAND THIS FORM IN OR MAIL BEFORE JUNE 28, 2011, to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO ANTES 28 DE JUNIO 2011 A:



Mr. John Tegtmier, CMRR-NF SEIS Document Manager • U.S. Department of Energy
National Nuclear Security Administration • Los Alamos Site Office • 3747 West Jensen Road, T-4-3, Building 1419
Los Alamos, New Mexico 87544

358-1

358-1

NNSA notes the commentor's opposition to the production of nuclear weapons and pits. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 359: Norma Navarro

**Supplemental EIS for the Nuclear Facility Portion of the
Chemistry and Metallurgy Research Building Replacement Project
at Los Alamos National Laboratory, Los Alamos, New Mexico**

Comentarios
Admi. de comentarios

Thank you for your input
Gracias por su participación

Date/Fecha: May 25 2011

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SEIS?
¿Que comentarios tiene usted sobre el Draft SEIS?

NORTHERN NEW MEXICO HAS A LONG TRADITION OF
LIFEWAYS THAT SUPPORT & NURISH PEOPLE,
PLANTS, WATER SHEDS, ANIMALS & THAT ALWAYS
HAS THE SUFFERING GENERATIONS IN MIND.
LANL IS AN EXEMPTION AND IDENTIFIES
THESE LIFEWAYS. DAILY LANL DAMAGES
SELF-DETERMINATION OF COMMUNITIES - THE
JOBS CREATED REFLECT RACIAL INJUSTICES
OF THE LARGER UNITED STATES. THE
HISPANOS & NATIVES FOR CONTINUE TO BRING
HOME DEADLY ILLNESSES - RARE CANCERS.
RATHER THAN CONTINUE MINING, BUILDING,
DESIGNING OF WEAPONS, THE PRIORITY
NEEDS TO BE AVOIDING UNDERSTANDING
THE NATURE OF NUCLEAR INDUSTRY,
& BEING TO EVOLVE ON A PATH OF
NO HARM, VIOLENCE, COMPRESSION, HUMILITY
AND W/O NUCLEAR WEAPON ENERGY.
* WE HAVE ALL THAT WE NEED TO LIVE GOOD
HEALTHY LIVES,
NOW WE NEED TO
PROTECT & HONOR
THE LAND, H₂O,
& AIR. WE HAVE
BEEN
GUILTY.

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Norma Navarro
Address/Dirección: PO Box 1262
City, State, Zip Code/Ciudad, Estado, Zona Postal: ALCALDE NM 87511

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SEIS in their entirety.
NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SEIS; todo comentario recibido es incluido en su totalidad en el SEIS.

PLEASE HAND THIS FORM IN OR MAIL BEFORE JUNE 28, 2011, to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO ANTES 28 DE JUNIO 2011 A:



Mr. John Tegmeier, CMRR-NF SEIS Document Manager • U.S. Department of Energy
National Nuclear Security Administration • Los Alamos Site Office • 3747 West Jemez Road, TA-3, Building 1410
Los Alamos, New Mexico 87544

359-1 359-1

NNSA notes the commentor's opposition to the production of nuclear weapons and nuclear energy and concerns about racial injustice. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The environmental impacts analysis in Chapter 4 of the *CMRR-NF SEIS* evaluates potentially affected resource areas in a manner commensurate with the importance of the potential effects on each area. The potential impacts on environmental justice due to construction (except for the Continued Use of CMR Building Alternative) and operations are addressed in Sections 4.2.11, 4.3.11, and 4.4.11. These analyses show that the total minority, Native American, Hispanic, and low-income populations would not be subjected to disproportionately high and adverse impacts during implementation of any of the alternatives.

Section 3
Public Comments and NNSA Responses

Commentor No. 360: Ruth Halcomb

From: Ruth Halcomb [ruthmmh@yahoo.com]
Sent: Saturday, June 25, 2011 3:59 PM
To: nepalaso@doeal.gov
Subject: New plutonium pit facility must be delayed if not stopped!

I am writing to voice my strong opposition to NNSA's new plutonium pit facility proposed at Los Alamos.

Manufacturing plutonium pits constitute a serious threat to the health and safety of those living downwind and downstream. Plutonium has been proven to be a potent carcinogen. The residue from the Alamos Lab has a severe health impact upon Native peoples and Hispanic New Mexicans.

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building. It is imperative that the implications of the seismic survey be taken seriously.

The U.S. does not need 80 new plutonium pits per year. The cold war is over, use of nuclear weapons is unthinkable and peaceful uses of nuclear power are in question following the recent tragic situation in Japan.

Ruth Halcomb
 2921 Viaje Pavo Real
 Santa Fe, NM 87505

360-1

360-2

360-3

360-1 NNSA notes the commentor's opposition to the CMRR-NF project, pit production, and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF.

The environmental impacts analysis in Chapter 4 of the *CMRR-NF SEIS* evaluates potentially affected resource areas in a manner commensurate with the importance of the potential effects on each area. The potential impacts on environmental justice due to construction (except for the Continued Use of CMR Building Alternative) and operations are addressed in Sections 4.2.11, 4.3.11, and 4.4.11. These analyses show that the total minority, Native American, Hispanic, and low-income populations would not be subjected to disproportionately high and adverse impacts during implementation of any of the alternatives.

360-2 A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

360-3 A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile

Commentor No. 360 (cont'd): Ruth Halcomb

stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 361: Karen Barton

From: Karen Barton [astrique@aol.com]
Sent: Sunday, June 26, 2011 2:42 PM
To: NEPALASO@doeal.gov
Subject: Stop New Nuclear Weapons Plant, Earthquake Zone by 6/28

Dear Department of Energy,

I'm concerned about the construction of the CMRR plutonium reprocessing and storage facility in New Mexico. It will store six tons of the most highly toxic substance on Earth, plutonium, at the government's facility. Second, the costs have ballooned by 1000%, from \$600 million to \$6 billion.

Finally, this facility can be used to reverse the program, from President Obama's pledge to end nuclear weapons, to produce as many as 80 nukes each year. This is going one step forward, 3 steps back, with plutonium—the most deadly, toxic substance in the world.

Sincerely,

Karen Barton
 714 Old Lancaster Road
 Bryn Mawr, PA 19010-3109

361-1

361-1

NNSA notes the commentor's concerns regarding storage of plutonium, costs, and purpose of the CMRR Project. The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect the workers and public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

Commentor No. 362: sally-aliceanddon@juno.com

From: sally-aliceanddon@juno.com
Sent: Wednesday, June 29, 2011 9:11 PM
To: NEPALASO@doeal.gov
Subject: Bombs

We already have too mahy!

|| 362-1

362-1

Comment noted.

Commentor No. 363: Maureen Wright

June 20, 2011

TO JOHN TEGMEIER
 Los Alamos Lab
 3197 W. Jemez Rd
 Los Alamos NM 87544

Dear Mr. Tegmeier,

PLEASE KNOW I OPPOSE THE
 CONSTRUCTION OF THE NUCLEAR FACILITY
 DESIGNED TO MANUFACTURE OF NEW
 NUCLEAR PITS (PLUTONIUM PITS)
 WHICH IS AGAINST NATIONAL
 ENVIRONMENTAL POLICY ACT
 AND CLEARLY AGAINST ARTICLE 6
 OF THE NON-PROLIFERATION TREATY.

IN FACT LOS ALAMOS SHOULD HAVE
 BEEN CLOSED AT THE TIME THE
 NON-PROLIFERATION TREATY WAS RATIFIED.

OUR PRESENT NUMBER OF NUCLEAR
 WEAPONS ARE MORE THAN ENOUGH
 TO DISINTEGRATE OUR KNOWN WORLD.
 SHOULD WE ADD TO OUR SUPPLY?

SINCERELY,

Maureen Wright
 2816 Kentucky St NE
 ALBUQUERQUE NM 87110

363-1

363-1

NNSA notes the commentor's opposition to the proposed construction and operations of the CMRR-NF and to the production of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the CMRR-NF SEIS, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 364: Laura Woodford

6-19-11

Laura Woodford
821 Wilmore SE
Albuquerque, NM
87106

Los Alamos National Laboratory
3747 W. Geronimo Rd
Los Alamos, NM 87544

Attn: John Tegtmeyer, Document Mgr. (CMRR-NF SEIS)

Dear Mr. Tegtmeyer,

I oppose any new facilities to construct or create nuclear cores or pits or associated manufacturing, such as the CMRR proposed currently.

There are no alternatives offered in the draft proposal, which I feel is contrary to the National Environmental Policy Act, as well as being an inappropriate course of action in many respects. The Cold War is long over & the world would have appeared to be on a course towards disarmament, to what Article 6 of the non-proliferation treaty.

364-1

NNSA notes the commentor's opposition to the proposed construction and operations of the CMRR-NF and to the production of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SPEIS ROD*. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

364-1

Commentor No. 364 (cont'd): Laura Woodford

There have been many challenges to this kind of manufacturing, not the least of which is: where will the waste be stored? Can we really afford this? Our economy is not in the kind of shape to afford such non-productive activity. We already have around 70 million barrels a year and ask: why do we need this much for power? New Mexico is actually still considered an earthquake zone in that area.

Please do not waste our tax dollars for the purpose of making new weapons & plutonium cores rather than other positive and life affirming activities.

Sincerely,
Laura Woodford.

364-2

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cont'd

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cont'd

- 364-2 As summarized in Section 2.5, Cleanup and Waste Management, of this CRD, the CMRR-NF and RLUOB would be designed, constructed, and operated to accommodate the projected waste volumes to be generated at the facilities. Sufficient capacity exists at LANL or at offsite facilities to manage all of the projected waste associated with any of the alternatives included in the *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. The impacts associated with transportation of radioactive and nonradioactive wastes to offsite treatment or storage facilities have been estimated for all alternatives (see Chapter 4, Sections 4.2.13, 4.3.13, and 4.4.13, of the *CMRR-NF SEIS*).
- 364-3 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.
- 364-1 cont'd NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.
- 364-4 364-4 Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the Draft CMRR-NF SEIS was prepared; however, it has subsequently been made available to the public and has been incorporated into the Final *CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve.

Commentor No. 365: James Miller

Mr. John Tegtmeir
US DOE/NNSA
Los Alamos Site Office
3747 West Jemenez
TA-3 Building
Los Alamos, NM
87544

June 23, 2011

Dear Mr. Tegtmeir,

I am writing to register my comments against the CMRR Project. I urge cancellation of this project due to extreme safety concerns and dismay at its ballooning budget. I think this project is poorly thought out and has the potential to bring utter catastrophe to the region.

Thank you in advance for hearing my concerns.

Sincerely,



James Miller
23052 Audette
Dearborn, Michigan
48124

365-1

365-1

NNSA notes the commentor's opposition to the proposed construction of the CMRR-NF and concerns about safety. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the SEIS.

Commentor No. 366: Katherine Michalak**Submit Questions or Comments about the Draft CMRR-NF SEIS to:**

Mr. John Tegtmeyer, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov

Deadline June 28, 2011

Dear Mr. Tegtmeyer,

The CMRR-NF at LANL recently came to my attention, and I'm very concerned about the potential consequences of this facility. As a lay person, I can't accurately estimate how high the impacts will be - the health hazards, the pollution, the interference with cleanup of existing waste at LANL - or whether the project is necessary and/or beneficial to our country. However, from the information I do have, this facility appears to be a questionable and risky undertaking on many fronts. From my understanding, the US already has sufficient plutonium pits, ~~to~~ and stockpiling nuclear weapons will do more harm than good in the current world climate. I understand that financing this project does nothing economically for New Mexico outside of the already affluent Los Alamos county; as a taxpayer, I feel that this would be money squandered. I understand



366-1

NNSA notes the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the SEIS.

NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

366-1

366-2

366-2

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 366 (cont'd): Katherine Michalak

that the location for this facility ~~time~~ lies between a Rift ; a fault zone, making it an even more environmentally risky undertaking than nuclear facilities are to begin with.

From my perspective, it's absolutely essential that

- A) A new EIS in conducted; the SEIS B far from sufficient
- B) The value of this facility is thoroughly questioned, and cancellation of the project considered.

Thank you for considering my views.

Regards,

Katherine Michalak
PO Box 604 / 363 E Copper Ave
Crestone, CO 81131
[REDACTED]

366-3

366-3

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

366-4

366-4

NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

366-2
cont'd

Commentor No. 367: Sister Joan Arnold

P.O. Box 109
Huntington, Indiana 46750-0109
June 27, 2011

Mr. John Tegtmeir
U.S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Rd
TA-3 Building 1410
Los Alamos, New Mexico 85744

Dear Mr. Tegtmeir:

I am writing to you about the proposed Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico. Since the Lab already has the ability to manufacture 20 "Plutonium Pits" a year, why is there any necessity to produce more?

I believe it is time to reduce nuclear weapons and not waste money on producing more "triggers" that are at the heart of every nuclear weapon. Furthermore, I learned that the Department of Energy has 15,000 pits stored at the Pantex Facility in Texas. Also, the projected budget for this project at Los Alamos is now \$5.86 billion with a completion date of FY2023. This money could be better used for peaceful purposes. It would be foolhardy for anyone ever to use nuclear weapons!

The worst part of all is that the proposed site for the new CMRR building is some two-thirds of a mile from a geologic-fault line. No doubt the more than \$3 billion that has been added to cost-estimates since 2008 result from efforts to address the heightened seismic hazards in the area. In my view, the proposed CNRR project should be canceled immediately!

Thank you for your consideration of my comments.

Sincerely,


Sister Joan Arnold

367-1

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. The need for CMRR-NF is not connected to a specific level of operations. Refer to Section 2.4, CMR Mission, of this CRD for more information.

367-1

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

367-2

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

367-2

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 368: Kip Powell

Mr. John Tegtmeyer

07/03/11

I am writing to express my complete opposition to the redesigned Chemical and Metallurgical Research Replacement Nuclear Facility. The danger of seismic damage is too great as is the potential for unpredictable wildfire behavior.

It seems that LANL escaped serious damage from the Las Conchas fire due to good preparation and safety planning as well as the extraordinary efforts of the firefighters. It also seems that a great deal of luck was in play. Had this fire occurred in April or May, the strong and persistent 30 - 50 mph winds might have caused a catastrophic outcome.

This region has had the shadow of nuclear R&D and its associated toxic waste problems for 60 years. Nuclear weapons are not a deterrent to terrorist attacks nor are they useful as diplomatic leverage. The continued funding of federal nuclear weapons expansion and modernization makes a mockery of the nonproliferation treaty the U.S. has signed.

My wife, our friends, and coworkers are weary and scared from this latest mess. We still have no idea how much toxic radiation was/is in the smoke. The data is only now starting to be posted on the internet. Have we been exposed for a week and will we only find out too late?

We love New Mexico and this area. We think it's time for LANL to be repurposed or shutdown and cleaned up, if that's even possible. 60 years is long enough. Research sustainable energy sources. The brain trust at LANL could completely change the course of modern man for the better. I am not alone in my concern and will seek to influence political decision makers as will many others in New Mexico and the U.S.

Sincerely,



Kip Powell
Española, NM

368-1

NNSA notes the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

368-1

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368-3

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande fire. A summary of possible public health impacts resulting from the fire is included in Chapter 4, Section 4.6.1.3, of the 2008 *LANL SWEIS* (DOE 2008a). As indicated in this section, an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by Risk Assessment Corporation at the request of NMED (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential release sites and concluded that exposure to LANL-derived chemicals and radionuclides released to the air

Commentor No. 368 (cont'd): Kip Powell

during the Cerro Grande fire did not result in a significant increase in health risk over the risk from the fire itself. This section of the *LANL SWEIS* also discusses the *Public Health Assessment* (ATSDR 2006), for which the Agency for Toxic Substances and Disease Registry (ATSDR) reviewed environmental monitoring data from 1980 to 2001 and concluded that no harmful exposures due to chemical or radioactive contamination detected in groundwater, surface soil, surface water and sediment, air, or biota are occurring or are expected to occur in the future. The data considered in the ATSDR assessment included at least one full year of environmental monitoring results from the period following the Cerro Grande fire. Similar results would be expected from studies that will be done on the Los Conchas fire.

368-2 The President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

368-3 Comment noted.

Commentor No. 369: Susan McCarthy



Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegtmeyer, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov.

Dear Mr. Tegtmeyer,
I wish to draw your attention to the following drawbacks to the Draft CMRR-NF SEIS document:

- 1) The geological instability of Los Alamos makes it unsuitable for a plutonium pit facility;
- 2) A new EIS rather than a Supplemental EIS is what is called for because greater seismic activity wasn't envisioned in 2004 as shown in the my 2007 updated analysis;
- 3) The cost of the new plutonium pit complex is too great;
- 4) A real NO ACTION alternative should be included among the alternatives;
- 5) Cleanup of the current radioactive mess will be neglected if the new facility is pursued;
- 6) Capacity studies will show that DOE doesn't need 80 new plutonium pits per year.

Sincerely,
Susan McCarthy
Los Alamos, NM

CMRR-NF Hearings:
Tues. May 24, 5 p.m. to 9 p.m., Holiday Inn Express, 60 Entrada Dr., Los Alamos.
Wed. May 25, 5 p.m. to 9 p.m., Santa Claran Hotel, 464 N. Riverside Dr., Espanola.
Thur. May 26, 5 p.m. to 9 p.m., Santa Fe Community College, Jemez Rooms, 6401 Richards Ave, Santa Fe.
View or download SEIS document: <http://www.nepa.energy.gov> or <http://www.nnsa.energy.gov/nepa/cmrrseis>

369-1 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

369-1

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

369-2

369-3

369-4

369-5

NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Refer to Section 2.2, NEPA Process, of this CRD for more information.

369-2 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

369-3 Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor

Commentor No. 369 (cont'd): Susan McCarthy

constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 *CMRR EIS* (69 FR 6967). See Section 2.11, Alternatives Considered, of this CRD for more information.

369-4 NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

369-5 A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The need for the CMRR-NF is not connected to a specific level of operations. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Commentor No. 370: Bonnie Bonneau



Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegmeier, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov

Deadline June 28, 2011

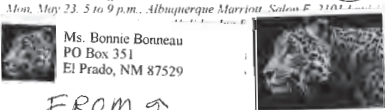
p.s. what will the total weight of the building & re per square foot floor data please. (include foundation & jawet filler)

p 1 of 3

Dear Sir when i studied "facilitation" it involved brain storming and consensus building. Apparently LANL's school of facilitation did not include these topics. Your facilitators were rude, arrogant, manipulative, power trippers and did not treat all people with respect. This and the more than \$200 million hole @ TASS imply that the deal is done and none there is listening (as usual).

People want change and progress. It is a new century. The SMRR&D has been reworked, renamed and remarketed too many times. Old documents have been supplimented at least twice and are so misconfigured that they cannot fit into a coherent program, so we are given fragments and excuses, fast talk and slight of hand. A analysis is only as good as the data it's based on, i.e. the appendices.

CMRR-NF Hearings:



Ms. Bonnie Bonneau
PO Box 351
El Prado, NM 87529

FROM ↗

Albuquerque Marriott Salons F 3102
Alamos
Española
6401 Richards Ave, Santa Fe.
www.nnsa.energy.gov/nepa/cmrrseis

Need to the update data files!

370-6 cont'd

370-1 NNSA notes the commentor's opposition to the CMRR-NF project and concerns about the NEPA process. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NNSA notes the commentor's concerns regarding how the facilitator mediated the public meeting. All public meetings were facilitated in the same manner, using commonly used methods. No disrespect was intended toward public participants. NNSA will take the lessons learned from these public interactions and consider how future meetings can be improved.

370-2 NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including an option of not constructing the CMRR-NF at all. Refer to Section 2.2, NEPA Process, and Section 2.11, Alternatives Considered, of this CRD for more information.

As discussed by the commentor, Appendix C of the *Final CMRR-NF SEIS* has been updated to include additional information on wildfires, volcanoes, and accidents such as the accident that occurred in Japan at the Fukushima Daiichi Nuclear Power Plant. All of the references associated with this appendix will be available on the *CMRR-NF SEIS* website when the *Final CMRR-NF SEIS* is released to the public.

370-1

370-2

Chapter 4, Section 4.2.10.3, Intentional Destructive Acts, discusses scenarios such as terrorist attacks. These types of acts were analyzed as part of a classified appendix. Although the results of the analyses cannot be disclosed, the following general conclusion can be drawn: the potential consequences of intentional destructive acts are highly dependent on the distance to the site boundary and the size and proximity of the surrounding population; the closer and denser the surrounding population, the higher the consequences. In addition, it is generally easier and more cost-effective to protect new facilities because new security features can be incorporated into their design. In other words, the protective forces needed to defend new facilities may be smaller due to the inherent security features of a new facility. New facilities can, as a result of design features, better prevent security attacks and reduce the impacts of such attacks.

Commentor No. 370 (cont'd): Bonnie Bonneau

You obviously have the revised edition (2) ^{P.2 of 3} of Appendix C which includes evacuation plans, terrorism, volcanic features, Fukushima and all those great subjects you told folks in Taos about. But these ~~same~~ subjects are not in the print version of the document so are they in the computer version ~~or~~ where? Where did the local paper get the idea that ~~CMRR~~ CMRR-NF was to be next door to old CMR Bldg? Your visit to Taos was full of misinformation & you admitted to enjoy deceiving folks. You'll die quite stuck in your ways.

If the NEPA process applies to the doings of LANL-NNSA, you will produce a complete EIS of the entire TA-55 along with suggested plans to clean up / DID TA-55 into next phase of the mad plan to build bombs atop the largest volcano on the continent. You need a viable no-action and green action and peace alternative, as well as a less pyrophoric alternative. Any excuse that NM is a sacrifice zone is totally racist, immoral & illegal. Plotting to bomb civilians is messed up too.

370-2
cont'd

370-3

370-4

370-5

370-3 NNSA disagrees with the commentor's opinion that misinformation was provided at the public meetings. The information provided at the meeting in Taos accurately reflects the scope and status of the proposed project.

370-4 NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. The 2008 LANL SWEIS analyzed site-wide activities.

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 *CMRR EIS* (69 FR 6967). A "green action and peace alternative" would not meet NNSA's stated purpose and need.

NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

370-5 NNSA does not consider any part of the country a "sacrifice zone." NNSA complies with all Federal, state and local laws and regulations when planning and conducting its activities to meet its mission as assigned by the President and Congress.

370-6 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building

Commentor No. 370 (cont'd): Bonnie Bonneau

p 3 of 3-

It seems ill advised to dump cement into a geologic fault, but if this is indeed part of the plan, you must consider the possibility the fault might move and try it at somewhere else in an area far from dangers like plutonium.

How far is TASS from the fault under that excavated hole? How much weight will concrete add to the (light weight tuff) media? Can it dry and cure properly without air? How long and deep is the fault? Is it part of a drainage that comes out in a canyon? Cement is quite caustic. Don't faults collect water?

Usually EIS documents have response to public comments to show how issues are addressed and where. There were so many subjects raised in Espanola a few years back that were overlooked.

The subject of criticality with a 6.6 ton payload should provide a big bang, at least big enough to split the plates at the Rio Grande Rift. Some how you need to quantify the possible global impact of such a scenario. Could a 9-11 airstrike jar the balance. The bombs are actuated by a smaller explosion, it's a chain reaction. Accident, terrorist, act of god, natural phenomenon, power outages, evacuation plans, so much is missing, this document is inadequate for such an expensive error. Yours T, Bonnie Bonneau

370-6

370-7

370-8

location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The seismic mass (dead load plus live load) of the proposed building is 490 million pounds (220 million kilograms). The Kleinfelder report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]) for the Shallow Excavation Option (Kleinfelder 2007a). Under the Deep Excavation Option, the addition of 60 feet (18 meters) of low-slump concrete would increase the weight of the building by about 980 million pounds (440 million kilograms). The weight of the soil that would be removed for this deeper excavation is estimated to be about 740 million pounds (340 million kilograms). Under the Deep Excavation Option, the building would sit on rock and there are not similar concerns related to allowable bearing pressure of the soil under this option as opposed to the Shallow Excavation Option.

370-7

Chapter 1, Section 1.8 of the *Final CMRR-NF SEIS* summarizes the changes made in the SEIS since the *Draft CMRR-NF SEIS* was released to the public.

Commentor No. 370 (cont'd): Bonnie Bonneau

370-8 As described in Appendix C, even during the most severe accident, the amount of plutonium estimated to be released from the CMRR-NF would be small. The environmental consequences for human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the SEIS.

Appendix C describes the methodology used to determine the accidents evaluated in the *CMRR-NF SEIS*. Selection of these representative accidents considers a wide range of accidents produced by natural phenomena (e.g., earthquakes, volcanoes, tornados, high winds, floods, snow loads, wild fires) and those that are the result of the actions of man (e.g., spills, drops). The accidents selected for presentation in the *CMRR-NF SEIS* are those that provide a representative range of accidents. These impacts can be both societal and economic due to potential disruptions associated with monitoring and cleanup of potential contaminated lands.

Commentor No. 371: Ruth Fahrback



Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegmeier, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeaf.gov

Deadline June 28, 2011

Jun 30, 2011 due to the Las Conchas
fire, I hope you will accept this
12 day - delayed letter. 1st I am
requesting an EIS study to assure accurate
& comprehensive details before building CMRR-NF
(the cost of spending Billions of dollars (\$4.5 billion)
on a geological fault line is unconscionable.
We must deal with cleaning up tech threat
and use of taxpayers' money for this before
anything else.
We must rid our world of nuclear weapons
and free our coming generations from this
deadly liability. There are alternative
to energy needs such solar, wind and
water hydroponics. Plutonium kills and
causes diseases of cancer & chronic fatigue
It is a killer. Let's use New Mexico's
monies to establish greater health care
preventative medicine, create green jobs
grow industrial hemp which aerates soil
and produces the greatest biomass
on the planet! Thank you.
trosherp@dmwex.com Ruth Fahrback

371-1 In response to the Las Conchas fire, which affected the Los Alamos community, NNSA extended the public comment period to July 5, 2011. All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*.

371-1

371-2 NNSA notes the commentor's concern regarding accurate and comprehensive details regarding the CMRR-NF. To address this, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Refer to Section 2.2, NEPA Process, of this CRD for more information.

371-2

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

371-3

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA intends to continue to implement environmental restoration actions. NNSA does not consider environmental restoration to be optional and progress on implementing those actions is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

371-3

NNSA notes the commentor's opposition to the existence of nuclear weapons and nuclear power. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 371 (cont'd): Ruth Fahrback

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF.


Commentor No. 372: Marjorie S. Allen

June 20, 2011

to John Tegetmeier
Document Manager
Los Alamos National Labs
3787 Jemez Rd
Los Alamos 87544
Re: CMRR

Dear Mr. Tegetmeier,

I oppose any construction of
The CMRR in Los Alamos. New Mexico
is not and should not be a place that
is used for antiquated concepts of defense
made antiquated by the ratification of
the Non-Proliferation treaty under article 6.
Furthermore, the environmental impact
statement is clearly illegal by not offering
truly viable alternatives including
downsizing what we do now at Los Alamos.
This violates the National Environmental Policy
Act. In addition ~~you are~~ the site proposal is
at the headwater of the not viable water source
in the state. My wish is that Los Alamos
would act to protect our already impoverished
state by not facilitating more nuclear poison
being released into our environment for the
benefit of monetary gain for a few. This is
not in the interests of ~~our~~ National security.

Sincerely

Marjorie S. Allen
446 Alcazar NE
Albq, NM 87108

372-1

372-1 NNSA notes the commentor's opposition to the proposed construction and operation of the CMRR-NF and to the production of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

372-2

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

372-2

NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SPEIS* ROD. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

372-3

372-3

The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the SEIS. Water resources are addressed in Sections 4.2.6, 4.3.6, and 4.4.6 of the SEIS.

Commentor No. 373: Melissa Larson

Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegmeier, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doem.gov

Deadline June 28, 2011

NO THANKS. WE DON'T NEED MORE NUCLEAR WEAPONS
OR NUCLEAR DANGER HERE IN NORTHERN NEW MEXICO
WE HAVE SEEN FUKUSHIMA & WHAT HAPPENED THERE
WHEN THE EARTH QUAKED. THE LAND AT LOS ALAMOS
IS NOT STABLE ENOUGH TO SUPPORT THE WEIGHT OF
THE CONCRETE THEY ARE PROPOSING LET ALONE WHAT
WOULD HAPPEN IF 2.6 TONS OF PLUTONIUM IS RELEASED
INTO THE ENVIRONMENT. WAR IS POLLUTING &
NUCLEAR POWER IS POLLUTING, SO WE ENDANGER
ALL LIFE FORMS WITH THIS TOXIC THREAT
TO OUR ENVIRONS. IT IS CRUCIAL THAT
LOS ALAMOS NUCLEAR LABORATORY CLEAN THE MESS
IT HAS ALREADY CREATED. A FULL ENVIRONMENTAL
IMPACT STATEMENT NEEDS TO BE PRODUCED TO
ACCOUNT FOR THE COMPLETE VARIATION IN DESIGN
~~AND~~ ONLY IF THE PLAN IS FOR A SAFE NUCLEAR
FACILITY, WHICH ENDANGERS NO LIFE AND IT ALSO
CLEANS UP THE MESS IT HAS MADE. IF IT DOES NOT ALLOW
ANY MORE NUCLEAR WASTE TO ACCUMULATE, ~~AND~~
THERE WOULD BE A CHANCE FOR SAFETY OR ANY LIFE
TO CONTINUE. NOW STOP, CLEAN UP, AND BEFORE
YOU BUILD ANY MORE, FIX WHAT HAS BEEN DONE.

(see above) →

373-1 NNSA notes the commentor's opposition to nuclear weapons and nuclear power. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

373-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The Kleinfelder report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]) for the Shallow Excavation Option (Kleinfelder 2007a). Under the Deep Excavation Option, the addition of 60 feet (18 meters) of low-slump concrete would increase the weight of the building by about 980 million pounds (440 million kilograms). The weight of the soil that would be removed for this deeper excavation is estimated to be about 740 million pounds (340 million kilograms). Under the Deep Excavation Option, the building would sit on rock and there are not similar

Commentor No. 373 (cont'd): Melissa Larson

PS. THE CURRENT FIRE MAY PUT
A STOP TO THIS WHOLE NONSENSE, THOUGH
I REALLY HOPE WE HAVE A CHANCE FOR
SURVIVAL AFTER THAT. FORGET THE
PLUTONIUM. LOOK INTO THORIUM FOR ELECTRIC
GENERATION & STOP PUTTING TOXIC WASTE
& PLUTONIUM ON OUR MOUNTAIN!
THINK--- GET SMART.

MELISSA LARSON
PO Box 1057
Rancho de Teos, NM 87557
505. 751-9862

373-4

373-3

373-4

concerns related to allowable bearing pressure of the soil under this option as opposed to the Shallow Excavation Option.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Under no circumstances would 6.6 tons of plutonium be released to the environment; as described in Appendix C, even during the most severe accident, the amount of plutonium estimated to be released from the CMRR-NF would be small. The environmental consequences on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the SEIS.

NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

NNSA notes the commentor's position that a new environmental impact statement is needed rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

As summarized in Section 2.5, Cleanup and Waste Management, of this CRD, the CMRR-NF and RLUOB would be designed, constructed, and operated to accommodate the projected waste volumes to be generated at the facilities. Sufficient capacity exists at LANL or at offsite facilities to manage all of the projected waste associated with any of the alternatives included in the *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire

Section 3
Public Comments and NNSA Responses

Commentor No. 373 (cont'd): Melissa Larson

LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Electrical power generation is outside the scope of the *CMRR-NF SEIS*.

Commentor No. 374: Laura Zwibovich

We Demand a complete EIS



Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegmeier, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov

Deadline June 28, 2011

*As the FIRE rages & races out June 27, 2011
of control towards Los Alamos & we ~~are~~
suffocate w/ smoke & fear I write
to you demanding an immediate
end to this nuclear madness
that was hatched right there out that
hill. Nature is speaking to you w/
such uncompromising force that
surely you must get the message.
This is not the horror of Fukushima
this is the horror in our back
yard - To continue on with your
CMRR Complex Project would be no less
than Criminal Insanity - Look into
your own hearts - into the eyes of your
children & their children - Do you want
the for profit nuclear destruction of life
on earth to be your legacy? Remember
the tragic death of your brother
nuclear scientist who jumped off the
George Bridge after the disaster at
Fukushima. Do you think those 2 events
were unrelated? Life on earth & your
own souls hang in the balance. Stop Now!*

374-1

374-1

NNSA notes the commentor's opposition to the construction and operation of a new CMRR Facility at LANL, and the concerns of the Fukushima Daiichi Nuclear Power Plant accident. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

NNSA also notes the commentor's position that a new complete environmental impact statement is needed rather than an SEIS. NNSA determined that an SEIS is the appropriate level of analysis, because of CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

Commentor No. 375: Pedro Trujillo

Supplemental EIS for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico

Commentor Form
Forma para comentarías

Thank you for your input
Gracias por su participación

Date/Fecha: 6/21/11

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

- 1. What comments do you have on the Draft SEIS?
¿Que comentarios tiene usted sobre el Draft SEIS?

Los Alamos is vulnerable to earthquakes, wildfires, floods, and possible volcanic events. Los Alamos is not a good location for a nuclear facility.

This project needs to be stopped.

375-1

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Pedro Trujillo

Address/Dirección: HC 78 Box 10315

City, State, Zip Code/Ciudad, Estado, Zona Postal: Ranchos de Taos, NM 87557

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SEIS; comments received are included in the SEIS in their entirety.
NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SEIS; todo comentario recibido es incluido en su totalidad en el SEIS.

PLEASE HAND THIS FORM IN OR MAIL BEFORE JUNE 28, 2011, to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO ANTES 28 DE JUNIO 2011 A:



Mr. John Tregmeier, CMRR-NF SEIS Document Manager • U.S. Department of Energy
National Nuclear Security Administration • Los Alamos Site Office • 3747 West Jemez Road, TA-3, Building 1410
Los Alamos, New Mexico 87544

375-1

NNSA notes the commentor's opposition to the CMRR-NF project. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

In response to public comments on the possibility of volcano activity in the LANL region, Appendix C, Facility Accidents, and the Geology and Soils sections of Chapter 3 and 4 (Sections 3.5.1 and 4.3.5), of the *Final CMRR-NF SEIS* have been revised to include additional information regarding the potential volcanic hazards as described in the report, *Preliminary LANL Volcanic Hazards Evaluation* (LANL 2010c). A volcanic eruption during the life of the CMRR-NF is an unlikely event. A variety of volcanic phenomena could occur as a result an eruption with a dispersion of a large ash cloud likely to affect a large area of the region. As discussed in Appendix C, such an event would have consequences that are represented by other accidents analyzed in the SEIS.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources). See the response to comment 355-4 regarding the risk of a volcanic eruption.

Commentor No. 376: Carrie Leven

Supplemental EIS for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement Project at Los Alamos National Laboratory, Los Alamos, New Mexico

Comentarios
Norma para comentaristas

Thank you for your input
Gracias por su participación

Date/Fecha: June 28, 2011

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SEIS?
¿Que comentarios tiene usted sobre el Draft SEIS?

- ① The Supplemental EIS is not sufficient to assess the impacts of the new design of CMRR-NF, plus new design with increased earthquake protection is not finished. ~~Want~~ Want a new EIS written after new plan/design is complete.
- ② Increasing cost to build CMRR complex is too high, and ~~estimated~~ final costs will be higher, due to the area being geologically unsafe for this facility. DOE please analyze cost/benefits for this location.
- ③ Please clean up existing legacy waste sites first. Spending money on new facility, NMEID gave order to clean up Area 6 dump and others - not construct new site creating more pollution needing disposal.
- ④ DOE needs to conduct a "capacity study" to see if they can use the current facilities - Existing facilities have sufficed since 1999 with plutonium pit manufacturing limited to 20 per year. We don't need more.

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Carrie Leven

Address/Dirección: 2882 Old Red River RD

City, State, Zip Code/Ciudad, Estado, Zona Postal: Questa, NM 87556

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SEIS; comments received are included in the SEIS in their entirety.
NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SEIS; todo comentario recibido es incluido en su totalidad en el SEIS.

PLEASE HAND THIS FORM IN OR MAIL BEFORE JUNE 28, 2011, to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO ANTES 28 DE JUNIO 2011 A:



Mr. John Tegtmeler, CMRR-NF SEIS Document Manager • U.S. Department of Energy
National Nuclear Security Administration • Los Alamos Site Office • 3747 West Jemez Road, TA-3, Building 1410
Los Alamos, New Mexico 87544

3-717

376-1

376-2

376-3

376-4

376-1 NNSA notes the commentor's request for a new EIS after the design is complete. NEPA documentation is performed while the design of a project is still underway in compliance with DOE Order 413.3, Program and Project Management for the Acquisition of Capital Assets. There is enough design information available to perform a NEPA analysis for the CMRR-NF project. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazard analyses of the LANL region (LANL 2007, 2009). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See also Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

376-2 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

376-3 NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

376-4 The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and

Section 3
Public Comments and NNSA Responses

Commentor No. 376 (cont'd): Carrie Leven

materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 377: Barbara Silverman

To: Mr. John Tegtmeier, CMRR-NF
SEIS Document Manager
NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544
Re: CMRR-NF SEIS Comment
Date: June 24, 2011

Dear Mr. Tegtmeier:

I oppose the construction of the CMRR Nuclear Facility at the Los Alamos National (LANL) for the following reasons:

MORAL ISSUES

Nearly every major religious body has declared it immoral to not only use, but also to build and threaten to use weapons of mass destruction. Even if never used, the production and presence of nuclear weapons harms huge numbers of innocent civilians. Threats to use weapons of mass destruction tends to cause other nations to want to build their own out of fear. The more weapons out there, the more chances exist for terrorists to get ahold of them.

It is also immoral to cut services to the poor and disadvantaged populations in order to pay for weapons of mass destruction. In a declining economy and a world facing global warming, we have a moral obligation to use our resources for more urgent human needs.

Thank you for your consideration. I would like to receive only the summary of the final EIS, not the full report.

BARBARA Silverman
120 CAM, no WEAPONS
SANITA Co, NM 87501

377-1

377-1

NNSA acknowledges the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Funding decisions regarding major Federal programs (for example, health care and alternative sources of energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 378: Whitney M. Nieman

Supplemental EIS for the Nuclear Facility Portion of the
Chemistry and Metallurgy Research Building Replacement Project
at Los Alamos National Laboratory, Los Alamos, New Mexico

Comment Form
Formulario de Comentarios

Thank you for your input
Gracias por su participación

Date/Fecha: June 28, 2011

PLEASE PRINT / FAVOR DE ESCRIBIR CLARAMENTE

1. What comments do you have on the Draft SEIS?
¿Que comentarios tiene usted sobre el Draft SEIS?

As I sit here in Taos to write my sincerest request for a "No Action" Alternative in the SEIS for the CMRR Project, I watch enormous clouds of smoke coming from Las Conchas Fire too near Los Alamos. These smoke signals are sending a powerfully poignant message to WAKE UP! to the single most important issue of the 21st Century: CLIMATE CHANGE with its extreme weather conditions. As the Earth is still reeling, wobbling from the Fukushima Nuclear Power Plant disaster AND 2 nuclear reactors are being shut down in the massive Midwest flooding, Time's Up! Throw off the 20th Century Cold War mindset of the seductive power of nuclear energy / weapons technology. It's a DEAD END... and very expensive on all fronts. I implore you: Harness every one of your brilliant ^{BRAIN} cells connecting to the heart of humanity and Become! the cutting edge of the necessary Green Technology for powering our homes, transportation, industries and cities. Put your energy into Green Restoration of our earth, air, and water, revitalizing our Planet from the contamination of toxic and radioactive wastes. More nuclear warheads from your pit production will not bring security and peace, rather increase proliferation and terrorism. BE the HEROES of the 21st Century by mitigating Climate Change and Regreening our Planet. THANK YOU!

** CONTINUE ON BACK FOR MORE SPACE **
** CONTINUAR AL DORSO PARA MAS ESPACIO **

Name/Nombre: Whitney M. Nieman *Whitney M. Nieman*

Address/Dirección: P.O. Box 357

City, State, Zip Code/Ciudad, Estado, Zona Postal: EI CRAO, NM 87509

NOTE: Please do not include personal information (such as address or phone number) if you object to it being included in the SEIS; comments received are included in the SEIS in their entirety.

NOTA: Favor de excluir información personal (dirección o número de teléfono) que no desea aparezcan en el SEIS; todo comentario recibido es incluido en su totalidad en el SEIS.

My understanding is the deadline is 6/28/11
wmm

PLEASE HAND THIS FORM IN OR MAIL BEFORE JUNE 28, 2011, to:
FAVOR DE ENTREGAR ESTA FORMA O ENVIARLA POR CORREO ANTES 28 DE JUNIO 2011 A:



Mr. John Tegtmeyer, CMRR-NF SEIS Document Manager • U.S. Department of Energy
National Nuclear Security Administration • Los Alamos Site Office • 3747 West Jemez Road, TA-3, Building 1410
Los Alamos, New Mexico 87544

378-1

NNSA acknowledges the commentor's opposition to the construction and operation of a new CMRR Facility at LANL and the commentor's request for a "No Action" alternative. The No Action Alternative included in the *CMRR-NF SEIS* is to implement the decision made following preparation of the original *CMRR EIS* in 2003 (that is, to take no action that differs from the previous decision). Implementing a no action alternative, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Refer to Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the 2003 *CMRR EIS* (69 FR 6967).

Funding decisions regarding major Federal programs (for example, health care and alternative sources of energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

378-1

Commentor No. 379: Deborah Michalak

John Tegtmeier,
CMRR-NF SEIS Document Mngr
NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544

June 22, 2010

Dear Mr. Tegtmeier,

I urge you to do everything in your power to enact an entirely new EIS for the CMRR-NF, rather than relying on the supplemental EIS. The building of nuclear facilities should never be taken lightly, even when there is political or economic incentive for their construction, and in this case, I find there to be very little of such incentive. I'm concerned that the necessity of this facility is marginal, and its primary purpose is commercial gain for the nuclear industry. Our country is built on capitalism, but I find it reprehensible to turn our backs on capitalism that puts our country's health safety and environmental resources on the line for the benefit of a few individuals—while paying for it out of taxpayers' pockets. In our current economic crisis, I feel that government money should be carefully placed in order to stimulate the most needy of our country's economies, not to give boons to already well-off counties such as Los Alamos.

Thank you for considering my perspective.

Regards,



Deborah Michalak

Deborah Michalak
Post Office Box 604
Crestone, CO 81131



379-1

379-1

NNSA notes the commentor's request for a new EIS. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Commentor No. 380: Charles R. Powell

Charles R. Powell
 P.O. Box 20451
 Albuquerque, NM 87154

June 20, 2011

John Tegtmeier
 Los Alamos National Laboratory
 3747 W. Jemez Rd
 Los Alamos, NM 87544

Dear Mr. Tegtmeier:

I strongly oppose the construction of the CMRR.

We do not need additional nuclear weapons. We already have more than enough.

There is no way such a facility is safe. Los Alamos sits on an earthquake fault. The location is at the headwaters of the Rio Grand.

380-1

380-2

380-1 NNSA acknowledges the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

380-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

LANL staff manages stormwater runoff from both industrial and construction activities, such as the proposed construction of the CMRR-NF, under Stormwater Pollution Prevention Plans. These plans require the cleanup of any spills or leaks, monitoring of surface-water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. Implementation of Stormwater Pollution Prevention Plans includes a number of

Commentor No. 380 (cont'd): Charles R. Powell

Production of more pits for more weapons will result in more nuclear waste. There is already an existing mess that requires cleanup.

380-1
cont'd

Expanding US capacity to build nuclear bombs could compromise US efforts for nonproliferation and nuclear arms reduction.

There has been no EIS for CMRR. The supplemental EIS is inadequate and should be withdrawn until a completely new EIS can be prepared.

380-3

Sincerely,
Charles R. Powell

temporary and permanent detention ponds that are included in the description of the Modified CMRR-NF Alternative. Under all three alternatives, there would be no operational discharges directly to the environment (see Chapter 4, Sections 4.2.6, 4.3.6, and 4.4.6 regarding impacts on water resources).

380-3

NNSA notes the commentor's support for the preparation of a new environmental impact statement. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action.

Commentor No. 381: Marilyn G. Hoff

June 27, 2001

Mr. John Tegmeier, CMRR-NF SEIS Document Manager
 NNSA Los Alamos Site Office
 3747 West Jemez Road, TA-3 Building 1410
 Los Alamos, New Mexico, 87544

To Whom It May Concern:

Here are my comments on the CMRR-NF SEIS:

1. A Complete, New Environmental Impact Statement (EIS) is Needed, Not A Supplemental Environmental Impact Statement (SEIS). A SEIS cannot adequately assess the impacts of a completely redesigned CMRR-NF building for the processing of plutonium and nuclear materials at LANL. The original EIS of 2004, now supplemented by the SEIS, assessed a building designed to withstand only mild seismic events. As I write, LANL awaits a humungous fire which will surely in mere hours spread deadly pollution to where I live. Moreover LANL sits between the Rio Grande rift and the volcanic Jemez Mountains in a seismic fault zone. There have been predictions of a potential huge increase in seismic ground motion and activity. Given the instability of its building site, the most recent vastly fortified design for this building is still in flux. Uncertainty also clouds whether corners will be cut in the building's fire suppressant systems, made necessary by the extreme combustibility of plutonium. Not only is a SEIS inadequate to the new scope of the project, it is premature, because the building's design is not finalized. Only an EIS can adequately study the full impact of this much-altered building, and until the design is finalized, even an EIS would be premature.

2. The Costs of Trying to Build a Plutonium Pit Production Complex in a Geologically Unstable Area Are Just Too High. The total original estimate for the CMRR Complex Project, including the recently completed \$363 million Radiological Laboratory Utility and Office Building (RLUOB), was around \$600 million in 2004. The current estimate for the Nuclear Facility alone is \$5.8 billion and rising. DOE must analyze whether this growing price tag is too high a premium to pay for a new Nuclear Facility (NF) in this questionable location.

3. The SEIS Must Study Whether the Unstable Geological Strata Can Support the Weight of the Redesigned Building. To address these increased seismic hazards, DOE is considering plans to excavate 225,000 cubic yards of earth under the proposed NF and fill the hole with concrete. DOE must question: Can the surrounding geology support all that concrete? Would a seismic event cause the concrete "slab" to sink or shift? The SEIS also suggests a "Shallow Option" (floating the building's foundation above the geologically unstable tephra layer), an option whose feasibility is unknown, needing the further study of a complete EIS.

4. A New Nuclear Facility Will Detract from Cleanup of the Existing Mess. DOE made a commitment to clean up the legacy waste sites at LANL when it signed the Consent Order with the New Mexico Environment Department on March 1, 2005. The Order requires cleanup of certain sites by December 31, 2015, including the Area G dump site at Technical Area 54. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds for clean-up, not a new NF which will only add to the pollution.

5. New Alternatives Must Be Considered. DOE must develop more alternatives, including (a) a true "No Action" alternative of not building the Nuclear Facility; and (b) upgrading the existing old CMR building. The SEIS briefly considered and dismissed these alternatives as insufficient to "satisfy the entire range of DOE and NNSA mission support functions." The so-called "No

381-1

NNSA notes the commentor's support for the preparation of a new environmental impact statement. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. NEPA documentation is performed while the design of a project is still under way as required by DOE Order 413.3, Program and Project Management for the Acquisition of Capital Assets. There is enough design information available to perform a NEPA analysis for the CMRR-NF project.

381-1

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

381-2

The CMRR-NF would be designed using information from the most recent studies and understanding of seismicity of the LANL region (LANL 2007, 2009); it would continue to function safely in the event of a design-basis earthquake. Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

381-3
cont'd

381-4

381-5

Commentor No. 381 (cont'd): Marilyn G. Hoff

Action" alternative featured in the current SEIS is to build a new CMRR building as projected in 2003 (a design failing to meet new seismic standards). The other featured SEIS alternative is to continue operations at the old, unsafe CMR Building, without upgrades. Both "alternatives" are obviously undesirable and are therefore bogus. The only alternative presented to seem workable is the new, still evolving, exorbitant CMRR-NF design to be built on shaky ground.

6. The US does not need 80 new plutonium pits per year. DOE must conduct a "capacity study" to determine whether the existing facilities can be used instead of building the proposed NF, which would increase pit manufacturing capacity to at least 80 per year. Existing facilities have sufficed since 1999 when DOE limited plutonium pit manufacturing to 20 per year. Since US treaty obligations forbid both new nuclear designs and increased numbers of nuclear weapons in the US arsenal, the pits to be manufactured are touted as "stockpile stewardship" for maintaining existing nuclear weapons through replacement of old pits. However, a Jason study of aging plutonium argues against the need for pit replacement within the next hundred years.

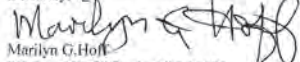
7. Boosting US capacity to build nuclear bombs could compromise US efforts for nuclear arms reduction, for the completion of non-proliferation treaties, and for persuading non-nuclear nations to abstain from acquiring their own nuclear weapons. President Obama's call for a "world free of nuclear weapons" rings hollow, as he also proposes a windfall to the nuclear industry to increase its nuclear weapons-making capacity. Will this double message increase worldwide distrust of US intentions and thus ratchet up the world's nuclear tensions?

8. Nuclear Weapons are Obsolete. They do not increase national security. They did not prevent 9-11. They can't defend against terrorist attack. They can't be used against terrorists, who have no single country of residence. They haven't "deterred" the US from waging war. Making more and more US nuclear weapons could spur a new nuclear arms race, as other nations feel the need for their own nuclear arsenal to counteract a US build-up. Burgeoning bombs would spur nuclear proliferation and boost the chance of terrorists acquiring loose nukes, undeterred by US "nuclear deterrence" from using them. Investment in these genocidal weapons, never to be used in a sane world, is money down a sewer. High alert nukes can now be launched by one tiny mistake. Making more nuclear weapons brings the world closer to nuclear war.

9. Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Los Alamos National Laboratory inherited the US pit manufacturing function from Rocky Flats in Colorado. Rocky Flats became so polluted and unsafe that it had to be shut down. Rocky Flats had repeated plutonium fires, two of which came perilously close to breaching containment and spreading vaporized plutonium to the environment and likely rendering Denver uninhabitable. Plutonium is a killer carcinogen. LANL's discharges disproportionately sicken Native peoples and Hispanic New Mexicans.

10. Money spent on Unusable Nuclear Weapons Does Not Spur Economic Growth. It goes down the black hole of corporate pockets. Los Alamos, the richest county per capita in the US, does not need US budgetary charity, but it consumes a lion's share of federal funds coming to New Mexico. The rest of New Mexico, one of the nation's poorest states, cries out for the fulfillment of real human needs. Moneys for education, health care, green jobs, renewable energy, public transportation, all would keep circulating and get our economy growing again.

Sincerely,


Marilyn G. Hoff
PO Box 295, El Prado, NM 87529

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NNSA is aware of the risks associated with the operation of its current and future facilities. These risks are mitigated through compliance with Federal, state, and local laws and regulations that protect the public and environment, and through process design and operational procedures. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program.

Shortcuts are not being taken with respect to the fire suppression system that would be installed at the proposed CMRR-NF. One of the reasons that the facility has grown substantially since 2003 is the placement of fire control water in the facility.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The Kleinfelder report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]) for the Shallow Excavation Option (Kleinfelder 2007a). Under the Deep Excavation Option, the addition of 60 feet (18 meters) of low-slump concrete would increase the weight of the building by about 980 million pounds (440 million kilograms). The weight of the soil that would be removed for this deeper excavation is estimated to be about 740 million pounds (340 million kilograms). Under the Deep Excavation Option, the building would sit on rock and there are not similar concerns related to allowable bearing pressure of the soil under this option as opposed to the Shallow Excavation Option. A draft slope stability analysis has been prepared that indicated that global slope stability is not an issue for the Deep Excavation Option (LANL 2011a: LANL site, 028). If the Deep Excavation Option were selected, as part of the ongoing design and evaluation process, studies would be completed to verify that all geotechnical stability issues had been addressed.

Commentor No. 381 (cont'd): Marilyn G. Hoff

- 381-4** NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.
- 381-5** The No Action Alternative included in the *CMRR-NF SEIS* is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR-NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, NNSA considers the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This latter, “no build” alternative, however, would not satisfy NNSA’s stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.2, NEPA Process, and Section 2.11, Alternatives Considered, of this CRD for additional information.
- 381-6** A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production),

Commentor No. 381 (cont'd): Marilyn G. Hoff

but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

381-7 President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

381-8 The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives

Chapter 3, Section 3.10, of the *CMRR-NF SEIS* has been updated to include additional information on the minority and low-income populations surrounding LANL. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority or low-income populations, including Native Americans and Hispanics, under any of the alternatives.

Commentor No. 381 (cont'd): Marilyn G. Hoff

381-9 Funding decisions regarding major Federal programs (for example, energy and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 382: Margaret K. Burlingame

June 25, 2011

John Tegtmeier
SEIS Document Manager
3747 West Jemez Road
Los Alamos, NM 87544

Dear Mr. Tegtmeier:

I strongly oppose the construction of the CMRR Nuclear Facility at the Los Alamos National Laboratory. LANL sits on a windswept mountain top in a seismic area where wildfires and contaminated runoff continue to threaten the health of all who live downwind and downstream from LANL. Plutonium and other radionuclides were found in organic gardens downwind from Los Alamos after the 2000 Cerro Grande fire. There is evidence also of groundwater pollution from the Laboratory. Radionuclides have already been detected in the Rio Grande, the source of drinking water for many citizens living downstream from LANL. Plutonium has a half-life of 24,000 years. In addition to cancer radioactive materials can cause serious birth defects. This disproportionately impacts minority populations, especially Native and Hispanic, making it an issue of environmental justice.

The Department of Energy estimated that the maximum amount of water needed for construction would be 4.8 million gallons per year. However, an independent analysis figure was that 6.75 million gallons per year would be needed. The water would be used in mixing 225,000 cubic yards of concrete needed under the structure to meet safety requirements, i.e. seismic incidents. The existing waste at LANL needs to be cleaned up before more radioactive or toxic waste is generated there. Taxpayer funds need to go first for cleanup instead of cutting domestic services to fund a \$6 billion project which most U.S. citizens do not want to fund. Do you realize there are cynics in Santa Fe who contend that CMRR is not for the security of the population but for the prosperity of the munitions makers?

Sincerely,

Margaret K. Burlingame

Margaret K. Burlingame
112 Camino Santiago

Santa Fe, NM 87501

*G.D. There are not enough regulations in the language to
express my geologic fear for the vicious I B M machines
Be thankful I'm a librarian and not a physicist.
MKB*

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NNSA acknowledges the commentor's opposition to the construction and operation of a new CMRR Facility at LANL. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

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Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials, including vegetation, are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

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A summary of possible public health impacts resulting from the May 2000 Cerro Grande fire is included in Chapter 4, Section 4.6.1.3, Radionuclides and Chemicals in the Environment Around Los Alamos National Laboratory, of the 2008 *LANL SWEIS* (DOE 2008a). In summary, it was concluded that no harmful exposures due to chemical or radioactive contamination detected in groundwater, surface soil, surface water and sediment, air, or biota are occurring or are expected to occur in the future as a result of the fire (ATSDR 2006).

Commentor No. 382 (cont'd): Margaret K. Burlingame

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

LANL staff manages stormwater runoff from both industrial and construction activities, such as the proposed construction of the CMRR-NF, under Stormwater Pollution Prevention Plans. These plans require the cleanup of any spills or leaks, monitoring of surface-water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. Implementation of Stormwater Pollution Prevention Plans includes a number of temporary and permanent detention ponds that are included in the description of the Modified CMRR-NF Alternative. Under all three alternatives, there would be no operational discharges directly to the environment (see Chapter 4, Sections 4.2.6, 4.3.6, and 4.4.6 for impacts on water resources).

Chapter 3, Section 3.10, of the *CMRR-NF SEIS* has been updated to include additional information on the minority and low-income populations surrounding LANL. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority or low-income populations, including Native Americans and Hispanics, under any of the alternatives.

- 382-2** As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information.
- 382-3** Funding decisions regarding major Federal programs (for example, energy and education) and projects at LANL are made by Congress and the President and are

Commentor No. 382 (cont'd): Margaret K. Burlingame

not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed *CMRR-NF*. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 383: Erich Kuerschner

Comments: CMRR-NF SWEIS
From:

Erich Kuerschner erichwwk@gmail;
HCR 74 Box 24614
El Prado, NM 87529
575-776-8682 or 575-770-3338 (c)

Date: July 5, 2011

To: [by email and certified mail]

Mr. John Tegmeier, CMRR-NF SEIS Document Manager
NNSA Los Alamos Site Office
3747 West Jemez Road, TA-3 Building 1410
Los Alamos, New Mexico, 87544
fax: (505) 667-5948
e-mail: NEPALASO@doeal.gov

Dear Mr. Tegmeier:

Please include what is mostly my Oped, published June 23, 2011 in Taos News along with four other Opeds questioning LANL's actions, with a few additional comments, as my "official" comment (3 pages-1,070 words) into the SWEIS record. I was not allowed to present this orally when you visited Taos on June 8, 2011. I consider limiting the study of "alternatives" to those which benefit Bechtel and involve ONLY increased supply solutions -there is not one reduced demand solution, nor is their an explanation for this exclusion as required by law- self-serving, contrary to the intent of NEPA and the purpose of an EIS statement, and very likely illegal.

The Department of Energy [DOE], and the sub-agency that manages the nuclear weapons program, the National Nuclear Security Administration [NNSA] seems more concerned with maintaining their high incomes and profits than with the interests of citizens. The vehicle for doing this is to swap sham law for good law.

With good laws we get not only full employment, but employment that is meaningful. One example of a good law is the National Environmental Protection Act [NEPA] that

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NNSA acknowledges the commentor's op-ed, published June 23, 2011.

NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SPEIS* ROD. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

Commentor No. 383 (cont'd): Erich Kuerschner

requires that environmental impact statements (EIS) required of federal agencies must include alternatives to the proposed action. **The Council of Environmental Quality explicitly states that alternatives are the heart of an EIS** [Sec. 1502.14]. It says that agencies shall [must]:

- (a) Rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.
- (b) Devote substantial treatment to each alternative considered in detail including the proposed action so that reviewers may evaluate their comparative merits.
- (c) Include reasonable alternatives not within the jurisdiction of the lead agency.
- (d) Include the alternative of no action.

My first experience with NEPA occurred in the summer of 1972, when I was asked to join the Skidmore, Owings, Merrill Environmental Study Group [SOM-ESG] to participate in preparing an EIS for the State of Oregon on addressing congestion in East Portland.

What the US Highway Department saw as insufficient capacity solved by more asphalt was defined by the SOM-ESG as one of inefficient use of commuter time. By looking at the problem broadly, including alternatives that decreased demand, the problem was NOT solved by building the extra twelve lanes anticipated by extrapolating present use into the future. A more cost effective solution was to reduce demand for roads by land use regulations that reduced trip time and distance by improving public transportation of buses and streetcars and, finally, by converting funds earmarked for interstate highway construction to a light rail system.

An example of a sham law is the Supplemental Environmental Impact Statement [SEIS] being scammed by LANL to avoid looking at alternatives to their vision of its proposed new Chemical & Metallurgy Research Replacement-Nuclear Facility [CMRR-NF] to avoid the transparent benefit-cost analysis actually mandated under NEPA.

The 2003 EIS process permitted a CMRR building whose stand alone price tag was perhaps \$300 million. The fact that the current price has ballooned to upward of \$6 billion is enough, BY ITSELF, to invalidate the original permit to build and MANDATE the study of alternatives, and a new EIS. With this twenty-fold DECREASE in the benefit-to-cost ratio, many of the previously rejected alternatives are now more appropriate. **The purpose of an EIS to ensure that an agency does not reject appropriate alternatives from the perspective of the public in pursuit of self interest.**

In addition to what I consider an illegal use of an SEIS, the Global Security Network reported that U.S. Armed Services Committee on May 12 passed an amendment sponsored by Doug Lamborn (R-Col) as part of the FY2012 Defense Authorization Bill

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The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. Funding decisions regarding major Federal programs (for example, energy and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 383 (cont'd): Erich Kuerschner

that "prohibits the administration from making any cuts to what Republican panel members dubbed the 'nuclear hedge force' until the CMRR site at the Los Alamos National Laboratory is operational. During the House committee debate, Democrat-led by Strategic Forces subcommittee Ranking Member Loretta Sanchez (Calif) and Rick Larsen (Wash)—argued that the various strategic force amendments amounted to nothing more than a power grab by GOP members."

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Town of Taos Mayor Darren Cordova has asked LANL to conduct a hearing in Taos, so that citizens will be able to have an opportunity to voice their concerns re security, health, economics, and values. LANL's John Tegemeier has responded that there is money for a 'telling' but not for a hearing in Taos. Besides he claims that Taosenos either don't care, or are not important enough to matter. But I suspect that the reason for disallowing comments is to obfuscate, and confuse the public as to the legality of DOE/NNSA/LANL actions.

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As General Omar Bradley stated:

"We live in an age of nuclear giants and ethical infants, in a world that has achieved brilliance without wisdom, power without conscience. We have solved the mystery of the atom and forgotten the lessons of the Sermon on the Mount. We know more about war than we know about peace, more about dying than we know about living."

Or in the words of late Stewart Udall:

"There is nothing comparable in our history to the deceit and the lying that took place as a matter of official Government policy in order to protect [the nuclear arms] industry. Nothing was going to stop them and they were willing to kill our own people."

I am truly sorry that NNSA/DOE/and LANL will not consider true alternatives, and continues its self serving policy leaving civil disobedience and litigation as the main avenues for resolving the issue of appropriate nuclear weapons solution for plutonium and stockpile management at Los Alamos, as alternatives to limiting solutions to those that serve a dual purpose of ALSO allowing a fast response to increased nuclear weapons production. Shame. It violates the intent of the very First United Nations Resolution, as well as Article VI of the Nuclear Non-Proliferation Treaty.

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The Best

Erich Kuerschner, Public Choice Economist
HCR 74 Box 24614
El Prado, NM 87529

or cell email: erichwwk@gmail.com

After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

NNSA acknowledges the commentors' concerns about treaty compliance, international law, pit production, and the proliferation of nuclear weapons. Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Commentor No. 384: Ann-Nicole Cain

Dear Mr. John Tegtmeyer, June 27, 11

I am writing to you on behalf of an organization of fish called - F.A.H.Q. also known as Fish Against Human Quarrels. The fish find it difficult to write due to their lack of dextrous digits so I volunteered to bring their messages to you & your organization. The fish would like you to know that they prefer their water to be free of all radioactive materials. They are sending this fish from the future as an example of what can happen to them if more radioactive materials are released from LANL into the Rio Grande. They would like to remind you that LANL sits on a seismically active area & they feel it is very very unsafe to

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384-1 NNSA notes the commentor's concerns regarding water quality, seismic and wildfire hazards, and general opposition to nuclear weapons.

LANL staff manages stormwater runoff from both industrial and construction activities, such as the proposed construction of the CMRR-NF, under Stormwater Pollution Prevention Plans. These plans require the cleanup of any spills or leaks, monitoring of surface-water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. Implementation of Stormwater Pollution Prevention Plans includes a number of temporary and permanent detention ponds that are included in the description of the Modified CMRR-NF Alternative. Under all three alternatives, there would be no operational discharges directly to the environment. All radioactive liquids would be transferred to RLWTF. At RLWTF, the liquids would be treated to meet discharge criteria and released through a permitted outfall or to a zero liquid discharge facility. Other liquids would be routed to the Sanitary Waste Water System, where they would be treated prior to discharge through a permitted outfall.

384-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

This SEIS does not address disposal of Greater-Than-Class C waste. Disposal of this waste is analyzed in another DOE NEPA document (DOE/EIS-0375-D).

Commentor No. 384 (cont'd): Ann-Nicole Cain

open a pit to store GTCC. Also they would like to remind you that wildfires are a real + active force in the area. There is not much worse than radioactive water except maybe radioactive air + ash from fires. Please make a real E.I.S. No Nukes are good nukes. Zero nuclear activity in New Mexico + the world. J. from the fish.
Thank You
from F.A.H.Q.

You may use my personal info to enter this fish + comment into the ~~public~~ public record.

P.S. The fish would like more public comments

Ann-Nicole Cain + the fish
6275 NDCBUE
Taos, N.M. 87571

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Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

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384-4

NNSA acknowledges that there is substantial opposition to nuclear weapons. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

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384-5

In response to the Las Conchas fire, which affected the Los Alamos community, NNSA extended the public comment period to July 5, 2011. All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*.

Commentor No. 385: Janet Greenwald
Citizens for Alternatives to Radioactive Dumping

6/20/11

John Tegtmeier
Los Alamos National Laboratory
3747 West Jemez Rd.
Los Alamos NM
87544

Dear Mrs. Tegtmeier,

We oppose the construction of the CMRR nuclear facility. There are no alternatives offered in the draft Environmental Impact Statement, which goes against the National Environmental Policy Act. The proposed site of the CMRR building is in an earthquake zone. The proposed CMRR building would be built at Los Alamos, one of the headwaters of the Rio Grande. There are already radionuclides in the Rio Grande which is now one of the sources of Albuquerque's

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385-1 NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SEIS* ROD. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

385-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

385-3 LANL staff manages stormwater runoff from both industrial and construction activities, such as the proposed construction of the CMRR-NF, under Stormwater Pollution Prevention Plans. These plans require the cleanup of any spills or leaks, monitoring of surface-water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. Implementation of Stormwater Pollution Prevention Plans includes a number of temporary and permanent detention ponds that are included in the description of the Modified CMRR-NF Alternative. Under all three alternatives, there would be no operational discharges directly to the environment (see Chapter 4, Sections 4.2.6, 4.3.6, and 4.4.6 for impacts on water resources).

Commentor No. 385 (cont'd): Janet Greenwald

drinking water.

Who is the enemy who can be stopped by the bombs that would contain the pits made in the CMRR building? The Jason Committee has stated that we will be secure with the bombs we have for the next 100 years.

We feel that the motive behind building the CMRR is not a practical one, but rather ~~practical~~ one of greed.

Sincerely,

Janet Greenwald, Coordinator
Citizens for Alternatives
to Radioactive Dumping (CARD)
202 Harvard SE
Alb NM 87106

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cont'd

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NNSA reviewed pit lifetime studies and has concluded that degradation of plutonium in a majority of nuclear weapons will not affect warhead reliability for a minimum of 85 years. NNSA plans to continue studying plutonium aging through surveillance and scientific evaluation. NNSA will annually reassess the status of plutonium in nuclear weapons as the weapons laboratories continue to evaluate new data and observations (NNSA 2006a). It should be noted that plutonium aging is only one of the variables affecting nuclear weapon system reliability; other variables can control overall life expectancy of nuclear weapon systems.

Commentor No. 386: D. Jason Lott, Superintendent
U.S. Department of the Interior, National Park Service,
Bandelier National Monument



IN REPLY REFER TO
L76(BAND)

United States Department of the Interior
 NATIONAL PARK SERVICE
 Bandelier National Monument
 15 Entrance Road
 Los Alamos, New Mexico 87544-9701



JUN 18 2011

Mr. John Tegtmeyer, CMRR SEIS Document Manager
 U.S. DOE/NNSA
 Los Alamos Site Office
 3747 West Jemez Road, TA-3 Building 1410
 Los Alamos, NM 87544

Re: Draft Supplemental Environmental Impact Statement for the Nuclear Facility
 Portion of the Chemistry and Metallurgy Research Building Replacement Project
 at Los Alamos National Laboratory (SEIS CMRR) – Bandelier National
 Monument Comments

Dear Mr. Tegtmeyer:

Bandelier National Monument, a unit of the National Park Service, Department of Interior, has been invited to comment on the Draft Supplemental Environmental Impact Statement for the above referenced CMRR project. Based on our review, we are concerned that the project may worsen safety conditions and the visitor experience at Tsankawi Unit on Highway 4 due to construction phase traffic impacts. We have summarized some concerns below, and by copy of this letter request a meeting at your earliest convenience to discuss these concerns with appropriate LASO staff.

- Construction shipments will pass by the parking area serving Tsankawi Unit, and may result in short-and long-term construction traffic parking at the parking area. NPS does not manage the parking area and has limited ability to influence the presence of commercial vehicles there.
- Construction shipments – due to their size and slow braking capacity relative to automobiles and due to potential congestion at the Hwy 4/Truck Route intersection - may worsen traffic safety conditions for park visitors entering or exiting the Tsankawi Unit parking area.
- Cumulative traffic increases may worsen traffic safety conditions for park visitors entering or exiting the Tsankawi Unit parking area, with special emphasis on the

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As requested, NNSA scheduled a meeting with the U.S. Department of Interior at Bandelier National Monument. Chapter 2, Section 2.6.2.1, of the *CMRR-NF SEIS* presents a discussion of construction activities associated with the Modified CMRR-NF. This discussion includes a description of the parking area that would be built in TA-72, along the south side of East Jemez Road. To minimize the potential for construction workers to use public parking areas, all craft workers would be required to board a bus to access the CMRR-NF construction site. The bus would only board at the designated craft worker parking lot planned for TA-72 along East Jemez Road. Equipment and material deliveries would be directed to arrive at the LANL vehicle inspection portal during off-peak hours to avoid peak traffic flows. This would minimize the need for suppliers to park their vehicles off the LANL site before passing through the vehicle inspection portal. For special deliveries that require large parking areas, arrangements would be made to ensure that parking areas would be located on the LANL site as close to the CMRR-NF construction site as possible.

386-2

Chapter 4, Sections 4.2.13, 4.3.13, and 4.4.13 of the *CMRR-NF SEIS* present the estimated impacts on transportation and traffic associated with the various alternatives. None of the proposed alternatives would result in a change to the level of service of roadways in the vicinity of LANL including SR-4, SR-501, and SR-502. Furthermore, the estimated impacts associated with transportation accidents under all alternatives would be small.

386-3

Chapter 4, Sections 4.2.13, 4.3.13, and 4.4.13, of the *CMRR-NF SEIS* present the estimated impacts on transportation and traffic associated with the various alternatives. None of the proposed alternatives would result in a change to the level of service of roadways in the vicinity of LANL including SR-4, SR-501,

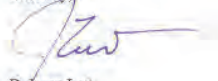
Commentor No. 386 (cont'd): D. Jason Lott, Superintendent
U.S. Department of the Interior, National Park Service
Bandelier National Monument

late afternoon, when construction workers are traveling home and visitation at the unit may still be relatively high.

- Vibration and noise from construction-related traffic may reduce the quality of the visitor experience at Tsankawi Unit.

If you have any questions regarding these comments and to schedule a meeting as requested, please contact Barbara Judy, Chief of Resources at 505-672-3861 x 701 or Barbara_Judy@nps.gov.

Sincerely,



D. Jason Lott
Superintendent

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and SR-502. Furthermore, the estimated impacts associated with transportation accidents under all alternatives would be small.

The CMRR Project would mitigate traffic increases along Highway 4 by controlling the timing and parking location of workers and deliveries. Craft workers would arrive before peak morning traffic flows occur and would finish the day and leave the parking area on East Jemez Road before peak afternoon traffic flows occur. They would not contribute to the traffic flow during the day as they would be restricted to the CMRR-NF construction site. Craft worker traffic entering or leaving the parking area would be controlled by two traffic lights: one at the entrance to the parking lot and one at the intersection of East Jemez Road and Highway 4. These lights would help ensure that safe access to the Tsankawi Unit and Highway 4 would be maintained for persons entering and exiting the unit. Construction deliveries would also be restricted to off-peak traffic hours and would be provided an area to wait for inspection that minimizes impacts on routine traffic flows. Delivery vehicles would merge with westbound traffic after being inspected further minimizing impacts on routine traffic flows.

386-4

Chapter 4, Sections 4.2.4.3, 4.3.4.3, and 4.4.4.3 of the *CMRR-NF SEIS* present a discussion of noise impacts associated with construction of the CMRR-NF. Potential noise and vibration from CMRR-NF-related construction traffic would occur predominantly during off-peak traffic times and is not planned to occur on weekends. Construction activity under all alternatives is not expected to generate noise offsite that would be considered excessively intrusive. There would be a small increase in noise levels from construction employees' vehicles and material shipments; however, this increase would be temporary and would not be considered adverse when compared to preexisting conditions.

Commentor No. 387: Rhonda M. Smith, Chief
Office of Planning and Coordination
U.S. Environmental Protection Agency, Region 6



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

June 28, 2011

John Tegtmeier
EIS Document Manager
Los Alamos, Site Office
National Nuclear Security
Administration (NNSA)
U.S. Department of Energy
3747 West Jemez Road
Los Alamos, NM 87544

Dear Mr. Tegtmeier:

In accordance with our responsibilities under Section 309 of the Clean Air Act, the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Supplemental Environmental Impact Statement (DSEIS) prepared by the National Nuclear Security Administration (NNSA), an agency within the United States Department of Energy (DOE), for the Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement (CMRR) Project at the Los Alamos National Laboratory (LANL) located at Los Alamos, New Mexico.

This DSEIS complements the environmental analysis contained within the Final EIS, and subsequent Record of Decision (ROD) published in February 2004, to replace the existing Chemistry and Metallurgy Research Building that was constructed in the early 1950's at the LANL. The replacement facility plan consists of constructing two new buildings. One of the buildings, the Radiological Laboratory/Utility/Office Building, has been constructed and is being outfitted with equipment and furniture. Enhanced safety requirements and updated information has prompted NNSA to re-evaluate the design concept of the second building to insure a more structurally sound design. The proposed Modified CMRR-Nuclear Facility (NF) portion design concept alternative will result in a more structurally sound building than that proposed in the earlier NEPA document. This building is being constructed on an existing and previously disturbed site within the existing LANL boundary. This modification has been addressed in this DSEIS.

EPA rates the Supplemental DEIS as "EC-2" i.e., EPA has "Environmental Concerns and Requests Additional Information in the Final Supplemental EIS (FSEIS)". Detailed comments are enclosed with this letter which more clearly identify our concerns and the informational needs requested for incorporation into the FSEIS.

EPA appreciates the opportunity to review the DSEIS. Please send our office two copies

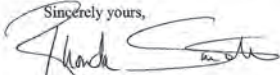
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Commentor No. 387 (cont'd): Rhonda M. Smith, Chief
Office of Planning and Coordination
U.S. Environmental Protection Agency, Region 6

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of the FSEIS when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Federal Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20004. Our classification will be published on the EPA website, www.epa.gov, according to our responsibility under Section 309 of the CAA to inform the public of our views on the proposed Federal action. If you have any questions or concerns, please contact Michael Jansky of my staff at jansky.michael@epa.gov or 214-665-7451 for assistance.

Sincerely yours,



Rhonda M. Smith, Chief
Office of Planning and
Coordination

Enclosure

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Commentor No. 387 (cont'd): Rhonda M. Smith, Chief
Office of Planning and Coordination
U.S. Environmental Protection Agency, Region 6

Detailed Comments
for the
National Nuclear Security Administration (NNSA)
United States Department of Energy (DOE)
Draft Supplemental Environmental Impact Statement (DSEIS)
Nuclear Facility Portion of the Chemistry and Metallurgy Research Building Replacement
(CMRR) Project
Los Alamos National Laboratory (LANL)
Los Alamos, New Mexico

The Draft Supplemental Environmental Impact Statement (DSEIS) for the National Nuclear Security Administration (NNSA) of the U.S. Department of Energy (DOE) was developed regarding the proposed construction of the nuclear facilities portion of the Chemistry and Metallurgy Research Building (CMR). The new facility will replace the outdated building that has been in use for 60 years, since it fails to meet current safety standards and building codes. The DSEIS makes clear that any impacts to the public resulting from the construction and operation (including potential accidents) of the CMR will be less than the potential dangers that exist by continuing to use the current facility.

Environmental Justice

The DSEIS analyzes impacts on populations within the 50-mile radius surrounding LANL as a whole, which includes eight counties and a population that is projected to be 545,000 by 2030. The demographic analysis should be more detailed in the interest of transparency and in order to present a more complete and accurate picture.

- The demographic data was limited to the average percentage of minority and low-income populations within the 50-mile radius of LANL, as well as the average percentages within the eight counties that comprise the 50-mile radius. The FSEIS should also provide a minority and low-income population analysis with a five, ten, and 20-mile radius.
- It is obvious that those living closest to the facility will be more affected by normal operations or potential accidents at the facility than would those living farther away within the 50-mile radius.
- EPA guidance states, "Environmental effects are often realized in inverse proportion to the distance from the location or site of the proposed action (i.e., the closer the population is to the action, the greater the potential impacts). As a result, an effort should be made to correlate the demographic analysis to the area most likely to bear environmental effects." (*Final Guidance For Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses, April 1998*)
- The total minority population of the 50-mile radius is projected to be 57% by 2030, compared with the State's 65% minority rate; however, by focusing on this 50-mile radius, the DSEIS somewhat distorts the picture because of the percentages of minority

- 387-1** Chapter 3, Section 3.10, of the *CMRR-NF SEIS* was revised to provide additional analyses for minority and low-income populations at 5-, 10-, and 20-mile (8-, 16-, and 32-kilometer) radial distances as requested by the commentor.
- 387-2** Tables were added to Chapter 3, Section 3.10, of the *Final CMRR-NF SEIS* that display the composition of the population in the region of influence at radial distances of 5, 10, and 20 miles (8, 16, and 32 kilometers) for use in analyzing impacts specific to populations in close proximity to LANL. Additional analysis of the potential radiological impacts on nearby populations is presented in Chapter 4, Sections 4.3.11 and 4.4.11. The impacts on an average individual of the total minority population, the total Hispanic or Latino population, the American Indian population, and the low-income population; as well as the nonminority and non-low-income populations have been reported at each of these radial distances.
- 387-3** As discussed in the response to Comment 387-2, tables were added to Chapter 3, Section 3.10, of the *Final CMRR-NF SEIS* that display the composition of the region of influence at radial distances of 5, 10, and 20 miles (8, 16, and 32 kilometers). These tables show that the populations closest to LANL, within the 5- and 10-mile radial distances are predominantly nonminority and non-low-income residents.
- 387-4** Comment noted. Chapter 3, Section 3.10, of the *Final CMRR-NF SEIS* was revised to reflect changes to the population projections based on additional data available from the 2010 census.
- 387-5** Chapter 3, Figure 3-9, showed only minority populations surrounding LANL out to 50 miles and included percentages on the right axis of the graph. Tables were added to Section 3.10 of the *Final CMRR-NF SEIS* to clearly indicate the percentages of minorities residing within 5, 10, and 20 miles (8, 16, and 32 kilometers) of LANL in addition to the 50-mile analysis included in the draft SEIS. The graph was revised to include the total population, total minority, Hispanic, and American Indian populations.
- 387-6** As discussed in the response to Comment 387-5, tables were added to Chapter 3, Section 3.10, of the *Final CMRR-NF SEIS* to clearly indicate the percentages of minorities residing within 5, 10, and 20 miles (8, 16, and 32 kilometers) of LANL in addition to the 50-mile analysis included in the draft SEIS. The graph was revised to include the total population in addition to the minority populations and percentages are included on the right axis of the graph.

Commentor No. 387 (cont'd): Rhonda M. Smith, Chief
Office of Planning and Coordination
U.S. Environmental Protection Agency, Region 6

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and low-income residents of many of the communities nearer LANL are higher than the averages of the 50-mile radius.

- Most of the population within the eight counties (74%) is concentrated in Sandoval and Santa Fe Counties, and they have 72% of the minority population of all the eight counties. Neither county, however, exceeds the State's projected minority percentage of 65%, or the State's low-income percentage of 18.1%.
- Figure 3-9, Minority Populations as a Function of Distance from Technical Area 3 and Technical Area 55 in 2030, depicts minorities and their distance from the facility. The graph is somewhat misleading because minorities are illustrated in an unclear manner and no percentages of minorities in those populations are shown. This could lead one to conclude that the percentage of minorities nearest the facility is low. The FSEIS should provide this information in a clear and concise manner accessible to the average person.
- Figure 3-10, Minority Populations as a Function of Distance from Technical Area 55 in 2030, is also an effort to show minorities and proximity to the facility. It appears that at least 10,000 minority residents live within 15 miles of the facility, and those numbers rise precipitously after the 10-mile point. No real data is provided about the minority residents living near LANL. However, outside of the towns of Los Alamos and White Rock, many residents are low-income Native Americans. The FSEIS should provide this information in a clear and concise manner accessible to the average person.
- The FSEIS should provide a figure depicting the low-income status of residents and their distance from the facility.

The health data provided was extensive, and included data from each of the eight potentially affected counties from 1999 to 2003 (after the Cerro Grande fire). The DSEIS states that cancer rates were lower than those of the U.S., and generally have been less than overall cancer rates of New Mexico. However, Los Alamos, Santa Fe, and Sandoval Counties did exceed the State's average of cancer rates.

- Los Alamos County, where LANL is located, exceeded the State's rates for melanoma, prostate cancer, female breast cancer, and thyroid cancer. Potential cancer risks should have been correlated with proximity of the residents to the facility, since risks to those who live greater than 50 miles of the facility will generally not be as high as the risks to those who live within a few miles of LANL. The FSEIS should provide this correlation.
- Possible impacts to nearby Indian Tribes were not thoroughly examined. These individuals may already experience health problems (such as diabetes or high blood pressure) which would make them more susceptible to any radiological impacts. The FSEIS should provide a more detailed analysis of adverse impacts to Indians.

The risk estimation data could have been presented in a manner more accessible to the general public. In describing the potential risk of developing one latent cancer fatality under various scenarios, the DSEIS did not consistently provide enough information. Frequently this

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387-7 Chapter 3, Figure 3-12, of the *Draft CMRR-NF SEIS* showed the number of low-income residents out to 50 miles (80 kilometers) from LANL. Tables were added to Section 3.10 in the *Final CMRR-NF SEIS* showing minority and low-income populations residing within 5, 10, and 20 miles (8, 16, and 32 kilometers) of LANL.

387-8 NNSA has researched these areas of concern and believes it would be inappropriate and not scientifically defensible to try to make the kind of correlation suggested by EPA. The data needed to correlate cancer rates with the proximity of the residents to LANL do not exist, so this cannot be done. Chapter 3, Section 3.11.4, of the *CMRR-NF SEIS* was revised to summarize the results of additional epidemiological studies performed for Los Alamos County and the State of New Mexico, and to clarify the results of an analysis performed for the *CMRR-NF SEIS* using data from the National Cancer Institute for the years 2003 through 2007. During that period, the overall cancer incidence and mortality rates for the state of New Mexico were below the national average, and the overall cancer mortality rate for Los Alamos County was less than that for the state. Total cancer incidence rates in Los Alamos, Santa Fe, and Sandoval Counties exceeded the state average, although the incidence rates in all four counties were below national averages. Although the current data indicate that Los Alamos County has higher cancer incidence rates than the state average for some cancers, including melanoma of the skin, prostate cancer, and female breast cancer, it also has lower cancer incidence rates for other cancers than the state or the Nation. As stated in Section 3.11.4, a study by the Agency for Toxic Substances and Disease Registry determined that there were no data to link environmental factors, other than naturally occurring ultraviolet light from the sun, with the observed incidence of any cancer in Los Alamos County and concluded that "Overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities. In some time periods, some cancers will occur more frequently and others less frequently than seen in reference populations. Often, the elevated rates are not statistically significant" (ATSDR 2006).

387-9 The activities associated with the alternatives evaluated in the *CMRR-NF SEIS* are expected to have very little impact on any members of the population, including members of minority groups. Additional comparison of radiological impacts on nearby populations was added to Chapter 4, Section 4.3.11, Environmental Justice, the *CMRR-NF SEIS*. The *CMRR-NF SEIS* follows the typical practice to evaluate dose to a representative receptor; the potential doses

Commentor No. 387 (cont'd): Rhonda M. Smith, Chief
Office of Planning and Coordination
U.S. Environmental Protection Agency, Region 6

information was well presented, as in this example, "... the estimated probability of this maximally exposed person developing a latent fatal cancer from radiation exposure associated with 1 year of LANL operations is about *1 in 3 million*." Often, however, this risk estimation information was presented with mathematical formulas in a manner that the average person would not understand. The FSEIS should provide data and use language that is accessible to the average person.

Tribal Concerns

The proposed project has the potential to affect several Indian Pueblos, including but not limited to effects on their governmental interests (such as emergency response to spills), natural resources (such as downstream pollution of streams and lakes from stormwater runoff, spills or transportation accidents) and their citizens. A significant amount of Indian country is located in the vicinity of LANL, and the San Ildefonso Pueblo borders LANL. The Pojoaque, Cochiti and Santa Clara Pueblos, Ohkay Owingeh Pueblo, Tesuque Pueblo, Jemez Pueblo, etc. are less than 30 miles away.

- The DSEIS does not adequately address potential effects upon Indian tribes, perhaps because the projected percentage of Native Americans within the 50-mile radius is 10%, while the percentage of Native Americans within all of New Mexico is 16%, but within certain areas, their percentages are high. The FSEIS should provide a more detailed analysis of adverse impacts to Native Americans.
- The FSEIS should provide more detailed maps depicting all tribal areas within the 50-mile radius.
- As detailed above, the proximity of many of the tribes to LANL and proposed transportation routes results in potentially significant adverse effects to Native Americans and tribal communities. As a federal agency, the DOE has a duty to consult with recognized Tribes whenever its actions may potentially impact those Tribes or tribal interests.
- The DOE should take immediate steps to initiate consultation with each of the potentially affected tribal governments on issues that may concern them, including but not limited to transportation, waste disposal, potential to pollute tribal waters, need for emergency response readiness, and other topics identified by the Tribes. As appropriate, the FSEIS should address topics of concern to tribes and these consultations should be documented.
- Special public outreach efforts should be undertaken to ensure that tribal members understand the proposed project and its implications.

The DSEIS states that the NNSA does arrange site visits with tribal representatives to solicit their concerns when a project is proposed. Normal procedures will be followed under the National Historic Preservation Act (NHPA), and the following tribes have been notified about the project and have been urged to comment on any concerns they may have:

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from routine operations associated with the actions proposed in the *CMRR-NF SEIS* are shown to be very low such that additional analyses are not warranted. The *CMRR-NF SEIS* has added a reference to the analysis in the 2008 *LANL SWEIS* of the potential impacts on a subsistence consumer from LANL as a site and the impact of the proposed *CMRR-NF* on a subsistence consumer has been included in Chapter 4, Section 4.3.11, of the *Final CMRR-NF SEIS*. Note that the contributions of the facilities evaluated in the *CMRR-NF SEIS* would be very small contributions to the total dose. It should also be noted that detailed local tribal health information is not readily available to answer epidemiologic questions for nearby tribes.

387-11

NNSA agrees that the information should be easily understood by the average person. Thus, Chapter 4, Section 4.3.11, and Appendix B of the *CMRR-NF SEIS* were reviewed and the text revised to ensure that all of this risk estimation information is expressed in a manner that the average person can understand.

Appendix B, Section B.10, of the *CMRR-NF SEIS* has been revised to elaborate on the methodology used to project populations to the year 2030. The projected Native American population referred to by the commentor is a reflection of the low growth rates of the Native American population in this area. In comparison, the trends of other populations in the area, such as the Hispanic or Latino population, are projected to grow much faster than the Native American population. The activities associated with the alternatives evaluated in the *CMRR-NF SEIS* are expected to have very little impact on any members of the population, including Native Americans. Tables have been added to Chapter 3, Section 3.10, of the *CMRR-NF SEIS* to provide more information related to the percentage of Native Americans (and other populations) projected to be living within 5, 10, and 20 miles (8, 16, and 32 miles) of LANL in addition to the 50-mile analysis included in the draft *SEIS*. The impacts on Native Americans are not expected to be any different than the impacts on nonminority individuals and none of the impacts from normal operations of the proposed facility are expected to adversely affect minority or nonminority populations as discussed in the analyses presented in Chapter 4 of the final *SEIS*.

387-12

NNSA agrees. A figure has been added to Chapter 3, Section 3.10, of the *Final CMRR-NF SEIS* showing Pueblo and tribal areas within a 50-mile (80-kilometer) radius of LANL.

Commentor No. 387 (cont'd): Rhonda M. Smith, Chief
Office of Planning and Coordination
U.S. Environmental Protection Agency, Region 6

4

- Eight Northern Indian Pueblos Council,
- Mescalero Apache Tribe,
- Pueblo of Acoma,
- San Ildefonso Pueblo,
- Pojoaque Pueblo,
- Cochiti Pueblo,
- Santa Clara Pueblo, and
- Jemez Pueblo

However, the requirement to consult under the NHPA is separate and different from the broader duty to consult government-to-government that arises when federal agency actions may affect tribal interests. DOE should pursue consultation in a manner consistent with the Presidential Memo dated November 5, 2009, which states: "...The United States has a unique legal and political relationship with Indian tribal governments, established through and confirmed by the Constitution of the United States, treaties, statutes, executive orders, and judicial decisions. In recognition of that special relationship, pursuant to Executive Order 13175 of November 6, 2000, executive departments and agencies (agencies) are charged with engaging in regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications, and are responsible for strengthening the government-to-government relationship between the United States and Indian tribes."

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387-13 As previously indicated, analyses presented in Chapter 4 of the SEIS demonstrate that impacts from routine operations of the proposed CMRR-NF are not expected to adversely affect either minority or nonminority populations. Chapter 4, Section 4.3.13.1, Table 4-37, presents the annual risk from transportation or radioactive materials by route segment, for the Modified CMRR-NF Alternative. As indicated in this table, the risks from transportation are very low along the entire route, including the LANL-to-Pojoaque segment that traverses San Ildefonso tribal lands.

387-14 NNSA has undertaken public outreach efforts to ensure that tribal members understand the project and its implications. NNSA meets frequently with governors and others representing the Pueblos and tribes near LANL. In addition, DOE visited the San Ildefonso Pueblo during the public comment period to discuss the *Draft CMRR-NF SEIS*.

Chapter 5, Section 5.7, of the *CMRR-NF SEIS* has been revised to more fully explain the interactions between NNSA and the neighboring pueblos. There is a LANL Cultural Resources Management Plan (LANL 2006b) that guides the interactions with potentially affected pueblos and tribes with respect to the requirements of the National Historic Preservation Act.

Commentor No. 388: Pax Christi-Phoenix

Pax Christi-Phoenix

June 15, 2011

Mr. John Tegtmeir
U. S. DOE/NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, New Mexico 87544

Dear Mr. Tegtmeir,

We, the members of Pax Christi-Phoenix, are concerned about the proposed Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico.

It is our understanding that the CMRR was designed to replace the existing Chemistry and Metallurgy Research Building and serve as the site where they would manufacture "Plutonium Pits", the fissile "triggers" capable of nuclear capability that initiate the destruction of modern thermonuclear weapons. The Lab already has the ability to produce 20 pits a year at the CMR building, but if they move ahead and build the new CMRR, they will have the ability to produce 80+ a year.

The original cost of the project was \$400-550 million with the completion date this year. The "Details of Project Cost Estimate" table in the FY2012 budget puts CMRR's current projected cost at \$5.86 billion and lists a completion date of FY 2023 - this is more than ten times the original forecast. Who knows what the final cost would be if they are given the green light on this unneeded and dangerous project?

The worst part is that the proposed site for the new CMRR building is only 2/3rds of a mile from a geologic fault line. The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. An updated seismic hazards analysis from May 2007, showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the more than \$3 billion added to cost estimates since 2008 result from efforts to address the heightened seismic hazards. The costs of

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388-1 NNSA acknowledges the commentor's opposition to construction and operation of the CMRR-NF, concerns regarding the cost of constructing the CMRR-NF, and position regarding plutonium pit production levels. A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. Funding decisions regarding major Federal programs (for example, energy and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

388-2 The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic

Commentor No. 388 (cont'd): Pax Christi-Phoenix

adding this enormous new facility to LANL's weapons manufacturing complex in a geologically unstable area are just too great.

With this in mind, it appears we could be looking at our own nuclear disaster much worse than Fukushima or Chernobyl. Supposedly, the new CMRR building will be able to withstand an earthquake of 7 on the Richter scale, but Japan has already had an aftershock from their recent earthquake measuring 7.1.

In addition, none of this takes into account whether the nuclear weapons work presently done at LANL and our other nuclear weapons facilities violates the Nuclear Non-Proliferation Treaty.

We the members of Pax Christi-Phoenix advocate that the CMRR project be canceled and that a new study of LANL's plutonium infrastructure be undertaken which will include existing and future capability needs, and provide a realistic cost for maintaining and upgrading safety features at the existing CMR.

We look forward to your response.

Peace and Much Good,

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hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA acknowledges the commentor's concern that accidents similar to those that occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant and in 1986 at Chernobyl could happen at LANL. There are fundamental differences between the functioning of nuclear reactors and activities at LANL. The types of radiological accidents that occurred at the Fukushima Daiichi Nuclear Power Plant and Chernobyl require a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

388-3 Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

388-4 NNSA has already undertaken a more extensive evaluation than the requested evaluation of LANL's plutonium infrastructure. In 2008, NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b). NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644). Continuing with the development of the CMRR Facility

Commentor No. 388 (cont'd): Pax Christi-Phoenix

at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely.

Commentor No. 389: John W. Zemblidge

John W. Zemblidge
2722 East Purdue Avenue
Phoenix, Arizona 85028-4720

June 15, 2011

Mr. John Tegtmeir
 U. S. DOE/NNSA Los Alamos Site Office
 3747 West Jemez Road
 TA-3 Building 1410
 Los Alamos, New Mexico 87544

Dear Mr. Tegtmeir,

I am writing about the proposed Chemistry and Metallurgy Research Replacement (CMRR) Project in Los Alamos, New Mexico.

It is my understanding that the CMRR was designed to replace the existing Chemistry and Metallurgy Research Building and serve as the site where they would manufacture "Plutonium Pits", the fissile "triggers" capable of nuclear capability that initiate the destruction of modern thermonuclear weapons. The Lab already has the ability to produce 20 pits a year at the CMR building, but if they move ahead and build the new CMRR, they will have the ability to produce 80+ a year.

The original cost of the project was \$400-550 million with the completion date this year. The "Details of Project Cost Estimate" table in the FY2012 budget puts CMRR's current projected cost at \$5.86 billion and lists a completion date of FY 2023 - this is more than ten times the original forecast. Who knows what the final cost would be if they are given the green light on this unneeded and dangerous project?

The worst part is that the proposed site for the new CMRR building is only 2/3rds of a mile from a geologic fault line. The Los Alamos National Laboratory (LANL) is located in a seismic fault zone between a rift valley and a dormant volcano. An updated seismic hazards analysis from May 2007, showed a potential huge increase in seismic ground motion and activity. In all likelihood, most of the more than \$3 billion added to cost estimates since 2008 result from efforts to address the heightened

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As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

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Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic

Commentor No. 389 (cont'd): John W. Zemblidge

seismic hazards. The costs of adding this enormous new facility to LANL's weapons manufacturing complex in a geologically unstable area are just too great.

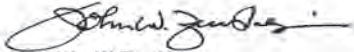
With this in mind, it appears we could be looking at our own nuclear disaster much worse than Fukushima or Chernobyl. Supposedly, the new CMRR building will be able to withstand an earthquake of 7 on the Richter scale, but Japan has already had an aftershock from their recent earthquake measuring 7.1.

In addition, none of this takes into account whether the nuclear weapons work presently done at LANL and our other nuclear weapons facilities violates the Nuclear Non-Proliferation Treaty.

Mr. Tegtmeir, I feel it is imperative that the CMRR project be cancelled and that a new study of LANL's plutonium infrastructure be undertaken which will include existing and future capability needs, and provide a realistic cost for maintaining and upgrading safety features at the existing CMR.

I look forward to your response.

Peace and Much Good,



John W. Zemblidge
2722 East Purdue Avenue
Phoenix, AZ 85028-4720

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NNSA acknowledges the commentor's concern that accidents similar to those that occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant and in 1986 at Chernobyl could happen at LANL. There are fundamental differences between the functioning of nuclear reactors and activities at LANL. The types of radiological accidents that occurred at the Fukushima Daiichi Nuclear Power Plant and Chernobyl require a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

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389-4 NNSA has already undertaken a more extensive evaluation than the requested evaluation of LANL's plutonium infrastructure. In 2008, NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b). NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19,

2008 (73 FR 77644). Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely.

Commentor No. 389 (cont'd): John W. Zemblidge

Commentor No. 390: Anonymous

June 25, 2011

Hello,

I'd like to leave a comment about the Metallurgy lab at Los Alamos. I am a concerned citizen, a long-time northern New Mexico resident, and I am definitely encouraging you to not build this facility. Okay?

It's time for us to move in a different direction in this country and on this planet. Six billion dollars is a lot of money and we could apply that money and help ourselves with renewable energy and not moving in a way of weapons and weapons research and plutonium pit manufacturing. Alright?

So it's time guys. Let's move our energy and our funds in a different direction. Please do not continue to poison the earth and its residence with plutonium pit factories that are unnecessary.

Thank you so much. Have a great day.

Anonymous

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390-1:

NNSA notes the commentor's opposition to construction and operation of a new CMRR Facility at LANL. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

Funding decisions regarding major Federal programs (for example, renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

**Commentor No. 391: Ellen Amba Caldwell and
David Caldwell**

From: E. Amba Caldwell [eacald1@gmail.com]
Sent: Wednesday, July 06, 2011 8:50 PM
To: NEPALASO@doeal.gov
Subject: CMRR Nuclear Facility

I wholeheartedly OPPOSE the building of the CMRR Nuclear Facility in New Mexico or anywhere. This complex will quadruple LANL's plutonium production from 20 pits per year to 80 pits per year. All of this will be used in making bombs to blow up places, people and animals, if such opportunities do arise. WE are supposed to be decreasing our nuclear supply of weapons, not increasing it.

In a 2007 site-wide seismic report LANL issued a warning that there was not enough information on the seismic properties of the reference rock. There is not enough information to determine seismic safety of the old buildings and the new proposed facility.

The April 2011 LANL released a memo that describes why the soft option is not safe to prevent the proposed building from collapse into the underlying layer: compression of the layer of soft volcanic ash by the heavy building; seismic shaking from an earthquake; and liquefaction of the volcanic ash because of water leaks. Scott also talked about the deep alternative that would involve digging out the entire soft layer and then pour concrete and build on top of that but it is a much more expensive option. "The government has not done enough seismic analysis, they do not know if there is no fault line at the proposed site. They're designing it with an earthquake of maximum 7 Richter scale. They do not know what would happen if an earthquake of larger magnitude hits. They need to do more research and find all the faults".

I am in agreement with this and think it should not be built and jeopardize us further.

On December 13, 2010 online issue of the Proceedings of the National Academy of Sciences, the University of Arizona scientists published a major study that concludes that the American West maybe entering a prolonged 60-year drought. The CMRR project would require approximately 16 million gallons of water each year for its operation. Let's not waste our precious water for this.

Sincerely, Ellen AMba Caldwell
 David Caldwell

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A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

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There is no "soft option" under consideration by NNSA for construction of the CMRR-NF. The cost difference between the two options that are considered in the SEIS is one of the factors that NNSA will consider in making its decision on the project. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

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Based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

Commentor No. 392: Emmy Koponen

From: Emmy Koponen [emmykoponen@gmail.com]
Sent: Wednesday, July 06, 2011 7:21 PM
To: NEPALASO@doeal.gov
Subject: Fire!

Although the cmrr comment period is over, since I did not have email and live 29 air miles from Los alamos and breathed the smoke for one week on Dixon nm I emprove you to not go ahead with the building and to please clean up what does exist! Most sincerely, Emmy Koponen. Pobox456, dixon, nm 87527

Sent from my iPod

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NNSA notes the commentor's opposition to the construction of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMRR Mission, of this CRD for more information.

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Commentor No. 393: John Storbeck

From: Rusty Storbeck [rustys@cybermesa.com]
Sent: Wednesday, July 06, 2011 3:25 PM
To: NEPALASO@doeal.gov

I sincerely hope that the Las Conchas fire has caused DOE to re-think making Los Alamos the new center of plutonium pit production. We dodged a bullet this time, but we may not be able to next time. Mother Nature has a way of showing us that She is much more powerful than any design-basis plan humans come up with.

Climate change is real. The drought this part of the country is in, is real.

John Storbeck
 Santa Fe

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NNSA notes the commentor's concerns regarding the possible impact of wildfires and climate change. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

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NNSA acknowledges the commentor's concerns that climate change may increase the frequency of wildfires and decrease the availability of water. In response to public comments, Chapter 3, Section 3.4.4, of the *Final CMRR-NF SEIS* has been revised to include a description of the types of environmental changes that could occur in the southwestern United States due to climate change. A discussion of potential impacts that could result at LANL from climate change and that addresses water usage has been added to Chapter 4, Section 4.1.

As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. LANL approaches sustainability on a site-wide basis, knowing that new facilities will require the use of limited resources. New projects such as the proposed CMRR-NF are constructed in a manner that improve the efficiency of energy and water use site wide. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

Commentor No. 394: Judith A. Kaiper

From: Kaiper, Judith A. [jkaiper@cabq.gov]
Sent: Wednesday, July 06, 2011 4:39 PM
To: NEPALASO@doeal.gov
Subject: No more Plutonium Pit Construction at LANL

I am opposed to the potential for further nuclear contamination of sacred Santa Clara lands and our precious earth.

Judith A. Kaiper
1801 Gibson Blvd SE Apt 2055
Albuquerque, NM 87106

|| 394-1 394-1

NNSA notes the commentor's opposition to further contamination of sacred Santa Clara lands and the earth. As shown in Chapter 4 of the CMRR-NF SEIS, the proposed construction and operation of the CMRR-NF would result in small environmental impacts.

Commentor No. 395: Mary Smith

From: Mary Smith [smithmarym@yahoo.com]
Sent: Monday, July 11, 2011 4:49 PM
To: nepalaso@doeal.gov
Subject: Urgent that you reconsider!

I understand that you are considering building near a geologic fault line. I am asking that you reconsider and do NOT build there. The costs of adding this enormous new facility to LANL's weapon manufacturing complex in a geologically unstable area are just too great. Please cancel this project immediately. Thank you.

Mary Smith, 3512 Michigan Ave, Elmira NY 14903-1107

395-1

395-1

NNSA notes the commentor's opposition to construction and operation of the CMRR-NF regarding cost. The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Commentor No. 396: Sheila A. Cooper

**SHEILA A. COOPER
P.O. BOX 312
ALCALDE, NEW MEXICO 87511**

July 8, 2011

Mr. John Tegtmeier, CMRR-NF-SEIS Document Manager
Los Alamos National Laboratory
Los Alamos, New Mexico

Dear Mr. Tegtmeier:

I respectfully submit the following comments regarding the CMRR SEIS. I acknowledge and apologize for any inconvenience caused by the fact that my comments are submitted past the posted time deadline. I am asking for consideration due to complications regarding the Las Conchas fire.

I am a concerned citizen and have lived downwind of LANL in the traditional community of La Villita for 20 years. I am a former state of New Mexico Statistical Research Director, a former military officer and was a departmental representative on New Mexico Governor Jerry Apodaca's Cabinet Taskforce on the Waste Isolation Pilot Project (WIPP) in addition to being a lifelong New Mexican.

I am writing to express concerns regarding the adequacy and accuracy of the SEIS in particular the risk assessment analysis contained in Chapter 3 AFFECTED ENVIRONMENT and Chapter 4 ENVIRONMENTAL EFFECTS. My concerns are both general and specific in nature.

GENERAL CONCERNS

I am generally concerned with the assumptions and methodological parameters underlying the statistical analysis. For example, the analysis of health and radiation risks consider a one time exposure risk only using an average annual individual dose based on past release and exposure data. There is no analysis of cumulative effect or magnitude of potential exposure in relation to risk. The current analysis appears to consider only normal operating exposure risk with no consideration of accidental release exposure. Additionally, examining health effects within a 50 mile radius implicitly assumes equal risk at any time for every individual anywhere within that area without considering or controlling for the issues of greater risk at greater proximity, differing prevailing weather conditions, geophysical conditions, extreme weather conditions, or other extreme events such as earthquake or wildfire. It also implicitly assumes that an individual or individuals 1 foot further than the 50 mile radius never have any risk. While these assumptions simplify the analysis, they reduce the validity and reliability that results.

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The techniques, assumptions, methods, and parameters used for the human health analysis are the standard practices of the safety professionals of the industry. They have undergone detailed review both within the community and by independent groups, including the DNFSB and the NRC. The general modeling and analysis assumptions used for both the radiological impacts of normal emissions from the CMRR, which are extremely small, and for very severe accidents including earthquakes so severe that the building fails, are also typical parameters used in EISs or SEISs, and safety analyses around the country for both the DOE and the NRC.

Radiological releases from the facilities with any of the alternatives are extremely small and controlled. Releases of plutonium would be through filters and managed such that the releases are very small. As reported in the EIS, the estimated dose to the maximally exposed offsite individual is a very small percentage (less than 0.1 percent) of natural background radiation. The population as a whole receives much smaller doses. Since the releases are so low, the corresponding exposures are very low and largely insensitive to modeling assumptions. With releases this small, the use of more elaborate modeling techniques, even if they were available, would still calculate very small impacts and would not add additional insight regarding risk.

Appendix C of the *CMRR-NF SEIS* details the accident analysis that was performed for this SEIS. Using sophisticated models, severe accidents such as earthquakes and fires were analyzed using site specific meteorology and population distributions. The population information is based on the latest 2010 census data and includes detailed data on residents throughout a 50-mile (80-kilometer) radius around LANL. This information includes detailed information on minority and low-income populations residing within this region of influence. Where these populations reside is included in the modeling, so, the SEIS is able to project whether these populations would be subjected to disproportionate adverse risks.

Commentor No. 396 (cont'd): Sheila A. Cooper

Portions of 7 counties are included within the 50 mile radius area of analysis used for some variables. Los Alamos County is included in its entirety. Most population, demographic, economic and health data are aggregated and available for analysis with the county as the unit of analysis. The exception is in case of major metropolitan areas, none of which is entirely within the 50 mile radius. In rural or frontier counties these data, especially health statistics, are frequently only collected by county. To use these data to analyze effects on small portions of rural counties or a small portion of a major metropolitan area requires much extrapolation of data, which significantly increases the likelihood of error. Additionally more extrapolation leads to less confidence in the data. I find no figures establishing the range of confidence in the risk assessments reported within the SEIS. Further, racial, ethnic, and low income, underprivileged populations tend to aggregate in specific localized neighborhoods rather than distribute normally across an entire geographic area making extrapolation of countywide distributions even more specious.

The analysis of potential radiological effects uses the Genii Version 1 and Version 2 computer models. In 2001, the EPA Science Advisory Board reviewed GENII Version 2. The 10 member Science Advisory Board included a representative from LANL and another from the Lovelace Respiratory Research Institute in Albuquerque. The board raised a number of issues about the utility, validity and reliability of this model, including the fact that it had never been tested. Perhaps the most significant criticism of GENII v2 in relation to CMMR is that the dispersion modeling it produces are limited to open, flat terrain, a condition which most definitely does not describe Los Alamos. I find no evidence that the issues raised by the board have ever been addressed or corrected.

SPECIFIC CONCERNS

CHAPTER 3 AFFECTED ENVIRONMENT

Population Estimates

The Los Alamos County website states "about 190,000 people live within 40 miles of Los Alamos". The analysis within the SEIS uses a 50 mile radius and reports the estimated population at risk in 2009 was 332,272. The difference in these figures suggests, at a minimum, that approximately 42% of the analyzed population at risk is located at the farthest distance from any exposure. Expanding the area of the population at risk has the effect of minimizing total exposure risk and significantly minimizing risk to those in closest proximity.

FIGURE 3-8 This figure appears to project a population at risk within the Santa Fe County ROI in excess of 200,000 in 2030. The actual 2010 population of all of Santa Fe County according to the US Census Bureau is 144,170. A 38.7% increase over 20 years or 19.35% per decade would be required to attain the projected population in all of Santa Fe County in 2030. However, the population increase from 2000 to 2010 was 11.5%. Thus, the population projection for the Santa Fe County ROI seems excessively optimistic and has the effect of underestimating individual risk. No explanation of the

396-1
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396-2

The impacts from normal operations are evaluated in the SEIS using the industry standard code developed by the EPA for just these purposes, the code GENII. This code is routinely used by the EPA for confirmation that releases from nuclear facilities meet the requirements of the Clean Air Act. The code is also used by the DOE and NRC for estimation of the potential doses to individuals and the general population from controlled, normal releases from nuclear facilities. Many reviews of this code have occurred over its several decades of continuous use and refinement. These reviews have found that the code provides conservative results, i.e., it overestimates the potential consequences.

The model allows consideration of both the distance and direction to target individuals and populations and makes use of site-specific meteorology. The model accommodates scenarios involving chronic releases to air from ground level and/or elevated sources. Exposure pathways include direct exposure from surface sources (soil) and air (semi-infinite cloud and finite cloud geometries) as well as inhalation and ingestion.

The GENII code was developed over a period of several years; the development incorporated several rounds of review of all portions of the code. As mentioned by the commentor, the EPA Science Advisory Board was asked in 2001 to review an early "beta test" version of Version 2 of the code and its initial draft users' manual. The suggestions of the EPA Science Advisory Board were incorporated in the ongoing development of the code. With regard to the concern expressed by the commentor that the model is limited with regard to modeling terrain such as that surrounding LANL, this may be correct but the results of the modeling for the proposed CMRR-NF are extremely low as discussed in the response to comment 396-1; are considered to be conservative; and provide NNSA with a reasonable basis upon which to compare the alternatives under consideration.

396-3

The population of the area within 50 miles (80 kilometers) of LANL provided in the *Draft CMRR-NF SEIS*, about 332,000, was based on census data collected from 2005 through 2009. The commentor compares this estimate to a Los Alamos County estimate of 190,000 within 40 miles (63 kilometers) of Los Alamos. This difference could be tied to the fact that most of Albuquerque is more than 40 miles (63 kilometers from Los Alamos and Albuquerque is the largest city in New Mexico. The standard 50 miles (80 kilometers) region of influence used to estimate potential human health impacts from radioactive releases in the *Draft CMRR-NF SEIS*, has been modified in the *Final CMRR-NF SEIS*. Additional radial distances of 5, 10, and 20 miles (8, 16, and 32

Commentor No. 396 (cont'd): Sheila A. Cooper

projection method is given. However it is likely that all population projections within the SEIS are similarly inflated.

A risk estimator of 1 latent cancer fatality per 1,667 person-rem dose is used to calculate the risk for exposure to 1 year of CMMR operations. This is essentially a one time risk exposure analysis. There is no analysis of cumulative effect over multiple years or decades. Cumulative effect is significant and needs to be considered because many Los Alamos residents live their entire working career in Los Alamos. Further, a majority of residents in significantly impacted downwind communities are multi-generational families with tenure longer than LANL has existed. Many of these family members live their entire lives with continual exposure.

3.11.44 HEALTH EFFECTS STUDIES

This section reports National Cancer Institute Five Year Incidence and Mortality figures. It also quotes a study by the Agency for Toxic Substance and Disease Registry which concludes "overall cancer rates in the Los Alamos area are similar to cancer rates in other communities" without specifying how this conclusion was reached, what data was studied or how it was analyzed. TABLE 3-17 shows the five year rate of cancers for the country, state and 4 counties. However, the risk assessment purports to address risk in Los Alamos County and portions of 7 other counties. Failure to maintain consistency in the area studied throughout all risk assessment analysis is a questionable practice and raises issues of credibility.

Additionally, the data cited report all cases. Age related differences are not addressed. This is a significant omission and another way of excluding cumulative effect. As an example, National Cancer Institute 5 Year Cancer Incidence and Mortality data from 2003-2007 for Non-Hodgkins Lymphoma for Los Alamos County occurred at a rate somewhat higher than the national and state rate. However, if the rate for both sexes over 65 years of age, presumably after prolonged exposure, is studied, the national rate is 87.8/100,000; the New Mexico rate is 77.3/100,000 and the Los Alamos County rate is 141.3/100,000, nearly double the state rate. The rate in Los Alamos County for both sexes over age 50 is also significantly higher than either the National or State rates. This pattern also exists for other types of cancer. At a minimum, these data indicate the need for cumulative exposure analysis, not merely one time or average annual exposure calculations, to adequately and accurately assess risk.

Chapter 4 Environmental Consequences

Table 4-28 Annual Collective Dose to Population within 50 mile radius of Radiological emissions during normal operations. These doses were calculated using GENII version 1 in the EIS. In the SEIS revised population figures and GENII version 2 were used to produce the dosage data. As the EPA Scientific Advisory Board determined in 2001, the revised GENII Version 2 is a simplistic computer model and its application to the geophysical environment of the Los Alamos area is especially questionable. Among the comments and recommendations of the Scientific Advisory Board are the following:

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396-4

kilometers) were analyzed to estimate the potential impacts to residents in close proximity to LANL (see Chapter 3, Section 3.10).

Language has been added to section B.10 to elaborate on the methodology used to develop the population projections in this SEIS. Many of the subpopulations in the area surrounding LANL have a tendency to experience widely different growth rates. To avoid under- or over-counting populations, separate projections were made for individual subpopulations within each county of the potentially affected region that reflect the trends of that population specific to that area. The projections were made using data from the US Census Bureau's 1990, 2000, and 2010 Decennial Census. The projections used in the *Draft CMRR-NF SEIS* relied upon data from the 2005-2009 American Community Survey 5-Year Estimates because data from the 2010 census was unavailable at that time. A linear extrapolation was made using the preexisting census data to estimate populations at future points in time. The commentor is correct in the assertion that Santa Fe County experienced an 11.5 percent increase between 2000 and 2010; however, that county has also experienced a 45.7 percent increase between 1990 and 2010. The 20-year trend provides a more appropriate timeframe for comparison to a 20-year projection than can be established by a 10-year period.

Regarding the calculation of individual radiological risk, the increase in the estimated population included in the *CMRR-NF SEIS* results in a higher population dose and does not result in a lower individual risk. The estimated radiological releases were modeled for the entire population based on where they reside within the region of influence. In general, the higher the population, the higher the population dose with the closest residents to the site receiving a higher percentage of the dose. The average individual risk is calculated by dividing the total population dose by the total population. The average individual dose would not change if the total population was lower as suggested by the commentor because such a change in total population would result in a lower population dose assuming the population distribution remained the same. The results of this modeling for the various radial distances from LANL, included in the *Final CMRR-NF SEIS*, are shown in Chapter 4, Section 4.3.11.

The risk estimator used in the SEIS is based on the risk estimator set by the Interagency Steering Committee on Radiation Standards in 2002. This risk estimator reflects the lifetime dose from all pathways that an exposed individual and the population as a whole might receive from a year's worth of radiological releases from the CMRR-NF or the CMR Building. The commentor is correct

Commentor No. 396 (cont'd): Sheila A. Cooper

1. "More up to date algorithms are found in other computer models, especially those developed by the American Meteorological Society."
2. "It should be noted that in GENII v2 current dispersion modeling capabilities are limited to open, flat terrain."
3. "The straight line Gaussian and Langragian puff models were designed for "well-behaved" pollution transport from chimney stacks and do not apply to more critical scenarios involving fires, explosions and accidental or terrorist aerial releases of contaminants.... Under such conditions, the physics and chemistry of the problem require the use of more sophisticated, physically based models."
4. " The number of particle sized classes allowed in the system needs to be expanded as particle size is a very important parameter in governing deposition patterns during transport as well as deposition in the human respiratory tract. The sites of deposition in the respiratory tract in turn influence both the subsequent deposition of the inhaled material in the body and the doses received by the various body organs and tissues. Atmospheric transfer modeling in GENII v2 only accommodates 1 particle size."
5. "Failure to capture proper physical reality in risk assessment and policy management will be increasingly serious."
6. "In order to properly assess risk of radiological contamination and releases a site specific model is preferred"
7. "All the simplifying assumptions used in GENIIv2 may be justifiable for use in a screening tool that is not intended for detailed site specific analysis."
8. "Recommended Changes to GENII v2:
 - a. In all cases, recommended parameterized models should be tested through verification, calibration and if possible validation of some or all of its components.
 - b. A major deficiency in GENIIv2 appears to be in the water transport model. GENII v2 DOES NOT have a groundwater transport model.
 - c. The terrestrial transport model is also very simple.
 - d. GENIIv2 may also be inadequate in terms of the air transport model. Further development of near field and far field analysis is needed.
 - e. GENIIv2 does not incorporate meteorological data to allow for wind field analysis."

CONCLUSIONS"

The CMRR SEIS , especially Chapters 3 and 4, is inadequate to properly assess potential risk. The population projections used to determine potential population at risk are overly optimistic. The ROI is not consistent throughout all variables. The health effects studies

**396-2
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396-5

that these estimates represent annual risks from the projected radiological releases. However, these risks are still a very small fraction of the annual risk associated with natural background radiation for individuals living near LANL. For example, as discussed in Chapter 4, Section 4.3.10.1, the projected dose to the average individual from Modified CMRR-NF operations would be less than 1/1000 of a percent of natural background radiation, annually.

The purpose of Table 3-19 in Chapter 3 of the *CMRR-NF SEIS* was not to provide a detailed comparison of all 22 cancers listed in the National Cancer Institute data base across any given number of counties across New Mexico or the United States. The intent, rather, was to provide a snapshot of the rates for representative cancers for the United States, the State of New Mexico, and Los Alamos and its three surrounding counties. The data that is presented indicates, for example, that cancer rates for prostate, thyroid and female breast cancers in Los Alamos County, are larger than average rates for the United States and New Mexico, but cancer rates for lung and bronchus, colon and rectum, stomach, and some other cancers are smaller than average rates for the United States and New Mexico. If the table was expanded to include additional New Mexico counties such as Bernalillo, Taos, and Mora Counties, NNSA expects the comparative cancer rates among the counties would again be variable: for some cancers the cancer rates would be larger than those seen in Los Alamos County and for other cancers the rates would be smaller.

The expansion of the table to consider age-related effects would not provide additional information that would assist NNSA in making a decision about constructing and operating the CMRR-NF. The National Cancer Institute data provides no information about the myriad of factors that may influence cancer incidence. It may be noted, however, that similar to that illustrated in Table 3-19 for persons across all ages and sexes, a review of National Cancer Institute data for the same 5 years and types of cancers addressed in Table 3-19 for all persons aged 65 years and older indicates wide comparative variations in cancer rates (see <http://statecancerprofiles.cancer.gov/index.html>). For example, the incidence rates for all cancers and both sexes is smaller for Los Alamos County than for Sandoval County and the United States average rate, but larger than the New Mexico average rate. The average cancer rates for Los Alamos County are larger than United States average rates for breast cancer, non-hodgkins lymphoma, and prostate cancer, but smaller than United States average rates for cancer of the brain and other nervous system, lung and bronchus, colon and rectum, stomach, leukemia, melanoma of the skin, ovary, and thyroid.

Commentor No. 396 (cont'd): Sheila A. Cooper

are superficial and do not include cumulative effects of contamination. The release data only consider past releases during normal operations and do not include potential accidental releases during extreme events. Some of the computer models used for analysis have not been tested and have been found to be simplistic, incomplete, invalid and unreliable for conditions at LANL. These models cannot perform a site specific analysis.

For these reasons, I strongly oppose the proposed expansion of CMRR until a comprehensive EIS is performed using site-specific computer models and analysis that conforms to rigorous research standards.

I appreciate your consideration of these comments.

Sincerely,

SHEILA A. COOPER

|| **396-1
cont'd**

The complete citation for the cited Agency for Toxic Substance and Disease Registry reference (ATSDR 2006) can be found in Chapter 7 of the *CMRR-NF SEIS* and at <http://nnsa.energy.gov/nepa/cmrrseis>.

Commentor No. 397: CK

Submit Questions or Comments about the Draft CMRR-NF SEIS to:

Mr. John Tegtmeyer, CMRR-NF SEIS Document Manager, NNSA Los Alamos Site Office,
3747 West Jemez Road, TA-3 Building 1410, Los Alamos, New Mexico, 87544
or fax: (505) 667-5948; or e-mail: NEPALASO@doeal.gov.

Right now the absolute global disaster at Fukushima
shows the folly of pursuing any thing nuclear.
Especially weapons. Obviously the New American community
is opposed to this madness. Yes madness. The United
States does not need more nuclear weapons. Our infrastructure
is crumbling and you want to spend money on more &
more bombs. Pathetic. What part of A/D do you
not understand? This is proposed for right
in my backyard AND I DON'T WANT IT.
I AM UNANTERABLY OPPOSED.

This is sheer madness. How dare you even
propose this utter nonsense. I lived near
Rocky Flats and once was enough. To try to "sell"
this ~~idea~~ by the idea of adding "jobs" is ludicrous.
Just shame on you. Put this money and energy toward
renewable energy. The last thing the world & the
United States needs, is more nuclear weapons.
They don't make us safer. They aren't wanted, they aren't
needed. Stop this madness.

CMRR-NF Hearings:

Tues, May 24, 5 p.m. to 9 p.m., Holiday Inn Express, 60 Entrada Dr., Los Alamos.

Wed, May 25, 5 p.m. to 9 p.m., Santa Claran Hotel, 464 N. Riverside Dr., Espanola.

Thur, May 26, 5 p.m. to 9 p.m., Santa Fe Community College, Jemez Rooms, 6401 Richards Ave, Santa Fe.

View or download SEIS document : <http://www.nepa.energy.gov> or <http://www.nnsa.energy.gov/nepa/cmrrseis>

397-1

397-1

NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMRR Mission, of this CRD for more information.

Regarding the Fukushima Daiichi Nuclear Power Plant, there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

397-2

397-2

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the CMRR-NF SEIS. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Commentor No. 398: Bob Trujillo

Mr. John Tegtmeyer

I listened to the radio last night. A preacher had one emphatic message which he preached with unchangeable love. America is doomed unless we take a good look at what we are doing.

I graduated from U.C. Berkeley in Feb 1965. My education is Electrical Engineering. My specialization is Feedback Control System. The professor who taught me this was Robert M. Saunders who later became the Dean of Engineering at the University of California Campus at Santa Cruz.

A feedback system can go into runaway mode or stew itself into being null and void by a zero control signal. Both types of signals mean the end of a system.

Do we really need the proposed LANL Bomb Factory?

As a Scientist, educated at U.C. Berkeley I have a library of Chemistry and Metallurgy that I think needs to be used by the Research Replacement Project at Los Alamos

398-1

398-1

NNSA notes the commentor's question about the need for the CMRR-NF project. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility.

Commentor No. 398 (cont'd): Bob Trujillo

National Laboratory (LANL).

Since the Department of Energy (DOE) held a public meeting about the Draft environmental impact statement for the proposed #6 Bifurcated Nuclear Facility, which is part of the Chemistry and Metallurgy Research Replacement Project at LANL, I only became aware of their request for comments prior to the June 23rd due date.

Please allow me entrance into this comment submission procedure even though I am not meeting the due date in regards to Draft CMRR-NF SEIS.

At U.C. Berkeley I studied Nuclear Physics in my studies in Electrical Engineering.

Since then in my own individual library I have acquired and reviewed the same series of Science that I was taught at U.C. Berkeley with one important update on my part.

398-2

398-2

NNSA considered all comments received after the end of the public comment period in preparing this *Final CMRR-NF SEIS*.

Commentor No. 398 (cont'd): Bob Trujillo

Every book that I read changes the concept of the word weight to mass.

Instead of study of Atomic Weight in the Periodic Table of the elements we study Atomic Mass.

By this change being omni present in all books taught at all levels of education from Kindergarten to Post Graduate studies uniformly in Science Weight is not considered real.

Therefore as we study mass we must proceed further into this dead-end street to formulate $F=ma$, $Work = Force \times Distance$, $E=mc^2$, and $power = Work/Time$ or $Energy/Time$ and this is derived by the United States of America as DOE

Such a DOE is based upon the reality of the existence of Energy which has set aside its validity the moment Science opted to study Mass rather than Weight

An example of this is Soil Science.

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Commentor No. 398 (cont'd): Bob Trujillo

A common garden hose produces pressure governed by h/L^2 is a weight per unit of existing area in which the water flows.

No mass is involved yet the hose separates the earth into 1) clay of formula $H_2O + H_2O + Al_2O_3 + 2SiO_2$, 2) silt of typical formula $Na_2O + FeO$, 3) Sand of aggregated formula $Al_2O_3 + 2SiO_2$ & 4) pebbles than little rocks etc.

This separation is by weight. It is linear. It is inevitable. Not so in the book of Soil Science. The Soil Triangle shows clay, silt and sand arranged as a Triangle with each being a % of Soil composition. This thinking is not in alignment with Science.

Another example of separation by weight is the use of filter paper and cellulose powder in chromatography. In one direction weighted migrating compounds separate out. By changing the migration path by 90° the weighted migrating compounds even include further separate out.

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Commentor No. 398 (cont'd): Bob Trujillo

Then there is the concept of Light.
All of Science considers light to be
a wavelength (L) divided by a time (T)
or L/T

Never is it taught that this light is
separated from Mass m . Rather the
standard thinking is that light is
separated from Weight w .

By these two concepts of w & L/T
we obtain wL/T which is called
production.

At the Livermore Lawrence Radiation
Laboratory my U.C. Berkeley Engineering
student friends worked by counting
radioactive emission trails in a Wilson Cloud
Globe Chamber. Each particle that
they counted were in a subatomic
trajectory governed by weight $w \times$
velocity L/T which they saw as light.

By moving this inconsistency into
 $\text{Force} = \text{mass} \times \text{acceleration}$ men through
incessant research has made possible
the making of Nuclear Weapons that can

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Commentor No. 398 (cont'd): Bob Trujillo

literally burn down the forest around
Los Alamos, New Mexico

I happen to meet two cross country Trail
bicycle riders, the day before that forest
fire started.

Their comment to me is that they bicycle
150 to 200 miles per day. Imagine
that in the run between Abiquia and
Cuba through very rugged high country
that these two very tired individuals
set up a camp fire to cook food.

Due to an immediate need to get
on their bicycles and keep tracking the
Trail that they left the fire unattended.
Thus the old adage that one careless
match can burn down a whole forest
became real. The forest started burning the very next day.

This is what Mass, Force, Work,
Energy and Power really mean. We
are on earth today needs for LANL
to do more research and replacement
on a proposed LANL Bomb Factory

398-1
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Commentor No. 398 (cont'd): Bob Trujillo

Rather I need you to visit Me at
Abiquiu New Mexico in order to
begin an exact and very difficult
review of chemistry of McElroy
as I see it give the information that
I own in my library of books that
the computer has made virtually
null and void is all of them
are Discarded

We may possible Discard Earth
& New America will be doomed for
certain or we can open up to
sensible radical and re-invent
ourselves.

I have done this to me. My
name is Jesus Christ Electrical
Engineer & Feedback Control
System Specialist.

Looking forward to your kind
communication with me. Write me
at Bob Trujillo P.O. Box Abiquiu
New Mexico or stop by and visit. From
where I live it looks like Los Alamos is
burning up kind of like Me after effed. (Nuclear War)
D.C.

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Commentor No. 398 (cont'd): Bob Trujillo

Mr. Test meier

An example of the books I have marked Discard is Valence Theory which considers the foundation of Atomic Theory based upon Newton's classical equation $F=ma$ which the book prints cannot be derived but is founded on experiment. The book goes on to print that the laws of Quantum Mechanics likewise are derived in the same light, the final text is that Quantum Mechanics Solution Equations agree with experiment.

By being marked Discard and thrown in the Trash Can per Librarian decision of discarded outdated books we as the Community of Concerned Scientist have to go to the computer which with error in computer error out every single line.

I do not use the computer. At U.C. Berkeley I studied the Diode Diodes are diodes. Two diode Diodes back to back make a transistor. A series of integrated transistors make transistor-transistor logic. This gives us diode digital. Diode is prohibited by law.

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Commentor No. 398 (cont'd): Bob Trujillo

So when 200 or more of the most extensive type of Scientific books get discarded by a dying Librarian addicted to control by an instrument that cannot see, hear, feel, taste or touch as we people do I think that is equivalent to Idol worship.

I have the books. Each and everyone of them can only be read by an educated person. People who do not have Scientific education cannot read such, because they have no background training to do so.

So I suggest that we become University Readers & go to the books to validate any other system that we are today using, especially the Computer.

What do you think. Best of C.

Response side of this page intentionally left blank.

Commentor No. 399: Jeanne Green

From: Jeanne Green [innerlight52@hotmail.com]
Sent: Monday, May 09, 2011 11:47 PM
To: SEIS for CMRR-NF 10-10
Subject: comment form/hearing in Taos
Attachments: townrequestforhearingcMRRseis.pdf

Hello Mr. Tegtmeier,

Thank you for the deadline extension on the CMRR-NF SEIS and for the additional hearing in Albuquerque.

We still want a hearing in Taos as we will also be affected by this decision. We are downwind of LANL. Attached is the letter of request from our Mayor.

Also, I still cannot find a comment form available to the public on any of the websites. Please send me a copy by e-mail attachment. Thank you.

Jeanne Green 575-751-4130

399-1

399-1

Comment noted. The letter from Mayor Cordova is included as Comment No. 5 of this CRD.

After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

Commentor No. 399 (cont'd): Jeanne Green

Darren M. Cordova, Mayor

Councilmembers:
Rudy C. Abeyta
A. Eugene Sanchez
Amy J. Quintana
Michael A. Silva

Daniel R. Miera, Town Manager
Abigail R. Adame, Assistant Town Manager



Taos Municipal Building
400 Camino de la Placita
Taos, New Mexico 87571
(575) 751-2000
Fax (575) 751-2026

Visit us on our Website at:
www.taosgov.com

May 5, 2011

John A. Tegmeier
Department of Energy
National Nuclear Security Administration
Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544

Mr. Tegmeier:

The Town of Taos is in receipt of a form letter from your office, dated April 21, 2011, wherein it informs the reader that your office will be holding three public hearings on May 24, 25, and 26, in Los Alamos, Española, and Santa Fe (respectively). The purpose of these hearings is to discuss the findings of the environmental impact analysis contained within the Draft CMRR SEIS.

Given that the Town of Taos, as a representative agency of its citizens, considers the greater Taos community as an interested party, we respectfully request that a formal hearing, similar to those afforded to other communities in the affected region, be held within the Town of Taos. There is a considerable number of citizens in our area that have taken positions of interest on this matter, so much so that the Town Council took a similar position regarding its view of the SEIS pertaining to the Nuclear Facility portion of the CMRR Project by passing Town of Taos *Resolution 11-03* on January 25, 2011. In support of this request for a formal hearing in Taos, the Town is willing to provide the meeting space necessary to accommodate such a hearing.

We ask that your office seriously consider our request and hope you will grant said request as soon as possible to allow for adequate notification to our public. Please feel free to contact me or the Town Manager, Daniel Miera, directly at (575) 751-2003 should you have any questions or wish to discuss this request in more detail. Thank you.

Regards,

Darren M. Cordova
Mayor

"La Ciudad de Don Fernando de Taos"
Incorporated May 7, 1934

**399-1
cont'd**

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Commentor No. 800: Johnnie S. Martinez, Jr.

**Chemistry and Metallurgy Research Replacement Project
Supplemental Environmental Impact Statement comment – May 24, 2011**

**Johnnie S. Martinez, Jr.
P. O. Box 581
Velarde, NM 87582**

I am a 61-year resident of northern New Mexico and a 36-year employee of the Los Alamos National Laboratory. I'm also a father and a grandfather who is concerned about the safety and security of his family.

I support the Chemistry and Metallurgy Research Replacement (CMRR) Project, and I have several reasons for doing so that I'd like to share this evening:

National security

- I believe very strongly in the value of nuclear weapons as deterrents to all-out global warfare. As Dr. Norris Bradbury, a former director of the Laboratory, so aptly stated "The purpose of nuclear weapons is not to use them but to force people to find other means to solve their differences." I'm proud to be part of an institution that has helped make those fine words a reality.
- I am personally convinced that the science and technology underpinning this nation's nuclear deterrence capability must be maintained and should in fact be strengthened to address new challenges posed by terrorism and the proliferation of nuclear materials.
- The CMRR facility is designed to address these national security needs, and I therefore support its construction and operation as a safe and effective resource for doing so.

Environment

- The existing CMR building is old; in fact, it's almost as old as I am, and I believe its continued operation poses a much greater potential threat to the environment than does the proposed CMRR facility.
- I've had the opportunity to attend briefings and tours of the CMRR's sister facility, the Radiological Laboratory Utility Office Building, and I've come to the conviction that environmental safety is a key element of plans for the CMRR facility's construction and will be a fundamental element of its operation.

Economy

- Northern New Mexico was selected in 1943 as the site of the Manhattan Project because of its isolated location. Northern New Mexico is still relatively isolated, and many of us remain dependent on LANL as an economic resource.
- The CMRR project will present employment and procurement opportunities in northern New Mexico that would otherwise be difficult or nearly impossible to find in today's economic environment.

Thank you for this opportunity to share my thoughts.

800-1

800-1

NNSA notes the commentor's support for the proposed CMRR-NF project. All proposed new facilities would be designed, constructed, and operated in compliance with applicable DOE orders, requirements, and governing standards, established to protect public and worker health and the environment. DOE Order 420.1B (DOE 2005) requires that nuclear or nonnuclear facilities be designed, constructed, and operated so that the public, the workers, and the environment are protected from the adverse impacts of natural phenomena hazards, including earthquakes. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for a description of some of the recommendations regarding enhancement of the CMRR-NF to address issues related to nearby seismic faults.

800-2

800-2

Chapter 1, Section 1.2 summarizes the operational and safety concerns related to the CMR Building. The proposed CMRR-NF would be designed, constructed, and operated in compliance with applicable DOE orders, requirements, and governing standards, established to protect public and worker health and the environment.

800-3

800-3

The socioeconomics sections of the CMRR-NF SEIS present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9).

Commentor No. 801: Scott Kovac, Operations and Research Director
Nuclear Watch New Mexico

May 5, 2011

Mr. John Tegtmeier
CMRR-NF SEIS Document Manger
USDOE, NNSA
Los Alamos Site Office
3747 West Jemez Rd.
Los Alamos, NM 87544

Via e-mail to NEPALASO@doeal.gov <mailto:NEPALASO@doeal.gov>

Dear Mr. Tegtmeier:

We, the undersigned, respectfully request that three additional public hearings be held and the comment period be extended by 75 days for the draft Chemistry and Metallurgy Research Replacement Project-Nuclear Facility Supplemental Environmental Impact Statement (draft CMRR-NF SEIS). Thus, our request is that comments on the draft CMRR-NF SEIS be due on August 26, 2011.

Additional public hearings should be held in Albuquerque, Taos, and Washington, DC. There is substantial interest in the CMRR-NF both in New Mexico and nationally. About 40 percent of New Mexico's population lives in the Albuquerque area, which is downstream from LANL, and it is not reasonable for people to have to travel to Santa Fe as the closest location to attend a public hearing. People in Taos are downwind of LANL and it is not reasonable for people to have to travel to Española as the closest location to attend a public hearing. Both Santa Fe and Española are approximately 60 miles from Albuquerque and Taos, respectively.

Additionally, because of the billions of dollars needed for the project, funding for the nuclear weapons complex and the CMRR-NF in particular has been a central focus of a significant national debate. The CMRR-NF SEIS indicates that the CMRR-NF is intended to support "manufacturing, development, and surveillance of nuclear weapons pits." Because its "need for action" is related to nuclear weapons production and because of the enormous resources required, the CMRR-NF has national implications. As a result, it is appropriate that policy makers and experts who debated funding for the CMRR-NF be given a chance to speak in a Washington, DC hearing.

Given the importance of the CMRR-NF and the substantial public interest, we believe that there will be substantial numbers of people interested in providing public comment at all of the hearings. Thus, the additional hearings are necessary so that those interested may provide public comments at reasonable times and locations, and may each have ample time to provide public comment. This will enhance the public participation process under the National Environmental Policy Act (NEPA), which we know is a common goal.

CMRR-NF SEIS Additional Public Hearings
And Comment Period Extension Request
May 5, 2011

1

801-1

On April 29, 2011, NNSA published a notice in the *Federal Register* (76 FR 24018) announcing the availability of the *Draft CMRR-NF SEIS*, the duration of the comment period, the location and timing of public hearings, and the various methods for submitting comments. NNSA's implementation of public participation activities for review of the *Draft CMRR-NF SEIS* was consistent with past practices for other NEPA documents prepared for LANL. NNSA announced a 45-day comment period to provide sufficient time for interested parties to schedule their review of the *Draft CMRR-NF SEIS* around other commitments. In response to requests for additional review time, the comment period was extended by 15 days to a total review time of 60 days (76 FR 28222). NNSA believes this allows a sufficient period of time to provide comments on the *Draft CMRR-NF SEIS*. The Las Conchas wildfire affected many in the immediate vicinity of LANL. All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*. Other NNSA EIS processes were delayed to respond to concerns regarding multiple NEPA public involvement opportunities (for example, the Sandia SWEIS scoping meetings and the BSL-3 Draft EIS public review period).

As with previous LANL NEPA documents, the public hearings were held at regional venues near LANL (Los Alamos, Española, and Santa Fe). In response to requests for additional public hearings, NNSA also held a fourth public hearing in Albuquerque (76 FR 28222). NNSA decided to hold an informational meeting in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period. DOE determined that holding a public hearing in Washington, D.C., is not appropriate for the *CMRR-NF SEIS* because construction of the CMRR-NF is specific to LANL missions.

801-1

Section 3
Public Comments and NNSA Responses

3-777

Commentor No. 801 (cont'd): Scott Kovac, Operations and Research Director, Nuclear Watch New Mexico

We believe this requested time extension is merited because:

1. The proposed scale of the CMRR-NF SEIS has grown dramatically, with the addition of a second modified construction alternative - the "Shallow Excavation Option." Further, the Project has seriously grown in complexity in order to address seismic issues, with, for example, added related subprojects, such as the concrete batch plant and the pouring of a 250,000 yd³ foundation of a lean concrete basemat to mitigate concerns about increased seismic risks. Because the CMRR-NF SEIS provides no preferred construction option at this time, research and technical review to prepare informed comments will have to be performed on multiple construction options.
2. The "Extensive Upgrades to the Existing CMR Building" (CMR Alternative 2) was removed as an alternative in the draft CMRR-NF SEIS from the alternatives provided in the October 1, 2010, Notice of Intent. Those members of the public who believe this to be the best alternative will still have to do research and technical review for this important omission. It will require even more work from the public because the baseline impacts have not been provided by NNSA.
3. Further, the CMRR-NF is not scheduled to be completed any earlier than FY 2022. Given all this, a 75-day extension, which we argue is the right thing to do, is inconsequential compared to the Project's increased scope and long schedule. Consequently, we think that granting the extension places no significant burden on NNSA, while not granting the extension would place a significant burden on the public.
4. Public scoping hearings are currently scheduled to be held May 24, 25, and 26, which will provide the public with an opportunity to interact with NNSA personnel, ask questions, discuss concerns, and likely become better informed. Then unfortunately the proposed comment period would end just 18 days later. We believe that is not sufficient time for the general public to research, prepare and submit informed comments on the draft CMRR-NF SEIS after having the benefit of interacting with NNSA officials.
5. Another Department of Energy (DOE) NEPA process involving the Lab is being held concurrently with the scoping comment period for the CMRR-NF SEIS. This is the draft Greater Than Class C EIS (GTCC EIS), which provides a 120-day comment period (the same as we are requesting for the draft CMRR-NF SEIS) with comments due on June 27 - a mere two weeks after the CMRR-NF comments are due. This limited timeframe places an undue hardship on NGOs and the public who are providing DOE with informed public comments about both important matters at LANL. A 75-day extension would make the comments on the draft due August 26, which is a reasonable time after the draft GTCC EIS comments are due.

801-2 801-2

NNSA does not believe there is reason to extend the review time. The cited scale of the project has little bearing on the time required to review the *Draft CMRR-NF SEIS*. The addition of a construction option is a minor variation to the Modified CMRR-NF Alternative that does not affect the overall performance of the facility. Elimination of detailed analysis of an alternative to upgrade the existing CMR Building also does not warrant additional review time. The scheduled construction completion date of 2020 included in the *CMRR-NF SEIS* also does not bear on the time required to review the SEIS. Holding public hearings in the middle of the comment period is generally considered to be desirable in that it gives commentors some time to review the document prior to the hearings and time after the hearings to prepare comments. NNSA extended the comment period to 60 days, ending on June 28, 2011, which provided commentors with 15 additional days. As noted in response to Comment 801-1, other DOE NEPA activities were rescheduled in response to public concerns regarding multiple NEPA public involvement opportunities.

**Commentor No. 801 (cont'd): Scott Kovac, Operations and
Research Director, Nuclear Watch New Mexico**

In sum, given the national interest and importance of the Project, at least three additional public hearings are necessary; the growth in project size, construction options and complexity, and the overlapping conflict with the draft GTCC EIS NEPA process, make it absolutely necessary for NNSA to grant a 75-day extension for draft CMRR-NF SEIS comment period.

Please do not hesitate to contact us through our email addresses below should you have any questions or comments. We look forward to your reply at your earliest convenience.

Sincerely,
Scott Kovac, Operations Director
Nuclear Watch New Mexico
(505) 989-7342
scott@nukewatch.org

CC: Mr. Matthew Padilla, Senator Tom Udall's Office
Ms. Michelle Jacquez-Ortiz, Senator Tom Udall's Office
Mr. Jonathan Epstein, Senator Jeff Bingaman's Office
Ms. Angela Ramirez, Rep. Ben Ray Lujan's Office
Ms. Jennifer Catechis, Rep. Ben Ray Lujan's Office
Mr. Tony Samp, Rep. Martin Heinrich's office
Tom D'Agostino, NNSA
Secretary Steven Chu
White House Office Environmental Justice Task Force

[Alphabetically listed by organization]
Alliance for Nuclear Accountability
Susan Gordon, Director
Santa Fe, NM

Amigos Bravos
Brian Shields, Executive Director
Taos, NM

Agua es Vida Action Team (AVAT)
Lesley Weinstock, Coordinator
Albuquerque, NM

Bluewater Valley Downstream Alliance
Candace Head-Dylla
Milan, NM

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**Commentor No. 801 (cont'd): Scott Kovac, Operations and
Research Director, Nuclear Watch New Mexico**

Catholic Charities of Gallup Diocese
Rose Marie Cecchini, MM, Office of Life, Peace, Justice & Creation Stewardship
Gallup, NM

Code Pink Taos Women (and men) for Peace and Justice
Jeanne Green, Local Coordinator
Taos, NM

Concerned Citizens for Nuclear Safety
Joni Arends, Executive Director
Santa Fe, NM

Citizen Action
Dave McCoy, Executive Director
Albuquerque, NM

Citizens for Alternatives to Radioactive Dumping
Janet Greenwald, Co-coordinator
Albuquerque, NM

Embudo Valley Environmental Monitoring Group
Sheri Kotowski, Lead Organizer
Dixon, NM

Friends of the Earth
Tom Clements, Southeastern Nuclear Campaign Coordinator
Columbia, SC

FRESH, Inc.
Lisa Crawford, President
Harrison, OH

Honor Our Pueblo Existence (H.O.P.E.)
Marian Naranjo, Director
Española, NM

Loretto Community
Penelope McMullen, SL
Santa Fe, NM

Natural Resources Defense Council (NRDC)
Christopher Paine, Director, Nuclear Program
Washington, DC

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**Commentor No. 801 (cont'd): Scott Kovac, Operations and
Research Director, Nuclear Watch New Mexico**

New Mexico Environmental Law Center
Douglas Meiklejohn, Executive Director
Santa Fe, NM

Nuclear Age Peace Foundation
Rick Wayman, Director of Programs & Operations
Santa Barbara, CA

Nuclear Watch New Mexico
Jay Coghlan, Executive Director
Santa Fe, NM

Nuclear Watch South
Glenn Carroll, Coordinator
Atlanta, GA

Oak Ridge Environmental Peace Alliance
Ralph Hutchison, coordinator
Oak Ridge, TN

Peace Action and Peace Action Education Fund
Kevin Martin, Executive Director
Silver Spring, MD

The Peace Farm
Jerry Stein, President
Amarillo, TX

Physicians for Social Responsibility
Peter Wilk, MD, Executive Director
Washington, DC

Rocky Mountain Peace and Justice Center
LeRoy Moore, Ph.D.
Boulder, Colorado

Southwest Research and Information Center
Don Hancock
Albuquerque, NM

Tewa Women United
Beata Tsosie, Environmental Justice
Santa Cruz, NM

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**Commentor No. 801 (cont'd): Scott Kovac, Operations and
Research Director, Nuclear Watch New Mexico**

Think Outside the Bomb
Lisa Putkey, Youth Coordinator
Chimayo, NM

Tri-Valley CAREs
Marylia Kelley, Executive Director
Livermore, CA

Union of Concerned Scientists
Dr. Lisbeth Gronlund, Co-Director and Senior Scientist, Global Security Program
Cambridge, MA

Women's Action for New Directions
Susan Shaer, Executive Director
Washington, DC

[Individuals]
The Rev. Holly Beaumont, D. Min.
Santa Fe, NM

Marilyn Hoff
Taos, NM

April Mondragon
El Prado, NM

Quita Ortiz
Pojoaque, NM

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Campaign A

To: NEPALASO@doeal.gov

Subject: Support of Construction for LANL's CMRR Facility

Dear Mr. Tegtmeier,

I would like to take this opportunity to express my support for construction of the Chemistry and Metallurgy Replacement Project (CMRR) at Los Alamos National Laboratory. I am an employee of Jack B. Henderson Construction Company (JBH). Our company has performed work at LANL for a couple of decades, opening an office on Trinity Drive in 1996.

Currently we are serving as General Contractor for the RLUOB Ventilation and Piping projects adjacent to the proposed CMRR nuclear facility. Please count me as a supporter of the continued development of this effort and facility. Not only will this project provide hundreds of construction and engineering jobs, bolstering the Northern New Mexico economy, it will serve a critical need in support of our Nation's energy and national security goals.

Thank you,

The Employees of Jack B. Henderson Const. Co.
Albuquerque, New Mexico

A-1

A-1

NNSA acknowledges the commentor's support for construction of the CMRR-NF.

The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market for the proposed alternatives (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would employ a construction workforce for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (both direct and indirect) is relatively small in comparison to the total labor force in the four-county ROI. However, NNSA recognizes the opinion stated by a number of commentors during the public comment period that the creation of any construction jobs during the current economic climate would have a positive effect on the construction industry in northern New Mexico. See Section 2.7, Economic Impacts, of this CRD for more information.

Campaign A (cont'd)

Individuals submitting this campaign:

Dorian G. Atwater
Tina M. Atwater
Bryan Baber
Lena Burpo
Shannon Clark
Bob Fraser
Lucas Gallegos
Maria Guy
Sonia Lopez
Mike McAnich
Lanie Norton
Bill Owen
Melissa Padilla-
Gomez
Myra Redman
John Robertson
Doreen Romero
Kevin Sheffield
Barb Spitz
John Stroud
Charlie Watson
Leish M. Weger
Leah Winchester
Steve Wright

Campaign B

A friend of mine passed along a report about your new developments at the Los Alamos National Laboratory. I am incredibly upset by this proposed new project.

B-1

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

B-2

The costs to build a plutonium pit production complex are too high. The Department of Energy should consider simply upgrading old facilities for safety rather than spending \$5.8 billion on a project that was estimated to cost \$600 million at the start.

B-3

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

B-4

B-1 NNSA acknowledges the commentor's concerns about construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

B-2 NNSA notes the commentor's position that the SEIS is premature. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the Pajarito and Rendija fault systems. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, these faults do not extend to the proposed construction location.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

B-3 NNSA notes that as indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials

Campaign B (cont'd)

characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644).

Continuing with the development of the CMRR Facility at LANL supports work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. Refer to Section 2.4, CMR Mission, of this CRD for more information. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the *SEIS* has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

B-4

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

Campaign B (cont'd)

Individuals submitting this campaign:

Jane Acuna	MaryEllen Sauser
Maris Arnold	Annique Savage
Martha Baldoni	Bettina Bowers Schwan
Jill Balduini	Frida Simms
Lucille Bertuccio	Howard Stein
Noah and Natasha Brenner	William Tepper
Carol Brown	Lisa Timmermeyer
Mary Burton	Dorothy Varellas
Martha W. Bushnell	
John Gasperoni, Ph.D.	
Pat and Gary Gover	
Richard Grooms	
Nancy Hagenbach	
Sarah Hamilton	
Sherman Hoover	
Lindsay Iliff	
SJ Jacobson	
Leona Juris	
Stewart Loeblich	
Maria Marchegiani	
Christie McGinn	
Jean McMahan	
Penelope McMullen	
Alex Mexi	
Brian Moe	
Douglas Parker	
Shaddon Ross	
Sharon Rossol	
Karen Rubino	

Campaign C

The new plans for a CMRR Nuclear Facility at the Los Alamos Lab are alarming. As a citizen who is concerned about nuclear proliferation and national security, here are a number of reasons why I oppose this project:

The Supplemental Environmental Impact Statement is inadequate – a complete, new Environmental Impact Statement is needed. Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains. The original Environmental Impact Statement (2004) looked at a building designed to withstand only mild seismic events, but a 2007 study indicated a potential huge increase in ground motion activity, requiring major changes to the building design.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

The United States does not need 80 new plutonium pits per year. Without a nuclear arms race, the 20 pit per year production limit implemented by DOE in 1999 should suffice.

C-1

C-1 NNSA acknowledges the commentor's opposition to construction and operation of the CMRR-NF, and concerns about proliferation of nuclear weapons and national security. See Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

C-2

C-2 As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazards analyses of the LANL region (LANL 2007, 2009). The updated seismic hazards analyses provided a better understanding of the ground motion and seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a sizable earthquake event without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

C-3

C-3 As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

C-4

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

C-4

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in

Campaign C (cont'd)

December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

Campaign C (cont'd)

Individuals submitting this campaign:

Alicia Bomhoff	Sherri Silverman
Delphine Busch	Joan Singleton
Victoria Bush	Edith Tschetter
Nancy Chismar	Michelle Turner
Sandy Commons	Danny Watson
Jean Cossey	Julie Whitesell
John Dalla	Amy Wiesner
Carmen Dinescu	Geoff Young
Sarah Fritz	
H.D. Frotscher	
Lynne Glasner	
Michelle Gobely	
Laura Jolly	
Kirpal Khalsa	
Elisabeth King	
Joan Kirk	
Donna Knipp	
Kenneth Korten	
Michelee Martin	
Jan McCall	
Pamela Melcher	
Barbara and Paul Moe	
John O'Neil	
Kwaku Oppong	
Wendell Perks Jr.	
Bartley Reese	
Nancy Reutter	
Helene Rosen	
MaryEllen Sauser	

Campaign D

I am writing to inform you of my deep concern with your plans at Los Alamos National Laboratory. As a citizen who is concerned about nuclear proliferation and national security, here are a number of reasons why I oppose the proposed CMRR Nuclear Facility:

The Supplemental Environmental Impact Statement is inadequate – a complete, new Environmental Impact Statement is needed. Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains. The original Environmental Impact Statement (2004) looked at a building designed to withstand only mild seismic events, but a 2007 study indicated a potential huge increase in ground motion activity, requiring major changes to the building design.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab’s discharges disproportionately impact Native peoples and Hispanic New Mexicans.

Expanding the United States’ nuclear weapons production capabilities further undermines President Obama’s stated goal of a world free of nuclear weapons. This type of contradictory message will only breed distrust of US intentions. With such actions, the US could potentially spur nuclear weapons development elsewhere.

D-1

NNSA acknowledges the commentor’s opposition to construction and operation of the CMRR-NF, and concerns about proliferation of nuclear weapons and national security. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

D-2

NNSA notes the commentor’s position that a new environmental impact statement is needed, rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

D-3

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the Pajarito and Rendija fault systems. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, these faults do not extend to the proposed construction location.

D-4

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Campaign D (cont'd)

D-3 As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

D-4 NNSA acknowledges that there is substantial opposition to nuclear weapons and their components and that President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

Campaign D (cont'd)

Individuals submitting this campaign:

Jean Alford	Glenn Reeves
Glen Anderson	James Roberts
Tammy Betancourt	Ilana Rossoff
Ana Gonzales Biele	Helen Rynaski
Beatrice Brailsford	Kathy Sipowicz
Laurie Cozza	Kellie Smith
Sigrid Dale	Cletus Stein
Dorothy Dean	Barbara Williams
Marygrace Decotii	
Margaret Diegelman	
John Emrys	
Maury Grimm	
Veronica Grover	
Jeanne Guerin	
Lenore Hawkins	
Michelle Howe	
Paridokht Jenab	
Piper Karie	
Debra King	
Susan Koehne	
Erma Lewis	
Penelope McMullen	
Margaret Moore	
Joel Morris	
Adrienne Moumin	
Gayle Moutard	
Tetsu Okuhara	
Sheridan Phillips	
Peggy Pryor	

Campaign D

Individuals submitting "Campaign D" with additional comments

surrounding LANL to... phic risks and safety would pose.

Even without a natural disaster, manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans. In fact, construction and operation of the CMRR-NF will interfere with efforts to clean up existing pollution at LANL.

The current cost estimate for the CMRR is \$5.8 billion. That price tag emphasizes that the US simply does not need new plutonium pits. Furthermore, new "replacement" components, including plutonium pits that could be heavily modified from originally tested designs should be avoided because their use would inherently undermine confidence in the extensively tested reliable stockpile.

Expanding the United States' nuclear weapons production capabilities further undermines President Obama's stated goal of a world free of nuclear weapons. This type of contradictory message will only breed distrust of US intentions. With such actions, the US could potentially spur nuclear weapons development elsewhere.

Beatrice Brailsford
Snake River Alliance

D1-1

D1-1

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

As previously indicated, Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, states that pit production would not occur in the CMRR-NF. The President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile, which would be accomplished in part by activities that would be conducted at the proposed CMRR-NF, including analytical chemistry, materials characterization, and plutonium research.

Campaign E

I was just recently told about your new plutonium facility at the Los Alamos National Laboratory. Here are several reasons I believe it is not in the interest of any U.S. citizen to have this facility built:

The costs to build a plutonium pit production complex are too high. The Department of Energy should consider simply upgrading old facilities for safety rather than spending \$5.8 billion on a project that was estimated to cost \$600 million at the start.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

The Supplemental Environmental Impact Statement is inadequate – a complete, new Environmental Impact Statement is needed. Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains. The original Environmental Impact Statement (2004) looked at a building designed to withstand only mild seismic events, but a 2007 study indicated a potential huge increase in ground motion activity, requiring major changes to the building design.

E-1

NNSA acknowledges the commentor's opposition to construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

E-2

As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

E-3

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

E-4

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644).

Continuing with the development of the CMRR Facility at LANL supports the work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the *SEIS* has been expanded to include additional information on why it is not technically feasible

Campaign E (cont'd)

to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

E-3 The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

E-4 NNSA notes the commentator's position that a new environmental impact statement is needed, rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the Pajarito and Rendija fault systems. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, these faults do not extend to the proposed construction location.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological

Campaign E (cont'd)

material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Campaign E (cont'd)

Individuals submitting this campaign:

Jessie Bacon	Carmen Sosa
Leticia Bayona	Emily Stern
Cathie Bird	Andrew Tremain
Mary Ann Cassidy	Katia Van Horn
John Cielukowski	Leslie Washington
Gloria Coleman	Debra Webb
Chuck Donegan	Jearline Wostal
Christopher Dougherty	
Robert Ellis	
Michael W. Evans	
Amanda Finlayson	
Robert Fritsch	
Greg Gable	
Sonia Goldstein	
Elizabeth Guise	
Kimberly Hanson	
Whitney Hawks	
Charlotte Hendrickson	
Elaine Howes	
Geraldine Kline	
John Kraemer	
John Martin	
Mary Jo Miserendino	
Jan Paley	
Kristina Paris	
Robert Scheff	
Kathy Seabrook	
Steve Simmons	
Alice Slater	

Campaign F

I am writing to inform you of my deep concern with your plans at Los Alamos National Laboratory. I have listed a number of different reasons why this plan would be harmful and costly:

The costs to build a plutonium pit production complex are too high. The Department of Energy should consider simply upgrading old facilities for safety rather than spending \$5.8 billion on a project that was estimated to cost \$600 million at the start.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

F-1

F-1 NNSA acknowledges the commentor's concerns about construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

F-2

F-2 As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

F-3

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

F-4

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644).

Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the

Campaign F (cont'd)

Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

- F-3** NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.
- F-4** NNSA notes the commentor's position that the SEIS is premature. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional

Campaign F (cont'd)

detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Campaign F (cont'd)

Individuals submitting this campaign:

Dina Angress
Donna Benjamin
Pamela Vouros Callahan
Kerrilyn Chew
Aileen Conway
Sister Kathleen Corbett
Merrily Davies
Jenn Dodd
Jeanette Eastman
Marie Flom
Kris Glover
Susan Gordon
Jess Graffell
David Hoemberg
Richard Kelley
Marsha Maxwell
Rebecca Rens
Annie Rogers
Scott Rundt
Kelley Scanlon
Megan Sherwood
Lisa de St. Croix
Candice Stuart
Grace Tiessen
Janice Wheelock
Martha Wood
David Zahrt

Campaign F (cont'd)

Individuals submitting "Campaign F" with additional comments

I am writing to inform you of my deep concern with your plans at Los Alamos National Laboratory. I have listed a number of different reasons why this plan would be harmful and costly:

At a time when the US and Russia are reducing their stockpiles of nuclear weapons, it is crazy to be expanding the capacity to produce up to 80 warheads a year. We need to not expand our capacity to contaminate the earth with more radioactive and toxic materials from a building in a seismic zone.

Susan Gordon

F1-1

F1-1

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

See response to Comment F-4 regarding seismic concerns.

Campaign G

The NNSA's plan to construct new plutonium pits at the Los Alamos Labs is a bad idea. I have listed a number of different reasons why this plan would be harmful and costly:

The costs to build a plutonium pit production complex are too high. The Department of Energy should consider simply upgrading old facilities for safety rather than spending \$5.8 billion on a project that was estimated to cost \$600 million at the start.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

G-1

G-1 NNSA acknowledges the commentor's objections to new plutonium pits at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

G-2

As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

G-3

G-2

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

G-4

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the Federal Register on December 19, 2008 (73 FR 77644).

Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the

Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

- G-3** NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.
- G-4** NNSA notes the commentor's position that the SEIS is premature. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional

detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Campaign G (cont'd)

Campaign G (cont'd)

Individuals submitting this campaign:

Elizabeth Andrus	George S. Darlen Ross
Elisse Antczak	Will Santana
Chuck Balduini	Kathryn Simmons
Dolores Bray	Carl Stilwell
Phoury Chhun	Tanya Story
Suzanne Clark	Karen Turner
Ann Crisp	Beverly Walker
Jasmine Darrah	Angela Werneke
Denise DeGarmo	
Michelle Delon	
Annamarta Dostourian	
Patricia Farrington	
Angela Fazzari	
Russell Grindle	
Thomas C. Hall	
Sue Hawes	
Lauren Heartsill	
Jeanie Johnson	
Frances Kean	
Gerson Lesser	
Lynn Merle	
Paula Myles	
Maureen Nelson	
Barbara O'Reilly	
Yolanda Oney	
Samantha Osborne	
Trudi Richards	
Roberta Richardson	
Pamela Rosenberg	

Campaign G (cont'd)**Individuals submitting "Campaign G" with additional comments**

With the fire now threatening Los Alamos, it becomes even more obvious that constructing new plutonium pits there is a terrible idea. The costs to build a plutonium pit production complex are too high. The United States government simply can't afford this.

Karen Turner

GI-1

G1-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

See response to Comment G-2 regarding costs.

Campaign H

The NNSA is doing ecological harm by constructing a new nuclear storage and development facility at the Los Alamos National Laboratory. Here are several reasons I believe it is not in the interest of any U.S. citizen to have this facility built:

The United States does not need 80 new plutonium pits per year. Without a nuclear arms race, the 20 pit per year production limit implemented by DOE in 1999 should suffice.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

The Supplemental Environmental Impact Statement is inadequate – a complete, new Environmental Impact Statement is needed. Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains. The original Environmental Impact Statement (2004) looked at a building designed to withstand only mild seismic events, but a 2007 study indicated a potential huge increase in ground motion activity, requiring major changes to the building design.

H-1

H-1 NNSA acknowledges the commentor's opposition to construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

H-2

The potential environmental impacts of the proposed alternatives for construction and operation of the CMRR-NF are discussed in Chapter 4 and summarized in Chapter 2, Section 2.10, of the *CMRR-NF SEIS*. Refer to Chapter 4, Section 4.2.7, 4.3.7, and 4.4.7 of the *CMRR-NF SEIS* for specific analyses of possible impacts on LANL ecological resources.

H-3

H-2

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

H-4

H-3

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

H-4

NNSA notes the commentor's position that a new environmental impact statement is needed, rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

Campaign H (cont'd)

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Campaign H (cont'd)

Individuals submitting this campaign:

Susan Aram	Roberta Richardson
Stephanie Binch	Rosalind Rickman
Sallie Bingham	Jeanne Ripp
Juanita Bishop	Gloria Salazar, LISW
Lynda Braun	Roger Santerre
Juanita Carl	Morgan Sky
K. Chung	Vicki Teague-Cooper
Grace Ertel	Stan and Dorothy Thomas
Ken Fisler	Rowena Wyckoff
Allison Gale	
Mali Gesmundo	
Lisle Hall	
Elizabeth (Bay) Hallowell	
Timothy Haught	
Christian Heinold	
Tuesday Hoffman	
Ana Jude	
Charlotte Koons	
Robert Krikourian	
David Laird	
Larry Lambeth	
Michele McFerran	
Whitney Metz	
Susan Mitchell	
Sophie Morel	
Judi Muller	
Tuan Nguyen	
Tracy Ouellette	
Chris Pomeroy	

Campaign I

I was just recently told about your possible new plutonium facility at the Los Alamos National Laboratory. I am very upset by this new project

The alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include “taking no action” as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab’s discharges disproportionately impact Native peoples and Hispanic New Mexicans.

Money spent on nuclear weapons does not spur economic growth. Investments in education, healthcare, renewable energy, and public transportation would all create more jobs and spur more growth.

I-1

I-2

I-3

I-1 NNSA acknowledges the commentor’s concerns about construction and operation of the CMRR NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

The No Action Alternative included in the *CMRR-NF SEIS* is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR-NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, NNSA considers the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This latter, “no build” alternative, however, would not satisfy NNSA’s stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.2, NEPA Process, and Section 2.11, Alternatives Considered, of this CRD for additional information.

I-2

As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL’s pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Campaign I (cont'd)

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

I-3 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Campaign I (cont'd)

Individuals submitting this campaign:

Joyce Casey	Rosie Volpe
Lin Daley	Martha Williams
Jamie Erfurdt	The Wojo Family
Paulette Finnegan	
Christine Gorton	
Sean Gough	
Sandra Gray	
Penny Dixon Gumm	
David Hartsough	
Veronica Hayes	
Norma Hogan	
Tracy Holthaus	
Myrna Marcarian	
Janice Martin	
Bobbi Masters	
Sarah Menefee	
David Middleton	
Agneta Norberg	
Phil Odea	
Patricia Pratt	
Frank Quin	
Rosa Rashall	
Reverend Nancy Roth	
Sarah Ryan	
Rita Schwarzenberger	
Cathy Smith	
Dr. William J. Sneck, S.J., Ph.D.	
Reverend Crow Swimsaway, Ph.D.	
Megan Taylor	

Campaign I (cont'd)

Individuals submitting "Campaign I" with additional comments

Money spent on nuclear weapons does not spur economic growth. Investments in education, healthcare, renewable energy, and public transportation would all create more jobs and spur more growth.

Certainly the tragedy being played out in Japan right now has lessons for us. Please ensure that we do not follow a path that would lead future generations to face what the Japanese are now facing. Nuclear power is not safe, despite what we are told.

Rita Schwarzenberger

II-1

II-1

NNSA acknowledges the commentor's opposition to nuclear power and concern about the effects of more accidents similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant. The use of nuclear power is not within the scope of the *CMRR-NF SEIS*. NNSA notes, however, that there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

Campaign J

I am writing to inform you of my deep concern with your plans at Los Alamos National Laboratory. I have summarized some of my concerns below.

The Supplemental Environmental Impact Statement is inadequate – a complete, new Environmental Impact Statement is needed. Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains. The original Environmental Impact Statement (2004) looked at a building designed to withstand only mild seismic events, but a 2007 study indicated a potential huge increase in ground motion activity, requiring major changes to the building design.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

The costs to build a plutonium pit production complex are too high. The Department of Energy should consider simply upgrading old facilities for safety rather than spending \$5.8 billion on a project that was estimated to cost \$600 million at the start.

J-1

J-1 NNSA acknowledges the commentor's concerns about construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

J-2

J-2 NNSA notes the commentor's position that a new environmental impact statement is needed, rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

J-3

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

J-4

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue

Campaign J (cont'd)

to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

J-3 NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

J-4 NNSA notes that as indicated in Chapter 2, Section 2.4, of the CMRR-NF SEIS, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the Federal Register on December 19, 2008 (73 FR 77644).

Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original CMRR EIS and the current *CMRR-NF SEIS*

(see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

Campaign J (cont'd)

Campaign J (cont'd)

Individuals submitting this campaign:

Beverley Abbey	Jennifer Rodriguez
Jeremy Atkinson	Mary Helen Sandoval
Janet Babgy	Lynn Schneider
Philip Balcombe	Eric Steffen
Charlotte Berger	Diana Stokes
Sasan Bidari	Sally-Alice Thompson
John Bromer	Laurie Todd
Michelle Cohn	Hal Trufan
Lucia Comnes	Celeste Winkle
Jaclyn Cranach	
Robert Daly	
Laura Dean	
Patricia Donnelly	
Sheila Geist	
Andi Gibson	
Wouter Hagoort	
Bill Hay	
K. Heatherington	
Joanne Hoemberg	
Blaine Jensen	
Eva Johanos	
Norman Keegel	
Jubal Lambert	
Penelope McMullen	
Patricia Moore	
Raymond Nash	
Diane Nova, Ph.D.	
Paul Ordway	
Ivy Quintero	

Campaign K

I have recently been informed of a new plutonium development and handling facility being built at the Los Alamos National Laboratory. I am incredibly concerned by this project and feel the need to inform you of the various dangers of this project. A few of many are listed below.

The costs to build a plutonium pit production complex are too high. The Department of Energy should consider simply upgrading old facilities for safety rather than spending \$5.8 billion on a project that was estimated to cost \$600 million at the start.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

The Supplemental Environmental Impact Statement is inadequate – a complete, new Environmental Impact Statement is needed. Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains. The original Environmental Impact Statement (2004) looked at a building designed to withstand only mild seismic events, but a 2007 study indicated a potential huge increase in ground motion activity, requiring major changes to the building design.

K-1

K-1

NNSA acknowledges the commentor's concerns about construction and operation of the CMRR-NF.

K-2

K-2

NNSA notes that as indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

K-3

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

K-4

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644).

Continuing with the development of the CMRR Facility at LANL supports work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. Refer to Section 2.4, CMR Mission, of this CRD for more information. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the

Campaign K (cont'd)

Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

K-3 The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

K-4 NNSA notes the commentator's position that a new environmental impact statement is needed, rather than an SEIS. However, NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made

available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Campaign K (cont'd)

Campaign K (cont'd)

Individuals submitting this campaign:

Ed Aguilar
Dan Esposito
Pamela Funkhouser
Matthew Goodman
Jill Hogan
Tricia Kelly
Lauren LaVail
Tamara Lichtenstein
Tamra McConoughey
Michael Meade
Judith Mohling
David Mondejar
Shirley Morrison
Chenoa Ortega
Ivy Quin
Mark Richmond
Kathy Robinson
Diana Sanderson
Val Sanfilippo
Kathleen Sauser
Beth Seberger
Terri Shofner
Joanne Smith
Ame Solomon
Galadriel Spanogians
Mary Swain
Krissy Welch
Susan Williams
Mark Wolgamuth

Campaign K

Individuals submitting “Campaign K” with additional comments

Here in Boulder citizens are struggling to force the DOE to really clean up Rocky Flats. We have found Pu in the dust along the eastern boundary. With a raging wildfire surging toward the lab and the town, surely you must be rethinking the wisdom of building this project.

Please don't make the people of New Mexico be at greater risk than they already are by creating a new Rocky Flats.

The costs to build a plutonium pit production complex are too high. The Department of Energy should consider simply upgrading old facilities for safety rather than spending \$5.8 billion on a project that was estimated to cost \$600 million at the start.

Judith Mohling

KI-1

K1-1

NNSA acknowledges the commentor's concern regarding the potential for wildfires in the vicinity of LANL to release hazardous materials to the environment. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

Refer to website <http://www.lm.doe.gov/lead/sits/w/rocky-flats/rocky.htm> for information about the Rocky Flats site.

Campaign L

I would like to voice my dissent concerning the NNSA's new plutonium pit facility being proposed at Los Alamos.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

The United States does not need 80 new plutonium pits per year. Without a nuclear arms race, the 20 pit per year production limit implemented by DOE in 1999 should suffice.

||| **L-1**

||| **L-2**

||| **L-3**

||| **L-4**

L-1 NNSA acknowledges the commentor's opposition to construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

L-2 NNSA notes that as indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF.

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

L-3 NNSA notes the commentor's position that the SEIS is premature. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that

Campaign L (cont'd)

are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

L-4

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

Campaign L (cont'd)

Individuals submitting this campaign:

Chuck Balduini Alfredo Valle
Petra M. Blix, Ph.D. Maria Williamson
Gloria Cameron
David Casey
James Chase
Tom Clements
Jane Cook
Melissa Crutcher
Claire Despins
Joni Dunn
John Essman
Gordon Gerbitz
Richard Henighan
Joan Kirk
Jerome Kirsling
Patsy Lowe
Judith Mackenzie
Patricia Manion
Pauline McShain
Deborah Mihalo
Shyam K. Mondal
Amy Nammack-Weiss
Raun Norquist
Luise Perenne
Duija Ros
Janet Shirley
Alice Slater
Kellie Smith
Ann Suellentrop

Campaign L

Individuals submitting "Campaign L" with additional comments

As I watch the Conchas fire from my home in Santa Fe, and listen to the predictable reassurances from the Lab about the security of their nuclear materials I am again beset by the fear and resentment of the presence of this grotesque boondoggle that is the atomic weapons industry.

It is past time to redefine the mission of the labs to the research and development of new energy technologies whose potential failures do not threaten the lives and health of the planet. Relying on the infallibility of human action when dealing with the most toxic materials offers no comfort, and the reassurances of officials with vested economic interests ring hollow.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

James Chase

LI-1

LI-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

Funding decisions regarding major Federal programs (for example, energy and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Campaign M

I was just recently told about your new plutonium facility at the Los Alamos National Laboratory. As a citizen who is concerned with nuclear proliferation and national security, here are a number of reasons why I am concerned:

M-1

Money spent on nuclear weapons does not spur economic growth. Investments in education, healthcare, renewable energy, and public transportation would all create more jobs and spur more growth.

M-2

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

M-3

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

M-4

M-1 NNSA acknowledges the commentor's concerns about construction and operation of the CMRR-NF, proliferation of nuclear weapons, and national security. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

M-2 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

M-3 As indicated in Chapter 2, Section 2.4, of the CMRR-NF SEIS, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

M-4 NNSA notes the commentor's position that the SEIS is premature. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no

Campaign M (cont'd)

evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Campaign M (cont'd)

Individuals submitting this campaign:

Dove Abbott-Mejorado	Yoshinaga Nara
Virgil Alley	Jean Nichols
Jean Bergstrom	Shane Nodurft
P. Boustany	Kimi Quick
Ashley Choker	Amina Re
Felicity Doyle	Barbara Roche
Pat Dressler	Margaret Rogers
Alicia Dressman	Sylvia Schleimer
Shearle Furnish	Dr. William J. Sneck, S.J., Ph.D.
Pamela Gilchrist	Bob Stoddard
Rand Guthrie	Rachel Tennenbaum
Jon Haigh	Vic and Barby Ulmer
Malissa Haslam	Veneda Waldo
Grace Holden	Krissy Welch
Anne-Barrie Hunter	
Molly Johnson	
JoAnn Keenan	
James Kirks	
Peter Klosterman	
Susan LaFaive	
Carol Lake	
Chase Livingston	
Kenny Madden	
Alison McCormick	
Jayne McGuire	
Michael Meade	
William Messenger	
Raynera Mrotek	
Mary Murray	

Campaign M

Individuals submitting "Campaign M" with additional comments

... and national security, here are a number of reasons why I am concerned about your new plutonium facility at the Los Alamos National Laboratory:

Money spent on the CMRR facility should instead be spent on the clean-up of the many tons of waste still at the LANL site. Without a DOE infusion of at least \$400,000,000, LANL will not meet the consent order timeline for the removal of the waste. Building nuclear weapons does not spur economic growth. Investments in education, healthcare, renewable energy, and public transportation would all create more jobs and spur more growth.

Pamela Gilchrist

MI-1

MI-1

NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Campaign M

Individuals submitting "Campaign M" with additional comments

... is a very potent carcinogen... Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans. Cancer rates are elevated due to normal emissions. In 2000 the Cerro Grande Fire caused widespread contamination. Dust from my house tested too high with Strontium 90. This year I got cancer myself. Now we have a wild fire burning that could dwarf the Cerro Grande. Los Alamos has dry forests on three sides. It is insane to do nuclear production at this facility. And all the waste already there needs to be removed. This should be a matter of national security, and needs to be done before an EIS is considered.

M2-1

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is also underway at Los Alamos Lab and the results will impact the design of the building. And we have yet to see what this fire brings us...all of northern NM may need to evacuate, but of course indigenous and poor farmers and families won't. It is an abomination that we bear this local threat from our own government facility. War is obsolete. We need all our resources

M2-1
cont'd

Jean Nichols

M2-1

A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande fire. A summary of possible public health impacts resulting from the fire is included in Chapter 4, Section 4.6.1.3, of the 2008 LANL SWEIS (DOE 2008a). As indicated in this section, an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by Risk Assessment Corporation at the request of NMED (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential release sites and concluded that exposure to LANL-derived chemicals and radionuclides released to the air during the Cerro Grande fire did not result in a significant increase in health risk over the risk from the fire itself. This section of the LANL SWEIS also discusses the *Public Health Assessment* (ATSDR 2006), for which the Agency for Toxic Substances and Disease Registry (ATSDR) reviewed environmental monitoring data from 1980 to 2001 and concluded that no harmful exposures due to chemical or radioactive contamination detected in groundwater, surface soil, surface water and sediment, air, or biota are occurring or are expected to occur in the future. The data considered in the ATSDR assessment included at least one full year of environmental monitoring results from the period following the Cerro Grande fire.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 LANL SWEIS, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

LANL manages its wastes through an extensive and well-documented waste management program to ensure proper storage and disposal of its wastes in accordance with applicable environmental regulations and nuclear safety standards. As necessary, cleanup of previously disposed wastes and disposal areas is addressed in accordance with the Consent Order. See Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Campaign N

The National Nuclear Security Administration's plan to make a space for building new plutonium pits in Los Alamos is a terrible idea. I have listed a few different reasons I think this needs to be stopped.

Expanding the United States' nuclear weapons production capabilities further undermines President Obama's stated goal of a world free of nuclear weapons. This type of contradictory message will only breed distrust of US intentions. With such actions, the US could potentially spur nuclear weapons development elsewhere.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

The Alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include "taking no action" as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.

N-1

N-1 NNSA acknowledges the commentor's opposition to construction and operation of the CMRR-NF. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

N-2

N-2 NNSA acknowledges that there is substantial opposition to nuclear weapons and their components and that President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

N-3

N-3 The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

N-4

N-4 The No Action Alternative included in the *CMRR-NF SEIS* is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR-NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and

Campaign N (cont'd)

materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, NNSA considers the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This latter, “no build” alternative, however, would not satisfy NNSA’s stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.2, NEPA Process, and Section 2.11, Alternatives Considered, of this CRD for additional information.

Campaign N (cont'd)

Individuals submitting this campaign:

Tracy Akers	Kim Telgarsky
Barbara Babin	Liesbeth Vandenbosch
Luz Beltran	Paul Waybrant
Lea Bradovich	Maureen Wright
James Burnham	
Mark Donato	
PK Doyle	
Angela Fazzari	
F. Daniel Floss	
Erica Gray	
Kristi Hanson	
Veronica Hayes	
Ray Hearne	
Luisa Kolker	
Marvin Kwit	
Jeremy Longstreet	
Eve McFarland	
Ron McGill	
Jitka Mencik	
Shelby Miller	
Shane Nodurft	
Haruka Oatis	
Johni Prinz	
Nick Rodin	
Roger Santerre	
Kathryn Sonenshine	
Dusty Stepanski	
Laurel B. Stranaghan	
Mary-Alice Strom	

Campaign O

I am writing to inform you of my deep concern with your plans at Los Alamos National Laboratory. I have listed a few different reasons I think the CMRR-NF needs to be stopped.

The United States does not need 80 new plutonium pits per year. Without a nuclear arms race, the 20 pit per year production limit implemented by DOE in 1999 should suffice.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

O-1

O-1

NNSA acknowledges the commentor's opposition to the construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

O-2

O-2

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

O-3

O-3

NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

O-4

O-4

NNSA notes the commentor's position that the SEIS is premature. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that

Campaign O (cont'd)

are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Campaign O (cont'd)

Individuals submitting this campaign:

Christopher Ando	Lindsey Swanson
Chairel Babby	Fernando Uribe
Kim Bergier	Mar Vial
Kathy Chad	Heidi Wagner
Paul Drake	Craig Workman
Jill Franklin	Sonya Yeager-Meeks
Rebecca Gardner	
Lydia Garvey	
Francie Georges	
Nicole Gooden	
Jenny Heinz	
Claire Hertz	
Elizabeth Indick	
Bridgit Kohler	
Judi Kubiak	
Charmaine Larsen	
Thomas Lewis	
Susan Linden	
Sharon McMenemy	
Dr. Robert K. Musil	
Kristina Norman	
Peggy and Melodye Pryor	
Sister Mary Jane Rhodes	
Sylvia Rodriguez	
Phyllis Ruth	
John Seeburger	
David Slater	
Elizabeth Smith	
B. Soltis	

Campaign O

Individuals submitting “Campaign O” with additional comments

I am writing to inform you of my deep concern with your plans at Los Alamos National Laboratory. I have listed a few different reasons I think the CMRR-NF needs to be stopped.

First, let's take notice of the threat again of wildfires. We really need to consider that there are circumstances that we will not be able to predict, there for we will never be guaranteed 100% accident free facilities.

The United States does not need 80 new plutonium pits per year. Without a nuclear arms race, the 20 pit per year production limit implemented by DOE in 1999 should suffice.

Jill Franklin

01-1

01-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 LANL SWEIS, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. The accident analysis presented in Appendix C of the *CMRR-NF SEIS* considered a representative set of severe accidents, including those initiated by earthquakes and fire. See Chapter 4, Section 4.2.10.2, Facility Accidents, and Appendix C, “Evaluation of Human Health Impacts from Facility Accidents,” of the *CMRR-NF SEIS* for more information.

Campaign P

I am writing to inform you of my deep concern with your plans at Los Alamos National Laboratory for a CMRR Nuclear Facility. I am incredibly upset by this new project for a variety of reasons.

P-1

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

P-2

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

P-3

Nuclear weapons are obsolete. They are useless against a terrorist attack, and building more weapons will only increase proliferation and the chance that a terrorist could acquire nuclear material.

P-4

P-1 NNSA acknowledges the commentor's concern about construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

P-2 NNSA notes the commentor's position that the SEIS is premature. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Campaign P (cont'd)

P-3 As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

P-4 Although a number of commentors expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

Campaign P (cont'd)

Individuals submitting this campaign:

Joel Armin-Hoiland Mele Stokesberry
Jessica Berryhill Matthew Swyers
Emma Beverage Pauline Thomas-Brown
Taylor Brown Tara Trudell
Mary Coleman Ginger Wright
Anne Colgan Kimberly Wyke
Anita Coolidge
Wendy Dannett
Raymond Farrington
Cynthia Knuth Fischer
Bill Gallegos
Troy Garrison
Gordon Gosse
Sylvia Hackett
Ilse Hadda
Renee Hurff
Cheryl Liniman
Laura Magzis
Dyan Muse
David Offield
Kathy Oppenhuizen
Richard Ozanne
Victoria Peyser
Alan Rudan
Lilly Ryterski
Joseph Skues
Jon Spitz
Caroline Steele
Robert Stephens

Campaign Q

I recently heard about the proposed new plutonium facility at the Los Alamos National Laboratory, and I have a few concerns.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

The alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include “taking no action” as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.

Money spent on nuclear weapons does not spur economic growth. Investments in education, healthcare, renewable energy, and public transportation would all create more jobs and spur more growth.

Q-1

Q-1

NNSA acknowledges the commentor’s concerns about construction and operation of the CMRR–NF. Refer to Section 2.1, Opposition to the CMRR–NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Q-2

Q-2

NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR–NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR–NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Q-3

Q-3

The No Action Alternative included in the *CMRR–NF SEIS* is to construct and operate a new CMRR–NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR–NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR–NF SEIS*, NNSA considers the Modified CMRR–NF Alternative in which a Modified CMRR–NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR–NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This latter, “no build” alternative, however, would not satisfy NNSA’s stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR–NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR–NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR–NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.2, NEPA Process, and Section 2.11, Alternatives Considered, of this CRD for additional information.

Q-4

Campaign Q (cont'd)

Q-4 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Campaign Q (cont'd)

Individuals submitting this campaign:

Nancy Allen	Alice Slater
Patricia Berezcki	Barbara Stamp
Frieda Berryhill	Cletus Stein
Sally Blakemore	Craig Vanderborgh
Louise J. Bowles	Marguerite Winkel
Aline Brandauer	Abigail Winston
Margery Carman	
Patricia Cook	
Caitlin Dean	
Jodi Drinkwater	
Justin Galle	
Mary Green	
John Griffin	
Tamara Harder	
Thea Hetzner	
Michael Hobbs	
Jack Kelly	
Claire Kugelman-Kropp	
Jonne Long	
Maggie Mandzuk	
Jane McCarthy	
Carol Joan Patterson	
Kristy Pauley	
Chris Pomeroy	
Joseph Rhodes	
Steven Robertson	
Jeff Salvaryn	
Kathy Sipowicz	
Darcy Skarada	

Campaign Q
Individuals submitting “Campaign Q” with additional comments

I have concerns about the proposed work at LANL, especially in light of the current fire.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

Aline Brandauer

|| **Q1-1**

Q1-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the CMRR-NF SEIS, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 LANL SWEIS, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

Campaign Q

Individuals submitting "Campaign Q" with additional comments

I am here in NM right now, witness to the fire encroaching Los Alamos this is insane to create more disaster threats for our communities here.

I can not allow this to go forward and all of us here now after experiencing two fires in that area will be doing all that we can to block this from happening!

A new nuclear facility will detract from cleanup of the already existing mess! The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

Kathy Sipowicz

Q2-1

Q2-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the CMRR-NF SEIS, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 LANL SWEIS, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

Campaign R

As an American citizen, I would like to voice my dissent concerning the NNSA's new plutonium pit facility being built in Los Alamos.

R-1

The Alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include "taking no action" as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.

R-2

The costs to build a plutonium pit production complex are too high. The Department of Energy should consider simply upgrading old facilities for safety rather than spending \$5.8 billion on a project that was estimated to cost \$600 million at the start.

R-3

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

R-4

R-1

NNSA acknowledges the commentor's opposition to construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

R-2

The No Action Alternative included in the *CMRR-NF SEIS* is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR-NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, NNSA considers the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This latter, "no build" alternative, however, would not satisfy NNSA's stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.2, NEPA Process, and Section 2.11, Alternatives Considered, of this CRD for additional information.

R-3

The cost to build and operate the proposed CMRR-NF is not within the scope of the CMRR-NF SEIS, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement

Campaign R (cont'd)

for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644).

Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

R-4

NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Campaign R (cont'd)

Individuals submitting this campaign:

Virgil Alley
Frances Barber
Betsy Bauer
Sue Benedict
Barbara Clarke
Debra Cohn
Lisa Crawford
Margaret Doherty
Mark Donham
Joseph Dunford
Nancy Fortin
Veronica Gonzalez
Charles Helt
Marla Herzog
Lisa Hey
Lana Kitchel
Joanne Luongo
Mary McCarthy
Barbara McKee
Kenneth Mosley
Frida Simms
Evelyn Singer
Ellen Sweetin
Gary Thaler
Sandra Uribe
Elizabeth Vienna
V. Walson

Campaign S

The CMRR Nuclear Facility proposed at Los Alamos Laboratory is dangerous environmentally and physically. As a voting citizen who worries about the next generation of Americans, I feel obligated to voice my discontent.

Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab's discharges disproportionately impact Native peoples and Hispanic New Mexicans.

The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

Nuclear weapons are obsolete. They are useless against a terrorist attack, and building more weapons will only increase proliferation and the chance that a terrorist could acquire nuclear material.

S-1

S-1 NNSA acknowledges the commentor's concern about construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

S-2

S-2 As indicated in Chapter 2, Section 2.4, of the CMRR-NF SEIS, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

S-3

S-3 The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the CMRR-NF SEIS present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

S-4

S-3 NNSA notes the commentor's position that the SEIS is premature. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the

Campaign S (cont'd)

CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

S-4

Although a number of commentors expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

Campaign S (cont'd)

Individuals submitting this campaign:

Terrie Bennett	Jef Schultz, M.T.S.
Bruce Berlin	Matthew Swyers
Gerald Bettice	Tom Talboom
Judith Bohler	Anne Toback
Rachel Bolger	Kurt Valentine
Kathy Coffman	Nicole Zahm
Richard Comtois	
Reem Fakhouri	
Lillian Hanahan	
Roberta Hobbs	
Pyara Ingersoll	
Marlene Juette	
David Kelley	
Maria Kindel	
John Kitchel	
Margaret Kuhlen	
Val Laurent	
Gabriela Maurier	
Nancy F. Newcomb	
Luise Perenne	
Emily Pollom	
Sarah Rabkin	
Megan Rice	
Marliss Rogers	
Joe Salazar	
Cecelia Samp	
Hugh Sanborn	
Crystal Schactell	
Robin Schaef	

Campaign S
Individuals submitting “Campaign S” with additional comments

OBVIOUSLY during this crisis with the fire blazing in Los Alamos at the moment, the CMRR Nuclear Facility proposed at Los Alamos Laboratory is dangerous environmentally and physically. As a voting citizen who worries about the next generation of Americans, I feel obligated to voice my discontent and deep concern for the safety and health concerns that we are facing currently with this fire.

Manufacturing plutonium pits is a dangerous, inhumane and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. This building of nuclear weapons could backfire on the purpose of them being built and harm it's own country's people!

Pyara Ingersoll

SI-1

S1-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

Campaign T

I was just recently told about your new plutonium facility at the Los Alamos National Laboratory. I have listed a few different reasons I think this needs to be stopped.

Expanding the United States' nuclear weapons production capabilities further undermines President Obama's stated goal of a world free of nuclear weapons. This type of contradictory message will only breed distrust of US intentions. With such actions, the US could potentially spur nuclear weapons development elsewhere.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

The Alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include "taking no action" as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.

T-1

T-1 NNSA acknowledges the commentor's opposition to construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

T-2

T-2 President Obama has stated a long-term goal of a world free of nuclear weapons, but also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

T-3

T-3 NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

T-4

T-4 The No Action Alternative included in the *CMRR-NF SEIS* is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR-NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, NNSA considers the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This latter, "no build" alternative, however, would not satisfy NNSA's stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive

Campaign T (cont'd)

upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.2, NEPA Process, Section 2.11, Alternatives Considered, of this CRD for additional information.

Campaign T (cont'd)

Individuals submitting this campaign:

Nancy Anderson	Janalee Roy
Marilyn Barden	Arlene Schutz
Polly Boyajian	Kathryn Summers
Pat Brunson	Nat X. Vance
Martha W. Bushnell	Margo VanEtten
Pamela Chamberlynn	Lois Way
Richard Clifford	Patricia Willis
Ann Dargis	Lisa Young
Jeff Deal	
Paul deLeon	
Rachael DeLuca	
Martha Eichler	
Vernon Faulkner	
Doug Franklin	
Lisa Frye	
Holly Graham	
Ian Iverson	
Audrey Keesing	
John Lewallen	
Barbara MacPhee	
Kenneth Madore	
Sue Mally	
Carolyn Mann	
MaryJo Matheny	
Greta Meyerhof	
Hugh Moore	
Rebecca Rens	
Megan Rice	
Therese Rolland	

Campaign T
Individuals submitting “Campaign T” with additional comments

Spending \$6 billion on a huge increase in plutonium production at this time of economic peril for so many in the U.S. is wasteful and dangerous. The U.S. is so strapped that many believe its debt ceiling must be raised; how can this expense be justified at this time?

President Obama has stated a goal of a world free of nuclear weapons. Increasing plutonium production only exacerbates the fear of other countries, which will want to react in kind, potentially accelerating an international arms race. With the building of a new plutonium pit facility, the US could possibly spur nuclear weapons development elsewhere.

Martha Eichler

TI-1

TI-1

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. Funding decisions on Federal programs and projects at LANL are made by Congress and the President. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

NNSA acknowledges that there is substantial opposition to nuclear weapons and their components and that President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation’s nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL’s pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF, nor does plutonium production occur at LANL. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons and Nuclear Technology and Section 2.4, CMR Mission, of this CRD for more information.

Campaign T

Individuals submitting “Campaign T” with additional comments

I was just recently told about your new plutonium facility at the Los Alamos National Laboratory. I couldn't believe what I was hearing: the U.S. increasing their nuclear bomb-making capacity? After touting a vision for global nuclear disarmament? Why would be spending money, time, and resources building a facility that would manufacture nuclear weapons parts? I am utterly opposed to the construction and operation of this facility for its intended purpose. Here are a few different reasons I think this needs to be stopped:

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

Lisa Young

T2-1

T2-1

As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Campaign T
Individuals submitting “Campaign T” with additional comments

Los Alamos National Laboratory.

In light of the knowledge we have from Fukushima nuclear power plant meltdown, I think this is a terribly stupid and irresponsible project.

As a public health professional, I know that this is a ticking time bomb. You will kill people with radioactive particles in water and the air. You know it and I know it. Plutonium is a toxic choice.

I have listed a few different reasons I think this needs to be stopped.

Expanding the United States' nuclear weapons production capabilities further undermines President Obama's stated goal of a world free of nuclear weapons. This type of contradictory message will only breed distrust of US intentions. With such actions, the US could potentially spur nuclear weapons development elsewhere. You are open to terrorist attacks, too.

Audrey Keesing

T3-1

T3-1

NNSA acknowledges the commentor's concern that accidents similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of nuclear reactors and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

T3-2

T3-2

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Campaign U

The new development at the Los Alamos National Laboratory for plutonium pits is not in the best interest of our country. As a voting citizen, I feel as though there are a number of reasons to not complete this facility.

Nuclear weapons are obsolete. They are useless against a terrorist attack, and building more weapons will only increase proliferation and the chance that a terrorist could acquire nuclear material.

A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.

The alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include "taking no action" as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.

U-1

U-1 NNSA acknowledges the commentor's opposition to construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

U-2

U-2 NNSA notes that as indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

U-3

Although a number of commentors expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

U-4

U-3 NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

U-4

U-4 The No Action Alternative included in the *CMRR-NF SEIS* is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR-NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, NNSA considers the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so.

Campaign U (cont'd)

This latter, “no build” alternative, however, would not satisfy NNSA’s stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.2, NEPA Process, Section 2.11, Alternatives Considered, of this CRD for additional information.

Campaign U (cont'd)

Individuals submitting this campaign:

Meryl Adler-Waak	Jan Paley
David Beam	Marie-Claude Perigon
Barbra Bearden	John Pope
Deborah Beck	Kimi Quick
Jean Bergstrom	R. Salido
Lucille Bertuccio	James R. Stewart, Jr.
Frances Burton	Ann Thielen
Pamela Coppi	Sally Thompson
David Cortez	Scott VanderMolen
Elliott Egan	Lonnie Ward
Don Eichelberger	Susan Weller
Victor Escobar	Takayuki Yoshida
Jennifer Esperanza	
Deborah Forbes	
Frank and Joan Goebels	
Barbara Hargrove	
Harrison Heyl	
Danny Hull	
Maryanna Ireland	
Judy Killion	
Summer Lee	
Dvid Linge	
Alexa MacKinnon	
Laurel McKeever	
Reggie Melbrough	
April Mondragon	
Barry Moore	
LeRoy Moore	
Margo Morado	

Campaign U
Individuals submitting “Campaign U” with additional comments

Especially in the wake of fires currently raging at its edge, the new development at the Los Alamos National Laboratory for plutonium pits is not in the best interest of our country. As a voting citizen, I feel as though there are a number of reasons to not complete this facility.

Nuclear weapons are obsolete. They are useless against a terrorist attack, and building more weapons will only increase proliferation and the chance that a terrorist could acquire nuclear material.

Don Eichelberger

U1-1

U1-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

Campaign V

Dear Department of Energy,

I'm concerned about the construction of the CMRR plutonium reprocessing and storage facility in New Mexico. It will store six tons of the most highly toxic substance on Earth, plutonium, at the government's facility. Second, the costs have ballooned by 1000%, from \$600 million to \$6 billion.

Finally, this facility can be used to reverse the program, from President Obama's pledge to end nuclear weapons, to produce as many as 80 nukes each year. This is going one step forward, 3 steps back, with plutonium—the most deadly, toxic substance in the world.

V-1

V-1

NNSA notes the commentator's concern about the construction of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

V-2

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

V-3

V-2

The cost to build and operate the proposed *CMRR-NF* is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

V-3

President Obama stated that the goal of a world free of nuclear weapons would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF, nor does plutonium production occur at LANL. Refer to Section 2.4, CMR Mission, of this CRD for more information.

Campaign V (cont'd)

Individuals submitting this campaign:

Edward Aguilar	Cathy Leary
Charles Andrade	Charles Louis Lumpkin, Jr.
Anne Barstow	Eleanor Meegoda
Karen Barton	Christine Modlish
Mary Frances Baugh	Reverend Donald H. Moeser
Siri Beckman	Bob Moore
Audrey Burns	Ellen Norman
Amy Bush	Paula Paul
Betty Canderan	Hazel Pelletreau
Reverend Ralph Garlin Clingan, Ph.D.	Charley Peterson
Jean Cooper	Richard Reichart
Charles Day	Katheleen Reidy
Cheryl Dzubak	Rita Rofe
Elizabeth S. Ettinghausen	Marlena Santoyo
Helen Evelev	Jo Schlesinger
Mary Fineran	Walter Tsou
C. Knuth Fischer	Ivan Winegar
Agatha Fleming	
James Fusco	
Adrienne Gallagher	
Irene Goldman	
Susan Gordon	
Marta Guttenberg	
Evelyn Haas	
Linda Hayes	
Deborah Huber	
Debbie Kavanagh	
Anne Kruger	

Campaign V

Individuals submitting “Campaign V” with additional comments

Dear Department of Energy,

With the fire raging at the Lab’s boundary, it is necessary to look at air and water contamination at the Lab as a result of the fire’s long term impacts.

I’m concerned about the construction of the CMRR plutonium reprocessing and storage facility in New Mexico. It will store six tons of the most highly toxic substance on Earth, plutonium, at the government’s facility. Second, the costs have ballooned by 1000%, from \$600 million to \$6 billion.

Finally, this facility can be used to reverse the program, from President Obama’s pledge to end nuclear weapons, to produce as many as 80 nukes each year. This is going one step forward, 3 steps back, with plutonium—the most deadly, toxic substance in the world.

Susan Gordon

VI-1

VI-1

A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande fire. A summary of possible public health impacts resulting from the fire is included in Chapter 4, Section 4.6.1.3, of the *2008 LANL SWEIS* (DOE 2008a). As indicated in this section, an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by Risk Assessment Corporation at the request of NMED (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential release sites and concluded that exposure to LANL-derived chemicals and radionuclides released to the air during the Cerro Grande fire did not result in a significant increase in health risk over the risk from the fire itself. This section of the LANL SWEIS also discusses the Public Health Assessment (ATSDR 2006), for which the Agency for Toxic Substances and Disease Registry (ATSDR) reviewed environmental monitoring data from 1980 to 2001 and concluded that no harmful exposures due to chemical or radioactive contamination detected in groundwater, surface soil, surface water and sediment, air, or biota are occurring or are expected to occur in the future. The data considered in the ATSDR assessment included at least one full year of environmental monitoring results from the period following the Cerro Grande.

Campaign V
Individuals submitting “Campaign V” with additional comments

Dear Department of Energy,

I'm concerned about the construction on an earthquake fault line of the CMRR plutonium reprocessing and storage facility in New Mexico. We have recently seen how natural disasters can affect nuclear power plants, etc. in the case of Japan and the tsunami.

In addition, the CMRR plutonium reprocessing and storage facility will store six tons of the most highly toxic substance on Earth, plutonium, at the government's facility. Second, the costs have ballooned by 1000%, from \$600 million to \$6 billion.

Amy Bush

V2-1

V2-1

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazards analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). The updated seismic hazards analyses provided a better understanding of the ground motion and seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a sizable earthquake event without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA notes the commentator's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

Campaign W

The draft SEIS is inadequate and technically indefensible for analysis of the risks of constructing and operating the proposed CMRR–Nuclear Facility with a capacity of quadrupling the current production of 20 plutonium triggers for nuclear weapons to up to 80 per year. I respectfully request that the DOE withdraw the draft CMRR–NF SEIS.

The National Environmental Policy Act (NEPA) requires a federal agency to provide a range of alternatives. DOE has not provided viable and workable alternatives. The “Modified CMRR–NF” alternative would allow construction with enhancements to address the growing number of seismic issues. There are two construction options: the “Deep Construction Option” and an inadequately analyzed “Shallow Construction Option,” which do not meet NEPA requirements. Assumptions were made for key parameters in the analyses of the Shallow Option. The draft SEIS fails to offer and analyze realistic alternatives and therefore must be withdrawn.

The draft SEIS misrepresents the seismic hazard at the location of the proposed CMRR–Nuclear Facility. Intensive research by Robert H. Gilkeson, Registered Geologist, discovered that the draft SEIS misrepresents the possible ground motions by a large amount, omits important seismic information about the potential of active faulting close to the proposed site, and makes assumptions because the necessary field investigations have not been done.

There are seven key parameters that must be investigated in order to characterize the seismic hazard. They are the fault locations; the fault geometry; the direction of the slip on the faults; the maximum magnitude of an earthquake; the rate at which earthquakes reoccur on the faults; kappa, which is a key parameter for ground motions at specific LANL sites; and the shear velocity of the reference rock, which is dacite. In order to obtain this information, field studies must be conducted.

LANL scientists recommended these studies in three key seismic reports written in 1995, 2007 and 2009. But the recommended studies were not done. As a result, assumed values for the seven key parameters were inserted into computer programs to estimate the seismic hazard for the design of the proposed Nuclear Facility.

W-1

W-1 NNSA acknowledges the commentor’s request to withdraw the *CMRR-NF SEIS* because it does not include an evaluation of increasing the pit production capacity. A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL’s pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

W-2

W-2 Regarding the commentor’s assertion that the *CMRR-NF SEIS* fails to offer and analyze realistic alternatives, CEQ and DOE NEPA regulations and implementing procedures (40 CFR 1502.9(c) and 10 CFR 1021.341(a) – (b), respectively) require preparation of an SEIS if there are substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or its impacts. The regulations state that an agency may also prepare an SEIS when the agency determines that the purposes of NEPA will be furthered by doing so. NNSA prepared the *CMRR-NF SEIS* specifically to address the changes in construction of the CMRR–NF based on additional seismic information. See Section 2.2, NEPA Process, and Section 2.11, Alternatives Considered, of this CRD for more information.

W-3

W-3 NNSA disagrees with the commentor’s assertion that the *Draft CMRR-NF SEIS* misrepresents the seismic hazard for the proposed CMRR–NF and therefore needs to be withdrawn and field studies completed before a new NEPA document could be submitted to the public. In particular, the seismic information included in Chapter 3, Sections 3.5.1.3 and 3.5.1.4, of the *CMRR-NF SEIS* only summarize the very detailed and extensive seismic information that has been compiled for LANL. These sections draw heavily from the 2007 and 2009 PSHAs (LANL 2007, 2009), which were prepared by experts in seismic analysis using the ground motion prediction models as specified by NRC guidelines developed by the Senior Seismic Hazard Analysis Committee, “Recommendations for Probabilistic Seismic Hazards Analysis – Guidance on Uncertainty and the Use of

Campaign W (cont'd)

Further, both surface-rupturing synchronous and simultaneous earthquakes have occurred along the Pajarito Fault System. For these types of earthquakes, multiple synchronous earthquakes produce a greater seismic hazard than the simultaneous earthquakes. But the draft SEIS states the contrary that simultaneous ground-rupturing earthquakes produce a greater seismic risk.

W-4

These errors will ultimately result in the underestimation of the seismic hazard risk and the impacts to public health and the environment from releases from the proposed Nuclear Facility. The LANL scientists recommended that comprehensive field studies must be done to gather the necessary information about the seismic hazard. The comprehensive field studies must be done before a new EIS is submitted for public review and comment.

W-5

The draft SEIS demonstrates that DOE will continue to waste water for manufacturing nuclear weapons; create more radioactive, hazardous and toxic waste; spew pollution into the air; and exceed its existing electric power needs.

W-6

Further, I am in solidarity with Santa Clara Pueblo Tribal Resolution No. 08-16 in which the Pueblo opposes the expansion of plutonium pit production at LANL and making that production capacity permanent.

W-7

Experts” (NUREG/CR-6372; NRC 1997), and established methodology. These reports were reviewed and accepted by an external review panel, DOE, and DNFSB. Section 3.5 had been revised to more fully describe the seismic studies and seismic risk for the CMRR-NF.

The commentor cites seven key parameters: fault locations; fault geometry; direction of the slip on the faults; maximum magnitude of an earthquake; rate at which earthquakes reoccur on the faults; kappa; and shear velocity of the reference rock. While the 2007 PSHA study acknowledges that additional data in these areas would provide a more complete understanding of the seismic hazard at LANL, there was sufficient information to complete the study. The uncertainties associated with these areas has been adequately captured and bounded by the results of the study.

DOE has been proactive in the assessment of the potential seismic hazards at LANL and the resulting design ground motions for the CMRR-NF reflect the best science and engineering available to date. That said, as future studies are performed on the geology and seismology of LANL, there may be new information that becomes available that should be evaluated for potential impacts on the assessment of the seismic hazards. In the 2007 and 2009 LANL seismic hazard evaluations, which updated a 1995 evaluation, a concerted effort was made to properly capture the uncertainties in input parameters and, hence, it is anticipated that new information will not have a significant impact on the current assessment of the seismic hazard or design-basis earthquake ground motions for LANL.

In addition to the assessment of seismic hazards at the CMRR-NF site, site-specific geotechnical investigations have been completed for both the Shallow Excavation Option and the Deep Excavation Option. A geotechnical report prepared for the Shallow Excavation Option provides a thorough analysis that focuses on, among other things, the foundation design and performance, taking into account the local seismic setting and the underlying stratigraphy, which includes an unconsolidated tuff layer approximately 15 feet (4.6 meters) below the depth of the proposed foundation (Kleinfelder 2007a). The report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]). The proposed CMRR-NF would be designed and constructed in accordance with geotechnical

Campaign W (cont'd)

recommendations provided in the geotechnical report (Kleinfelder 2007a). Similarly, the Deep Excavation Option would be completed in accordance with recommendations resulting from the geotechnical reports (Kleinfelder 2010a, 2010b). See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

W-4 While the *CMRR-NF SEIS* does not discuss the difference in seismic risk between multiple synchronous earthquakes and simultaneous ground-rupturing earthquakes, the *CMRR-NF SEIS* accident analysis is based on information in the 2007 and 2009 PSHAs (LANL 2007 and 2009), which do address this issue. The 2007 PSHA included both simultaneous and synchronous earthquake rupture models in calculating design ground motions for TA-55. Simultaneous ruptures were slightly favored in the model with a weight of 0.6 because this is the standard model used in PSHA practice, and displacement data for the Pajarito fault system suggest this type of rupture occurred in the past. However, synchronous ruptures were also included in the analysis with a weight of 0.4 (LANL 2007).

The commentor appears to mistake earthquake magnitudes with hazard in that the PSHA did not calculate higher hazard for the simultaneous rupture model, but it did estimate slightly higher maximum magnitudes for the simultaneous rupture model. Preferred maximum magnitudes for both simultaneous and synchronous ruptures were estimated using the same general approach. It is somewhat counterintuitive that the slightly bigger simultaneous earthquake can result in a lower ground motion hazard, but the two synchronous earthquakes result in higher ground motions for nearby sites, particularly when the site is located between the rupturing fault segments, because energy is coming from two sources. Calculations were performed using techniques that meet SSHAC (NRC 1997) and DOE guidelines, and were reviewed and accepted by an external review panel, DOE, and DNFSB.

W-5 See the response to comment W-3.

W-6 NNSA has evaluated the environmental consequences of the proposed alternatives for construction and operation of the CMRR-NF. Chapter 3 of the *CMRR-NF SEIS* describes the affected environment and Chapter 4 describes the environmental consequences, for each resource area, of the proposed alternatives.

Campaign W (cont'd)

NNSA takes its resource stewardship and conservation responsibilities seriously and continues to work with Los Alamos County to implement water conservation measures. Chapter 3, Section 3.3.4, of the *CMRR-NF SEIS* describes current water use and the water utility infrastructure for LANL and the Los Alamos region. DOE is now a county water customer; as such, DOE is billed and pays for the water it uses in accordance with a water service contract. For water-use planning purposes, DOE has established a target ceiling quantity for water use equal to the water rights it still owns (542 million gallons [2,050 million liters] per year). In 2010, LANL used 412 million gallons (1,600 million liters) of water or about 76 percent of LANL's target ceiling quantity.

Water usage estimates related to the proposed CMRR-NF are included in Chapter 4, Sections 4.2.3 and 4.3.3. As discussed in these sections, the proposed CMRR-NF is expected to use up to about 5 million gallons (19 million liters) of water per year to support construction of the CMRR-NF. If built, the CMRR-NF combined with RLUOB would use up to 16 million gallons (61 million liters) of water per year to support facility operations. LANL water usage, including the proposed Modified CMRR-NF and RLUOB, is expected to remain within the Laboratory's water rights. See Section 2.10, Water Resources and Usage, of this CRD for more information.

Sufficient capacity exists at LANL or at offsite facilities to manage all of the projected waste associated with any of the alternatives evaluated in the *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. As summarized in Chapter 2, Table 2-4, no air quality standards would be exceeded.

Electrical power impacts are addressed in Chapter 4, Section 4.2.3, 4.3.3, and 4.4.3, of the SEIS. As discussed in Chapters 2 and 4, options for adding to or modifying the existing electrical distribution infrastructure at LANL to support the requirements of the proposed CMRR-NF are analyzed in the SEIS (for example, adding an electrical substation to TA-50).

W-7 Comment noted. See response to comment W-1 regarding pit production levels.

Campaign W (cont'd)

Individuals submitting this campaign:

Chris Abrahamse	Stephan Kelly	Catherine Steinborn
Subhankar Banerjee	Ian Kluhurt	M. Sycamore
Rachel Bliven	Aurie Koffman	Susan Tarman
Yve-Alain Bois	Gretchen Kuehn	Grant Taylor
Gail Buono	Melanie LaPalama	Rohecke J. Tennie
Teresa Candelaria	Margo Ladwig	Julie W.
Leah Cantor	Laure Liverman	Morgana Washington
Mary Ray Cate	Annette Madrid	Marguerite Wilson
Emilio Chavez	Colin Mickle	Romany Wood
Maria Chilton	Barry Miller	June Zuehlsdorff
Craig Collins	Anna Molitor	signature illegible (2)
Patty Conway	Tess Moore	
Ray Corliss	Aparna Mulberry	
Elena Crowley-Cornelas	Pat Murphy	
Michelle Delon	Martha A. Orozco	
Lisa Donahue	Sheridan Phillips	
Jamie Duggan	Joe Puleo	
Billie J. Eleu	Dixie Pomerat	
Trevor Ellis	John Quintana	
Susan Galheher	Perry Redondo	
Gail Giles	S. Reiber	
Michael Gregory	Gail Rekens	
Russell H.	Reverend Judy Romero-Oak	
Joe Hempfling	Carl Rosenberg	
George MacArthur Henke	Ramona Ruark	
Robert Herrest	Jarrold Scarbrough	
Scott Humason	Barbara Sinha	
Rohecke Keppel	Louis Skogen	
Jan Hills Johnson	Richard Stangarone	

Campaign W

Individuals submitting "Campaign W" with additional comments

... requires a federal agency to provide a range of alternatives. DOE has provided two alternatives: A "Deep Construction Option" and an inadequately analyzed "Shallow Construction Option," which do not meet NEPA requirements. And these alternatives stack the deck in favor of the Deep Option because the necessary work has not been done to present the public health and environmental impacts from the Shallow Option.

* **The draft SEIS misrepresents the seismic hazard at the proposed location of the Nuclear Facility.** For example, the 2007 Probabilistic Seismic Hazard Analysis reports a vertical peak ground acceleration (PGA) of 0.6 g, but the draft SEIS reports the vertical PGA at 0.3 g. In addition for multiple surface-rupturing earthquakes, synchronous earthquakes produce a greater seismic hazard than multiple simultaneous earthquakes. But the draft SEIS **states the contrary** that simultaneous ground-rupturing earthquakes produce a greater seismic risk.

Joe Hempfling

W1-1

W1-1 The concerns expressed by the commentor about the Shallow Excavation Option not being evaluated as thoroughly as the Deep Excavation Option appear to refer to statements in Chapter 2, Section 2.6.2.1, of the *Draft CMRR-NF SEIS* indicating that there was more uncertainty in the design of the Shallow Excavation Option because that design had not reached the same level of maturity as the Deep Excavation Option. In 2011, a review of the requirements for the design of the CMRR-NF identified an opportunity to reduce the amount of additional excavation and concrete fill required for the Deep Excavation Option by raising the bottom of the basemat to near the original design elevation. The overall building height would remain the same, but the top of the roof would be higher above ground than it was in the conceptual and preliminary design. At the current level of design maturity, this approach, known as the Shallow Excavation Option, appears to provide some reductions in construction impacts and cost without affecting other building design requirements. Both construction options require the same sets of safety controls and are expected to remain close in offsite environmental consequences as shown in the analyses contained in this SEIS. At this time, both construction options are being considered by NNSA. As the design studies continue and more details become available, one option or the other may be judged to have significant advantages in the time and/or cost expected for executing the excavation phase of construction that will facilitate NNSA's selection of a preferred construction option. Whichever alternative or option is selected, the CMRR-NF must meet the design standards for a Performance Category 3 (PC-3) facility. PC-3 structures, systems, and components are those for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials. Design considerations for this category are to limit facility damage as a result of design-basis natural phenomena events (for example, an earthquake) so that hazardous materials can be controlled and confined, occupants are protected, and the functioning of the facility is not interrupted (DOE 2002a). As indicated in the *CMRR-NF SEIS*, the Deep Excavation Option would have greater impacts from construction than the Shallow Excavation Option, but the operational impacts would be the same for either option.

W1-2

W1-2 Based on an apparent typographical error in the 2007 PSHA Executive Summary, the vertical peak ground acceleration for the CMRR-NF was incorrectly cited as 0.3 g instead of 0.6 g in the SEIS. This error has been corrected. This

typographical error in the Executive Summary of the PSHA is not reflective of information presented elsewhere in the PSHA and was not used in the design of the proposed Modified CMRR-NF.

Campaign W
Individuals submitting “Campaign W” with additional comments

Campaign W
Individuals submitting “Campaign W” with additional comments

I am opposing the proposed CMRR-Nuclear Facility because I believe it will have grave ecological and human health implications for my home state—local indigenous population from the Santa Clara, San Ildefonso, Cochiti and other pueblos that surround the lab, and to my own health where I live in Santa Fe. The project will also have great negative impacts on the birds, fish and animals that make their home in this desert environment.

The draft SEIS must be withdrawn as it does not take into account both the seismic risks as well as the climate change impacts predicted for the American southwest.

Subhankar Banerjee

W2-1

W2-1

NNSA acknowledges the commentor’s opposition to construction and operation of the CMRR-NF and concerns about potential ecological and human health impacts in New Mexico, in particular for those who live as close to LANL as Santa Fe and Native American populations in the vicinity of LANL. The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. The potential environmental impacts of the proposed alternatives for construction and operation of the CMRR-NF are discussed in Chapter 4 and summarized in Chapter 2, Section 2.10, of the *CMRR-NF SEIS*. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives, while Section 4.2.7, 4.3.7, and 4.4.7 address the possible impacts on ecological resources.. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

W2-2

W2-2

NNSA acknowledges the commentor’s concerns that climate change may increase the frequency and intensity of wildfires and decrease the availability of water. NNSA disagrees with the commentor’s assertion that the *Draft CMRR-NF SEIS* needs to be withdrawn because it does not account for seismic risks and the effects of climate change in the American Southwest. Chapter 3, Section 3.4.4, of the *CMRR-NF SEIS* has been revised to include a description of the types of environmental changes that could occur in the southwestern United States due to climate change. A discussion of potential impacts that could result at LANL from climate change and that addresses water usage has been added to Chapter 4, Section 4.1. See the response to Comment W-3 regarding seismic concerns.

Campaign W

Individuals submitting "Campaign W" with additional comments

Replacement (CMRR) Project at the Los Alamos National Laboratory (LANL)

Dear Mr. Tegtmeier:

I am writing today to register my opposition to the proposed CMRR facility at Los Alamos, NM.

The draft SEIS is inadequate and technically indefensible for analysis of the risks of constructing and operating the proposed CMRR-Nuclear Facility with a capacity of quadrupling the current production of 20 plutonium triggers for nuclear weapons to up to 80 per year. I respectfully request that the DOE withdraw the draft CMRR-NF SEIS.

W3-1

W3-1

NNSA acknowledges the commentor's opposition to construction and operation of the CMMR-NF and to proliferation of nuclear weapons. President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

See the response to Comment W-1 regarding pit or "plutonium button" production.

opposes the expansion of plutonium pit production at LANL and making that production capacity permanent.

The world already has enough plutonium to annihilate every country on the face of the map, and all of the life that lives on the lands, and most if not all life in the waters of our Earth. To what real purpose is production of another facility to create plutonium buttons for weapons, please? It is time we stop this insane dash to the ultimate finish line!

W3-1
cont'd

Morgana Washington

Campaign W
Individuals submitting “Campaign W” with additional comments

I am appalled that the US Government is going to spend \$\$\$BILLIONS to build a new plutonium facility at Los Alamos. This is a waste of US Taxpayer money and a security threat which we do not want. There MUST be better ways to waste US Taxpayer money and to increase the already staggering US Federal Debt. The rationale for this plutonium facility was concocted many years ago using outdated concepts of national security. Since that time we have learned that every ounce of plutonium manufactured in the world is a threat to world security and that all efforts must be made to stop production of plutonium and other dangerous nuclear materials.

The proposed facility is even more disturbing given that it will be located in a more populated area subject to more recent discoveries of seismic activity and subject to very destructive wildfires which have proved to be almost impossible to control.

The draft SEIS is inadequate and technically indefensible for analysis of the risks of constructing and operating the proposed CMRR–Nuclear Facility with a capacity of quadrupling the current production of 20 plutonium triggers for nuclear weapons to up to 80 per year. I respectfully request that the DOE withdraw the draft CMRR–NF SEIS.

George MacArthur Henke

W4-1

W4-1

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. The cost to build and operate the proposed CMRR-NF is also not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

W4-2

W4-2

NNSA acknowledges the commentor’s concerns regarding national security. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation’s nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NNSA acknowledges the commentor’s concerns regarding seismic issues and the potential impacts of wildfires at LANL. Seismic issues have been addressed in the response to Comment W-3. Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

Campaign X

Mr. John Tegtmeier, CMRR-NF SEIS Document Manger, USDOE, NNSA, Los Alamos Site Office, 3747 West Jemez Rd., Los Alamos, NM 87544

1. A Complete, New Environmental Impact Statement is Needed, Not A Supplemental Environmental Impact Statement. The original Environmental Impact Statement in 2004 assessed a building designed to withstand only mild seismic events. A 2007 updated seismic hazards analysis showed a potential huge increase in seismic ground motion and activity. Los Alamos National Lab sits between the Rio Grande rift and the volcanic Jemez Mountains in a seismic fault zone. Only a full Environmental Impact Statement can adequately study the full consequences of increased possibility seismic events might have on the proposed bomb plant.
 - A new business case is needed. Decisions made in 2004 EIS are outdated. Choice of NF is based on 2007 costs before NF ballooned to \$6B.
 - The wrong Question is being asked. Should be - What is the most efficient way to take care of NNSA's stockpile needs? Not - What size and where shall the NF be built?
2. Real Alternatives Must Be Considered in the Supplemental Environmental Impact Statement. DOE must develop and consider new alternatives, including a true "No Action" alternative--not building the Nuclear Facility; and upgrading the existing plutonium production building.
 - Two of the Alternatives given in this draft are so bad that they cannot really be considered alternatives
 - The current "No Action" Alternative is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 CMRR EIS. But based on new information learned since 2004, the 2004 CMRR-NF would not meet seismic standards to safely conduct mission work. "Therefore, the 2004 CMRR-NF would not be constructed". (Pg. S-8)
 - So this is not really an alternative.
 - The Continued Use of CMR Building Alternative In this current EIS states: Do not construct a replacement facility to house the capabilities planned for the CMRR-NF, but continue to perform operations in the CMR Building at TA-3, with normal

X-1

X-2

X-1

NNSA notes the commentor's statements that a new environmental impact statement is required, and not an SEIS. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. In making this determination, NNSA was fully aware of the updated seismic hazards analyses of the LANL region (LANL 2007). The analyses were updated again in 2009 (LANL 2009). These updated seismic hazards analyses provided a better understanding of the ground motion and seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements necessary for constructing the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a sizable earthquake event without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644). Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely.

X-2

As described in Chapter 2, Section 2.6, of the 2003 *CMRR EIS*, a number of alternatives were considered and dismissed from detailed study. These include removing the CMR capabilities from LANL, alternative LANL sites for the CMR capability, and upgrading the existing CMR Building. NNSA did not revisit these decisions in the *CMRR-NF SEIS*. These and other alternatives considered, and dismissed are addressed in detail in Chapter 2, Section 2.7 of the *CMRR-NF-SEIS*. In addition, the 2008 *Final Complex Transformation SPEIS* evaluated options for relocating the CMR functions to other DOE facilities, including

Campaign X (cont'd)

maintenance and component replacements at the level needed to sustain operations for as long as feasible. Certain operations would be restricted. Administrative and radiological laboratory operations would take place in RLUOB at TA-55.

But this alternative does not completely satisfy NNSA's stated purpose and need to carry out operations at a level to satisfy the entire range of DOE and NNSA mission support functions. (Pg. S-19)

- So this is not really an alternative, either.
 - That leaves only the Modified CMRR-NF Alternative as the only real alternative. Under the Modified CMRR-NF Alternative, which is NNSA's Preferred Alternative, NNSA would construct the new CMRR-NF at TA-55 next to the already constructed RLUOB, with certain construction enhancements and additional associated construction support activities.
 - Obviously, two of the alternatives are unworkable, which stacks the deck in favor of the preferred alternative.
3. This draft SEIS should be withdrawn until the details of the Seismic Risks are better understood.
 - The cost-saving Shallow Option, in which the foundation would be constructed in a geologic layer above a poorly welded tuff layer, is not a mature concept, and it is not yet known if this option is safe. The draft SEIS fails to accurately analyze how impacts to the environment from this option may be different.
 - There are more new seismic investigations currently underway at the Lab. This draft SEIS must be withdrawn and rewritten after the results of these new investigations are known. Proceeding with design before seismic risks are better known will only repeat the process that led to the need for this Supplemental EIS.
 4. A New Nuclear Facility Will Detract from Cleanup of the Existing Mess. DOE made a commitment to clean up the legacy waste at Los Alamos Lab by 2015.

Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant, which will only add to the pollution.

X-2
cont'd

X-3

X-4

NSS, the Pantex Plant, the Savannah River Site, and the Y-12 Security Complex (DOE 2008b). In the ROD for the *Complex Transformation SPEIS* (73 FR 77644) NNSA decided to construct and operate the CMRR-NF at LANL. DOE is not revisiting these decisions in the *CMRR-NF SEIS*.

The No Action Alternative included in the *CMRR-NF SEIS* is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR-NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, NNSA considers the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This latter, "no build" alternative, however, would not satisfy NNSA's stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

X-3

NNSA notes the commentator's position that the SEIS should be withdrawn. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations,

Campaign X (cont'd)

- Materials Disposal Area C (MDA C), a large chemical waste dump, is located in the middle of the proposed construction support areas.
Large pore gas contaminant plumes exist under areas where construction offices and warehouses are planned. Cleanup at MDA C must be completed before any new construction.
5. The Costs to Build a Plutonium Pit Production Complex Are Just Too High. The total original estimate for constructing the new nuclear weapons complex at Los Alamos National Laboratory was approximately \$600 million in 2004. The current estimate is \$5.8 billion. DOE must analyze whether this growing price tag is too high and examine simply upgrading the existing facilities to address seismic concerns and worker safety would cost less.
6. The US does not need 80 new plutonium pits per year. DOE must conduct a “capacity study” to determine whether the existing facilities can be used instead of building the proposed NF, which would increase pit-manufacturing capacity to at least 80 per year. Existing facilities have sufficed since 1999 when DOE limited plutonium pit manufacturing to 20 per year.
- So what are these needed new or expanded capabilities, if indeed we are seeking a future world free of nuclear weapons? If these needs exist, NNSA must explain why plutonium pit production must be expanded? If expanded production is not needed, then why is the CMRR-Nuclear Facility needed?
- Just as new seismic information has forced a re-evaluation of the construction, new cost information must force a re-evaluation of the cost.
- The No-build alternative that was offered in the scoping must be reconsidered.
- Do not construct a replacement facility to house the capabilities planned for the CMRR-NF. Continue to perform analytical chemistry, material characterization, and actinide research and development activities in the CMR Building, making the extensive facility upgrades needed to sustain CMR programmatic operations for another 20 to 30 years.

*X-4
cont'd*

X-5

X-6

*X-5
cont'd*

*X-2
cont'd*

X-4

no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

As stated in Chapter 4, Section 4.3.12, Waste Management and Pollution Prevention, of the *Draft CMRR-NF SEIS*, There are known potential release sites located within the affected technical areas (for example, Material Disposal Area C in TA-50), and the potential for contact with contaminated soil or other media

Campaign X (cont'd)

would be appropriately considered throughout the construction process. Proper precautions would be taken as needed to minimize the potential disturbance of potential release sites. As needed, actions such as appropriate documentation and contaminant removal would be taken by LANL Environmental Restoration staff in accordance with the 2005 Consent Order and other applicable requirements.

As discussed in Chapter 2, Section 2.6.2.1, the activities included in TA-50 in the proposed action would involve use of the parking lot that was developed during construction of RLUOB, and the construction of a small stormwater detention pond and possible construction of an electrical substation across Pajarito Road from Material Disposal Area C. Also, there is the potential for temporary power to be run through TA-50 alongside Pajarito Road, but outside of Material Disposal Area C. None of these activities would infringe upon Material Disposal Area C and no excavation would take place that could affect the area down slope from Material Disposal Area C.

X-5 As stated in the response to Comment X-1, the cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. Also, as discussed in the response to Comment X-2, NNSA considered upgrading the existing CMR Building and determined that it could not fulfill the stated purpose and need.

X-6 A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS ROD* in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

Campaign X (cont'd)

Individuals submitting this campaign:

Buenomediation
Charles Cooper
Jeffrey Creque
Mia Curcuruto
Amy Duke
Gail Susan Gordon
Edward William Hirsch
Juliet Carpenter
Kevin Kamps
Cheryl Kozanitas
John Lumiere-Wins
Shannon Lunsford
Peggy Magilen
Nancy Michels
Lorene Mills
Anthony Phillipson
Erik Ranger
Laura Stewart
Ryan Touns
Pamela Vasquez
Sarah Velody
Ian Wilson
Louise Wynn

Campaign X

Individuals submitting “Campaign X” with additional comments

Simply put, CMRR is a huge new plutonium facility for expanded nuclear weapons production.

CMRR’s first phase, the 185,000 square-foot “Radiological Laboratory, Utility and Office Building” (RULOB or “Rad Lab”), was completed in September 2009, costing \$400 million (including equipment), but will not handle large quantities of “special nuclear materials,” like plutonium. For that purpose, the CMRR’s final phase is the proposed “Nuclear Facility.” The Nuclear Facility (NF) will provide crucial “materials characterization” and “analytical chemistry” in direct support of plutonium pit production. If built, the Nuclear Facility will be located next door to Plutonium Facility-4 (PF-4), LANL’s existing pit production facility, and the two will be physically linked to each other via underground tunnel. The NF will also supply PF-4 and LANL’s plutonium complex with a vault to store up to six metric tons of plutonium. As such the NF will be the keystone to an expanded plutonium complex at LANL capable of quadrupling the current production capability of 20 pits per year to up to 80. Design of the Nuclear Facility has already cost nearly a half billion dollars and is still only ~50% complete. Because of the recognition of greater seismic risks and a proposed 50% increase in size, NNSA was compelled by citizen pressure to prepare a supplemental EIS, which was released on April 22.

The public comment period will be open through June 28, 2011. You may use this form to submit comments to the Document Manager automatically via email.

CMRR-NF SEIS Comment Text:

Please feel free to adjust the text as needed.

Mr. John Tegtmeier, CMRR-NF SEIS Document Manager, USDOE, NNSA, Los Alamos Site Office, 3747 West Jemez Rd., Los Alamos, NM 87544

1. A Complete, New Environmental Impact Statement is Needed, Not A Supplemental Environmental Impact Statement. The original Environmental Impact Statement in 2004 assessed a building

Juliet Carpenter

XI-1

XI-1

The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. As indicated in Chapter 1, Section 1.3, of the *CMRRNF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRRNF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

See the response to Comment X-6 regarding pit production levels.

Campaign X

Individuals submitting “Campaign X” with additional comments

The No-build alternative that was offered in the scoping must be reconsidered.

- Do not construct a replacement facility to house the capabilities planned for the CMRR–NF. Continue to perform analytical chemistry, material characterization, and actinide research and development activities in the CMR Building, making the extensive facility upgrades needed to sustain CMR programmatic operations for another 20 to 30 years.

I am also concerned about the wildfires here in New Mexico. They are currently raging and headed in the direction of the labs. Public safety is at risk. Please take this into consideration. These plants must be stopped.

Nancy Michels

X2-1

X2-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

Campaign X

Individuals submitting "Campaign X" with additional comments

reCO.

- Do not construct a replacement facility to house the capabilities planned for the CMRR–NF. Continue to perform analytical chemistry, material characterization, and actinide research and development activities in the CMR Building, making the extensive facility upgrades needed to sustain CMR programmatic operations for another 20 to 30 years.

I believe this is a stupid idea. What makes sense, with global warming and after the Fukushima disaster, is renewable energies and cold fusion. Why not spend the monies investing in something with a future that is not a disaster for Life on Earth? That makes a lot more sense to me.

John Lumiere-Wins

X3-1

X3-1

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF.

Campaign X

Individuals submitting "Campaign X" with additional comments

M.F. J. [redacted] AS DOOR [redacted] er, USDOE,
NNSA, Los Alamos Site Office, 3747 West Jemez Rd., Los Alamos,
NM 87544

THE LAS CONCHAS WILDFIRE IS PROOF THAT THE CMRR
PROJECT SHOULD NOT GO AHEAD BECAUSE IT IS TOO
VULNERABLE TO WILDFIRE. ALSO:

1. A Complete, New Environmental Impact Statement is Needed, Not A
Supplemental Environmental Impact Statement. The original
Environmental Impact Statement in 2004 assessed a building designed
to withstand only mild seismic events. A 2007 updated seismic hazards
analysis showed a potential huge increase in seismic ground motion and
activity. Los Alamos National Lab sits between the Rio Grande rift and
the volcanic Jemez Mountains in a seismic fault zone. Only a full
Environmental Impact Statement can adequately study the full
consequences of increased possibility seismic events might have on the
proposed bomb plant.

Sarah Velody

X4-1

X4-1

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

Campaign X

Individuals submitting "Campaign X" with additional comments

By way of introduction, I would like to point out that Earth Day (April 22) was quite an ironic date to release the SEIS for the CMRR-NF. Plutonium is perhaps the most hazardous substance human beings have ever created. Plutonium's forever hazard (Pu-239, for example, has a hazardous persistence of 240,000 years) in even microscopic quantities (a small speck in the human lung will initiate cancer), as well as the peril represented by the continued and prolonged presence of nuclear weaponry, put the Earth and all living things in peril.

1. A Complete New Environmental Impact Statement is Needed. Not A

In closing, I must point out another piece of ironic timing. The deadline for public comments on this SEIS on June 28th is the third day of a very dangerous wildfire threatening Los Alamos National Lab, the Las Conchas Fire. It is, of course, a sobering reminder of the May 2000 2000 Cerro Grande Fire. Given these two potentially catastrophic fires, how can LANL considering even more plutonium activities on site?! LANL should be cleaned up, not built up! As Citizens Concerned for Nuclear Safety (CCNS) warned just yesterday, "Our main concern is that the Las Conchas fire is about 3 1/2 miles from Area G, the dumpsite that has been in operation since the late 1950s/early 1960s. There are 20,000 to 30,000 55‐gallons drums of plutonium contaminated waste (containing solvents, chemicals and toxic materials) sitting in fabric tents above ground. These drums are destined for WIPP." The priority at LANL should be clean up, not build of new facilities such as the CMRR and its NF.

How can LANL consider storage and processing of 6 tons or more of ultra-hazardous plutonium in an area so demonstrably at risk of fire, not to mention seismic activity?

Finally, to drive home the risks of such fires, I am providing to you a link, <http://www.beyondnuclear.org/nuclear-weapons/2011/6/27/los-amos-nuclear-weapons-lab-threatened-by-wildfire.html>, which shows an image of the smoke plume -- visible from outer space, and photographed by satellite -- covering several states downwind, very likely contaminated with radioactive contamination from LANL's Cerro Grande fire in 2000. Such risks are unacceptable. Please do not build the CMRR-NF.

Kevin Kamps

3-889

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X5-1

Comment noted.

X5-2

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF.

X5-2

The waste storage domes in TA-54 are not the subject of the *CMRR-NF SEIS*. However, NNSA has taken actions to mitigate the risks of a wildfire on the domes. In 2000, the Cerro Grande fire burned a heavily forested canyon area to within about 0.75 miles (1.2 kilometers) of the waste storage domes, but none were burned and there were no radiological releases from the domes. The Las Conchas fire reached the southern border of LANL, but did not get within 2 miles (3.2 kilometers) of the domes. Additional fuel reduction has been conducted since the Cerro Grande fire, both of the vegetation surrounding the TA-54 area and within the domes themselves (for example, wooden pallets have been replaced with metal pallets), to further decrease the potential for a waste storage dome fire occurring as a result of a site wildfire. Furthermore, the stored transuranic waste referred in the comment is being recovered and shipped to WIPP for disposal, thus, further reducing wildfire risks as the shipments continue.

A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande fire. A summary of possible public health impacts resulting from the fire is included in Chapter 4, Section 4.6.1.3, of the 2008 *LANL SWEIS* (DOE 2008a). As indicated in this section, an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by Risk Assessment Corporation at the request of NMED (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential release sites and concluded that exposure to LANL-derived chemicals and radionuclides released to the air during the Cerro Grande fire did not result in a significant increase in health risk

Campaign X

Individuals submitting "Campaign X" with additional comments

over the risk from the fire itself. This section of the *LANL SWEIS* also discusses the *Public Health Assessment* (ATSDR 2006), for which the Agency for Toxic Substances and Disease Registry (ATSDR) reviewed environmental monitoring data from 1980 to 2001 and concluded that no harmful exposures due to chemical or radioactive contamination detected in groundwater, surface soil, surface water and sediment, air, or biota are occurring or are expected to occur in the future. The data considered in the ATSDR assessment included at least one full year of environmental monitoring results from the period following the Cerro Grande fire.

Campaign Y

To: Mr. John Tegtmeier, CMRR-NF
SEIS Document Manager
NNSA Los Alamos Site Office
3747 West Jemez Road
TA-3 Building 1410
Los Alamos, NM 87544
Re: CMRR-NF SEIS Comment
Date: June 24, 2011

Dear Mr. Tegtmeier:

I oppose the construction of the CMRR Nuclear Facility at the Los Alamos National (LANL) for the following reasons:

ENVIRONMENTAL ISSUES

The Nuclear Facility is designed to have the capacity to prepare plutonium for up to 80 new pits (triggers for nuclear weapons) per year. It would store six metric tons (about 13,200 pounds) of plutonium, a very potent carcinogen.

LANL sits on a windswept mountain top, in a seismic area, where wildfires and contaminated run-off continue to threaten the health of all who live downwind and downstream from LANL. Plutonium and other radionuclides were found in organic gardens downwind from Los Alamos after the 2000 Cerro Grande fire. There is increasing evidence of groundwater pollution from the Lab, with more "expected over a period of decades to centuries as more of the contaminant inventory reaches the water table," according to a 2005 LANL report. Radionuclides have been detected in the Rio Grande, the source of drinking water for many citizens living downstream from the Lab.

Plutonium has a half-life of 24,000 years (meaning it is half as potent by then). So any pollution will continue for many, many thousands of years. In addition to cancer, radioactive materials can cause serious birth defects. This disproportionately impacts New Mexico's minority populations, especially Native and Hispanic, making it an issue of environmental injustice.

The Department of Energy (DOE) estimates that the maximum amount of water needed for construction would be 4.6 million gallons per year. However, an independent analysis figured that 6.75 million gallons of water would be used in mixing 225,000 cubic yards of concrete planned under the structure to meet safety requirements due to potential seismic hazards (and we are not convinced that will protect against a major earthquake). Another 3.9 million gallons of water would be needed for the additional 130,000 cubic yards of structural concrete.

For each year of operation after construction, DOE estimates that the Nuclear Facility would use 16 million gallons per year. We live in a dry semi-desert climate getting ever more dry with global warming, and we cannot afford to waste such a huge amount of water. Better not to put a nuclear facility in an earthquake prone zone.

Taos citizens, along with Senator Udall and Representative Lujan, requested a hearing for public

Y-1

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Y-3

Y-4

Y-1

NNSA acknowledges the commentor's opposition to construction and operation of the CMRR-NF, position regarding plutonium pit production levels and concern regarding the hazards of plutonium. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

Y-2

A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande fire. A summary of possible public health impacts resulting from the fire is included in Chapter 4, Section 4.6.1.3, of the 2008 *LANL SWEIS* (DOE 2008a). As indicated in this section, an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by Risk Assessment Corporation at the request of NMED (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential release sites and concluded that exposure to LANL-derived chemicals and radionuclides released to the air

Campaign Y (cont'd)

comment in their town so they wouldn't have to travel through the canyon to get to a hearing in other locales, but the National Nuclear Security Administration told Sen. Udall that the NNSA expected no safety consequences for Taos from operating the CMRR Nuclear Facility. Yet the smoke carrying plutonium and other radionuclides reached Taos during the 2000 Cerro Grande Fire at LANL. And they received smoke from the current Wallow Fire in AZ 200 miles away.

Producing more plutonium pits will create more waste. We already have 700,000 metric tons of depleted uranium waste from weapons production. Depleted uranium has a half-life of 4.5 billion years. So far, there is no viable plan for storing this waste. Because LANL did not keep good records in the early years of operation, an unknown amount of tons of radioactive waste is stored in Area G at LANL, and tritium is releasing into the air. Our environment and our health cannot tolerate any more radioactive waste.

The existing waste at LANL needs to be cleaned up before any new radioactive or toxic waste is generated there. DOE made a commitment to clean up certain legacy waste sites at LANL by 2016 when it signed the Consent Order with the New Mexico Environment Dept. on March 1, 2005. Yet the House Appropriations Committee has recommended cutting the cleanup budget for LANL by \$175 million (almost half of the request to meet the need). Taxpayer funds need to go first for cleanup, instead of cutting domestic services to fund a \$6 billion project when most U.S. citizens don't want to fund any more nuclear weapons.

SEISMIC HAZARDS

The Los Alamos National Lab (LANL) is situated over a 29-mile-long fault system, where several faults converge. The original 2004 Environmental Impact Statement for the CMRR Nuclear Facility responded to a possible mild cosmic event. But a 2007 study calculated a 50 percent increase in the potential seismic risk across the LANL site. As a result of a new study mapping earthquake danger in the area, the Defense Nuclear Facilities Safety Board, in a unanimous decision, reported that there is a 5% chance of a big earthquake during the 50-year lifetime of the proposed Nuclear Facility, and that the potential fatal public doses from a plutonium release during earthquake-induced fires have been estimated to exceed DOE guidelines by more than 100-fold.

Registered geologist Robert H. Gilkeson reported "The new knowledge of the latent earthquake danger at the location of Los Alamos NM is evidence that the Department of Energy has made a mistake to select LANL as the nation's primary plutonium facility for nuclear weapons."

Instead of accepting the fact that a nuclear facility should not be built in a dangerous seismic zone, LANL is attempting to make the facility strong enough to withstand a strong earthquake by proposing to excavate 225,000 cubic yards of earth and fill the hole with concrete. The huge concrete slab would still be situated over poorly welded tuff, and I am not convinced that the slab would not shift during a major earthquake. Concerns about earthquake safety need to be worked out before costly construction begins.

SAFETY AND SECURITY

In 2004 nuclear operations at Los Alamos were suspended for six months due to grave safety concerns, and yet long-standing safety issues remain unresolved.

Y-4
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Y-5

Y-3

Y-6

Y-4

during the Cerro Grande fire did not result in a significant increase in health risk over the risk from the fire itself. This section of the *LANL SWEIS* also discusses the *Public Health Assessment* (ATSDR 2006), for which the Agency for Toxic Substances and Disease Registry (ATSDR) reviewed environmental monitoring data from 1980 to 2001 and concluded that no harmful exposures due to chemical or radioactive contamination detected in groundwater, surface soil, surface water and sediment, air, or biota are occurring or are expected to occur in the future. The data considered in the ATSDR assessment included at least one full year of environmental monitoring results from the period following the Cerro Grande fire.

The Albuquerque water utility has monitored the Rio Grande by collecting and testing samples at various sites from the Heron Reservoir along the river to Albuquerque for metals, minerals, nutrients, organic substances, and radionuclides (City of Albuquerque 2006). The river water meets EPA drinking water standards for all of these substances (specifically, the levels of radionuclides are far below the EPA standards).

NNSA takes its resource stewardship and conservation responsibilities seriously and continues to work with Los Alamos County to implement water conservation measures. Chapter 3, Section 3.3.4, of the *CMRR-NF SEIS* describes current water use and the water utility infrastructure for LANL and the Los Alamos region. For water-use planning purposes, DOE has established a target ceiling quantity for water use equal to the water rights it still owns (542 million gallons [2,050 million liters] per year). In 2010, LANL used 412 million gallons (1,600 million liters) of water or about 76 percent of LANL's target ceiling quantity.

Water usage estimates related to the proposed CMRR-NF are included in Chapter 4, Sections 4.2.3 and 4.3.3. As discussed in these sections, the proposed CMRR-NF is expected to use up to about 5 million gallons (19 million liters) of water per year to support construction of the CMRR-NF. If built, the CMRR-NF combined with RLUOB would use up to 16 million gallons (61 million liters) of water per year to support facility operations. LANL water usage, including the proposed Modified CMRR-NF and RLUOB, is expected to remain within the Laboratory's water rights. See Section 2.10, Water Resources and Usage, of this CRD for more information.

After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos

Campaign Y (cont'd)

One example: the Institute for Energy and Environmental Research has found that about 300 kilograms of plutonium (enough to make 60 bombs) is missing from LANL's nuclear materials records.

Y-7

Former Pennsylvania State Police Commissioner Glenn Walp was hired to investigate lapsed security after 9/11. Walp uncovered the theft or loss of over \$3 million in taxpayer property, including nearly 400 computers that potentially housed nuclear secrets. In his recent book *Implosion at Los Alamos*, Walp describes a lax security culture of corruption, crime, coverups and whistleblower retaliation, where the Lab's "image" is more important than safety or security.

Y-8

And now, in order to cut costs, Los Alamos is considering the elimination of some of the facility's fire suppression systems and ventilation equipment intended to prevent plutonium from leaking in the event of an earthquake and fire!

Y-9

The Los Alamos National Lab cannot be trusted to safely and securely handle six metric tons of plutonium.

MORE PITS ARE NOT NEEDED

The Chemistry and Metallurgy Research Replacement (CMRR) Nuclear Facility is designed to have the capacity to produce up to 80 new plutonium pits per year. Some LANL officials claim that the Nuclear Facility will not really produce the pits -- so why have the capacity to do so?

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Y-5

When Senator Bingaman legislatively required an independent expert study on the aging of plutonium pits, the 2006 JASON study concluded that the thousands of existing pits not only don't deteriorate with age, but actually improve with age, up to 85-100 years. The oldest existing pits are less than 30 years old, so they will remain stable for at least another 55-70 years, and newer ones even longer. We obviously don't need any more.

Y-10

That makes us suspect that the new pits are really for new-design weapons. The DOE wants to "modernize" the nuclear weapons complex, including developing smaller and more powerful nuclear weapons. Congress denied funding for the Reliable Replacement Warhead, so now LANL is working on other designs, and one is a design that is 30 times more powerful than the one dropped on Hiroshima. Why do we need a bomb more powerful than Hiroshima? What we have is already more than sufficient. Most U.S. citizens have higher priorities for our tax dollars.

TREATIES AND PROLIFERATION

The United States signed the Nuclear Non-Proliferation Treaty (NPT) in 1968. Article VI of the NPT commits the signers to work toward nuclear disarmament. We are violating the treaty when we produce more nuclear weapons.

Y-11

Violating treaties violates our own Constitution. Article 6 states that all Treaties made "shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby."

The CMRR Nuclear Facility sends the message to the rest of the world that the United States is not serious when we talk about nonproliferation and arms reduction. If we produce more weapons, how can we convince other nations to disarm? They are more likely to feel the need to

Y-6

is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period. See response to Comment Y-2 for information regarding the Cerro Grande wildfire.

The depleted uranium mentioned by the commentor is not stored at LANL and is not within the scope of the *CMRR-NF SEIS*. Cleanup of Material Disposal Area G is being performed in accordance with the Consent Order. NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Radioactive waste generated by construction and operation of the proposed CMRR-NF would be managed through the LANL waste management program, as described in Chapter 3, Section 3.12.4.1, Solid Radioactive Waste Management. Low-level and mixed low-level radioactive waste would be disposed of off site at either the Nevada National Security Site or the commercial facility in Clive, Utah. Transuranic waste would be disposed of at the Waste Isolation Pilot Plant in New Mexico. Impacts associated with management and transport of these wastes are evaluated in the waste management and transportation sections of Chapter 4.

Chapter 3, Section 3.5, of the *CMRR-NF SEIS* describes the geologic setting of LANL, and was revised in the *Final CMRR-NF SEIS* to improve the discussions

Campaign Y (cont'd)

build their own nuclear arsenal, thus increasing international nuclear tensions.

The Los Alamos Lab has tremendous expertise that could be used to work for nonproliferation, securing the dangerous materials around the world, and cleaning up contaminated sites.

ECONOMY AND JOBS

The estimated cost of the CMRR Nuclear Facility has ballooned from its original \$300 million in 2003 to possibly \$5.8 billion now, almost 20 times more, and the project's federal managers have acknowledged that they have no firm idea about the final price tag. Final estimated costs won't be known until the design is completed in 2015, and are listed as "to be determined." These costs do not include decontamination and cleanup in the future. How much higher will it go? Construction should not begin until Congress knows the full cost and approves of it.

Much of this increase is due to the new discoveries that the seismic hazard risks are greater than reported earlier. It may be cost-prohibitive to make the Nuclear Facility fully safe from an strong earthquake. Rather than spending enormous amounts of money to deal with a possible catastrophic earthquake, it would be better not to build there at all.

The few supporters of the Nuclear Facility who spoke at the hearings claimed that the construction will add jobs to New Mexicans. But those jobs are temporary, and only for a few hundred workers. After the facility is built, almost all the workers will be transferred from other buildings. Even the Environmental Impact Statement admits that the socioeconomic impact on New Mexico is minimal.

The total cost of nuclear weapons complex across the country is estimated to be \$180 billion over the next ten years. This is just too high in our failing economy. Money spent on unusable nuclear weapons do not spur economic growth. Rather than cutting domestic services to the poorest and most disadvantaged in our society in order to balance the federal budget, the \$6 billion (and growing) could be used to create jobs for education, health care, mass transit, affordable housing, renewable energy, bridge upgrades, and better food distribution.

NEW EIS

The original 2003 CMRR Environmental Impact Statement (EIS) was based on the 1996 Seismic Analysis. The current draft Supplemental EIS (SEIS) was conducted to deal with the more dangerous seismic issues revealed in 2007. But now, 5 years later, new seismic analyses are being conducted indicating even more serious potential consequences. So the 2003 EIS and the Supplemental EIS are outdated and should be withdrawn and a new full EIS written only after the results of the new current seismic investigations are known.

There are discrepancies between the 2003 EIS and the Supplemental EIS -- for example, the figures regarding amount of water needed. The SEIS was drafted in a rush to meet desired timelines, and consequently is woefully inadequate.

I am concerned about the 225,000 cubic yards of soil to be evacuated. The soil needs to be analyzed for radioactive, toxic and hazardous materials that could impact the workers and environment. A plan for disposing of this potentially harmful soil needs to be outlined in the

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Y-13

Y-12
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Y-14

Y-15

of faulting and seismic hazards. Section 3.5 of the *Final CMRR-NF SEIS* summarizes the very detailed and extensive seismic information that has been compiled for LANL. This section draws heavily from the 2007 and 2009 PSHAs (LANL 2007, 2009), which were prepared by experts in seismic analysis using the ground motion prediction models as specified by NRC guidelines developed by the Senior Seismic Hazard Analysis Committee, "Recommendations for Probabilistic Seismic Hazards Analysis – Guidance on Uncertainty and the Use of Experts" (NUREG/CR-6372; NRC 1997), and established methodology. These PSHAs were reviewed and accepted by an external review panel, DOE, and DNFSB.

As indicated in Chapter 3, Section 3.5.3, of the *CMRR-NF SEIS*, the location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

DOE has been proactive in the assessment of the potential seismic hazards at LANL and the resulting design ground motions for the CMRR-NF reflect the best science and engineering available. That said, as future studies are performed on the geology and seismology of LANL, new information may become available. In the 2007 and 2009 LANL seismic hazard evaluations, which updated an analysis issued in 1995, a concerted effort was made to properly capture the uncertainties in input parameters and, hence, it is anticipated that new information will not have a significant impact on the current assessment of the seismic hazard or design-basis earthquake ground motions for LANL. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

In addition to the assessment of seismic hazards at the CMRR-NF site, site-specific geotechnical investigations have been completed for both the Shallow Excavation Option and the Deep Excavation Option. A geotechnical report prepared for the Shallow Excavation Option provides a thorough analysis that focuses on, among other things, the foundation design and performance, taking into account the local seismic setting and the underlying stratigraphy,

Campaign Y (cont'd)

new EIS.

The need for more plutonium pits needs to be re-evaluated, given the long life expectancy of existing pits. The need for a hugely expensive new building needs to be re-evaluated, analyzing the possibility of doing research on existing pits in upgraded existing facilities.

ALTERNATIVES

The current draft Supplemental EIS lists only 3 alternatives -- two of which are totally unreasonable because of the increased seismic risk, leaving only the current plan which is unacceptable to most of the citizens who spoke at the hearings. There are other more acceptable alternatives that the new EIS needs to consider.

Some reasonable alternatives: upgrading existing facilities; building a much smaller nuclear facility for research; building just a vault to store plutonium; consolidating the research in the newly built Rad Lab and PF-4; diversify LANL's mission to move away from nuclear weapons research and production; and use LANL expertise to work on nonproliferation, renewable energy sources, and responding to global warming. Each realistic alternative which the public has suggested needs to be addressed in a new EIS.

MORAL ISSUES

Nearly every major religious body has declared it immoral to not only use, but also to build and threaten to use weapons of mass destruction. Even if never used, the production and presence of nuclear weapons harms huge numbers of innocents civilians. Threats to use weapons of mass destruction tends to cause other nations to want to build their own out of fear. The more weapons out there, the more chances exist for terrorists to get ahold of them.

It is also immoral to cut services to the poor and disadvantaged populations in order to pay for weapons of mass destruction. In a declining economy and a world facing global warming, we have a moral obligation to use our resources for more urgent human needs.

Thank you for your consideration. I would like to receive only the summary of the final EIS, not the full report.

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|| Y-16

|| Y-17

Y-7

which includes an unconsolidated tuff layer approximately 15 feet (4.6 meters) below the depth of the proposed foundation (Kleinfelder 2007a). The report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]). The proposed CMRR-NF would be designed and constructed in accordance with geotechnical recommendations provided in the geotechnical report (Kleinfelder 2007a). Similarly, the Deep Excavation Option would be completed in accordance with recommendations resulting from the geotechnical reports (Kleinfelder 2010a, 2010b).

The potential impacts of the proposed alternatives for construction and operation of the CMRR-NF are discussed in Chapter 4 and summarized in Chapter 2, Section 2.10, of the *CMRR-NF SEIS*. Whichever alternative or option is selected, the CMRR-NF will meet the design standards for a Performance Category 3 (PC-3) facility. PC-3 structures, systems, and components are those for which failure to perform their safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials. Design considerations for this category are to limit facility damage as a result of design-basis natural phenomena events (for example, an earthquake) so that hazardous materials can be controlled and confined, occupants are protected, and the functioning of the facility is not interrupted (DOE 2002b).

LANL materials control and accountability procedures are conducted in compliance with DOE orders. In a letter to the president of the Institute for Energy and Environmental Research dated February 28, 2006, the NNSA Administrator replied to at-that-time allegations of a plutonium accounting discrepancy at LANL (NNSA 2006b). This apparent discrepancy resulted from the use of different tracking and reporting procedures by site security and waste management organizations. Comparison of the information contained in the two systems cannot be used to draw conclusions about the control and accountability of special nuclear material.

Y-8

Comment noted.

Y-9

As indicated in the response to comment Y-6, the CMRR-NF will meet the design standards for a PC-3 facility, which means that design considerations for structures, systems, and components for which failure to perform their

Campaign Y (cont'd)

safety function could pose a potential hazard to public health, safety, and the environment from release of radioactive or toxic materials must be designed to withstand design-basis natural phenomena events (for example, an earthquake) so that hazardous materials can be controlled and confined, occupants are protected, and the functioning of the facility is not interrupted (DOE 2002a). This requirement would extend to both the fire suppression and ventilation systems for the CMRR-NF. As described in Chapter 2, Section 2.6.2, the footprint of the Modified CMRR-NF is larger than that of the 2004 CMRR-NF due to space required for engineered safety systems and equipment, such as an increase in the size and quantity of heating, ventilation, and air conditioning ductwork, addition of safety-class fire suppression equipment, plus the associated electrical equipment. In addition, the lowest building floor or level would be devoted to the fire suppression water storage tanks, other facility support equipment, and maintenance areas. Inclusion of a dedicated water source for fire protection within the building assists in meeting nuclear safety and design requirements.

The commenter may be referring to a February 8, 2011, letter from DNFSB to Thomas P. D'Agostino, Administrator, NNSA, which referenced a December 20, 2010, letter from LANL to NNSA proposing certain changes to the CMRR project and design (DNFSB 2011a). NNSA responded in a February 28, 2011, letter to Peter S. Winokur, Chairman, DNFSB, indicating that NNSA was analyzing the LANL proposal, and would share its analysis with, and solicit input from, DNFSB before reaching a conclusion. LANL was instructed not to proceed with any design changes until NNSA provides additional direction (NNSA 2011).

Y-10

NNSA reviewed pit lifetime studies and has concluded that degradation of plutonium in a majority of nuclear weapons will not affect warhead reliability for a minimum of 85 years. NNSA plans to continue studying plutonium aging through surveillance and scientific evaluation. NNSA will annually reassess the status of plutonium in nuclear weapons as the weapons laboratories continue to evaluate new data and observations (NNSA 2006a).

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any

Campaign Y (cont'd)

particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF.

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the *Final Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the *Federal Register* on December 19, 2008 (73 FR 77644). Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced section of the *CMRR-NF SEIS*. Section 2.7 of the *SEIS* has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

Y-11 Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

Y-12 The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer

Campaign Y (cont'd)

to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

- Y-13** The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county ROI. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.
- Y-14** Changes in the design for the CMRR Facility proposed in 2003 and the current, more mature design that could affect environmental impacts are the reason that this SEIS to the *CMRR EIS* has been prepared. Absent these differences, there would be no reason to supplement the *CMRR EIS*. The *CMRR-NF SEIS* reflects changes in the proposed alternatives and new information that has been developed since the *CMRR EIS* was issued. In particular, the design of the proposed CMRR-NF has changed substantially from the original design to address seismic issues. It is the changes resulting from seismic requirements that caused NNSA to decide that an SEIS should be prepared. An example of these changes is the difference in water usage cited by the commentor. The estimate of water usage for the Modified CMRR-NF reflects a more mature design and is considered to be more accurate than the estimate included in the 2003 *CMRR EIS*.
- Y-15** At the time RLUOB was being constructed, the adjacent area proposed for the CMRR-NF was also excavated to a depth of about 30 feet (9.1 meters) in support of site geologic characterization and seismic mapping. No contamination was found in the area. Chapter 4, Section 4.3.12, of the *CMRR-NF SEIS* indicates that surveys have been conducted to identify potential release sites, and that no unidentified or unexpected soil contamination or buried media have been encountered. Should any unexpected contaminants be encountered during excavation at the proposed CMRR-NF site or other locations that would be

Campaign Y (cont'd)

disturbed in support of construction activities, appropriate documentation and contaminant removal would be undertaken by LANL Environmental Restoration staff in accordance with the Consent Order and other applicable requirements. Construction personnel would be protected through appropriate training, monitoring, and management controls; and storage and disposal of such materials would be in accordance with applicable requirements at permitted facilities.

Y-16 The No Action Alternative included in the *CMRR-NF SEIS* is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR-NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, NNSA considers the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This latter, “no build” alternative, however, would not satisfy NNSA’s stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.2, NEPA Process, and Section 2.11, Alternatives Considered, of this CRD for additional information.

Y-17 Comment noted.

Campaign Y (cont'd)

Individuals submitting this campaign:

Betty Cauthorne
Luella H. Clavio
Carole Landess
Peter Lapolla
Mary McCormick
Penelope McMullen, Loretto Community
Elizabeth M. Reed
Pat Roach
Roy Silverman
Etta Smith
Helen Sutton
Natasha Tonres

Campaign Z

As a member of impacted communities from the nuclear weapons industrial complex, I wish to express my opposition toward the proposed CMRR-NF SEIS (Chemical Metallurgy Research and Replacement Nuclear Facility, Supplemental Environmental Impact Statement) based on the following:

- A **new** environmental impact statement (EIS) needs to be created because the current supplemental EIS does not cover the changes in size, cost (4.5 billion and rising), and scope.
- Environmental standards need to be held to **highest level** of nuclear safety regulations.
- I am in **solidarity** with Santa Clara Pueblo’s Tribal Resolution No. 08-16, which opposes the expansion of plutonium pit production at LANL (Los Alamos National Laboratory) and making that production capacity permanent through this complex.
- The current SEIS **does not** adequately address the increased seismic dangers, unstable geological strata, storm runoff contamination, and fire risks that exist with the proposed location.
- Expansion in proposed plans would only add to the 60+ years of legacy waste contamination in NM and should **not be allowed** until clean up is addressed in accordance with the 2005 consent order with the NMED (New Mexico Environmental Department).
- Money spent on unusable nuclear weapons **does not** support or spur economic growth, but goes straight into corporate pockets, depriving local communities of federal funds.

Z-1

Z-1

NNSA acknowledges the commentor’s opposition to construction and operation of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Z-2

Z-2

As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action to address changes in construction of the CMRR-NF based on additional seismic information. The increased size of the proposed CMRR-NF is due primarily to addressing seismic concerns; the scope of activities to be performed in the CMRR-NF has not changed since the *CMRR-EIS*. All of the changes made in the design, siting, and construction of the proposed CMRR-NF from the originally proposed CMRR Facility analyzed in the *CMRR EIS* are evaluated in the *CMRR-NF SEIS*.

Z-3

Z-5

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Z-4

Z-6

Z-3

The CMFF-NF will be designed and operated in accordance with applicable laws and regulations. Chapter 5, “Applicable Laws, Regulations, and Other Requirements,” of the *CMRR-NF SEIS*, provides the regulatory basis for design and operation of the CMRR-NF.

Z-7

Z-4

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL’s pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

Campaign Z (cont'd)**Z-5**

The *CMRR-NF SEIS* addresses each of the identified subjects in detail:

Seismic concerns, including unstable geologic strata:

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazards analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). The updated seismic hazards analyses provided a better understanding of the ground motion and seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a sizable earthquake event without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Storm runoff contamination:

LANL staff manages stormwater runoff from both industrial and construction activities, such as the proposed construction of the CMRR-NF, under Stormwater Pollution Prevention Plans. These plans require the cleanup of any spills or leaks, monitoring of surface-water runoff, and implementation of best management practices for the control of stormwater runoff quality and quantity. Implementation of Stormwater Pollution Prevention Plans includes a number of temporary and permanent detention ponds that are included in the description of the Modified CMRR-NF Alternative (see Chapter 4, Section 4.3.6 of the Final CMRR-NF SEIS).

Campaign Z (cont'd)

Fire risks:

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Z-6 NNSA intends to continue to implement actions necessary to comply with the Consent Order regardless of decisions made on the proposed construction of the CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Z-7 NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Campaign Z (cont'd)

Individuals submitting this campaign:

David Bacon
Patrick Baldonado
Jennette L. Bando
Steven Burger
Teresa J. Chavez
Channing Concho
Carole Crews
Mrs. Johnnie M. deSchweimte
Doug Doran
Gailin Marie Sims Kirkland, M.A.
David E. Martinez
Sherin Gonzales Miller
David Miller
Melynda Montaña
Eva Oyenque
Marcus Pegasus
Lisa Putkey
Everett A. Rael
Lily Martinez Rael
Seth Regensburg
Wendy Romero-Yanez
Maurice de Segovia
Felicia M. Trujillo
Beata Tsosie-Peña
Paul M. Warner

Campaign Z (cont'd)

• Money spent on unusable nuclear weapons ~~does~~ **not** support or spur economic growth, but goes straight into corporate pockets, depriving local communities of federal funds.

Additional Comments:

I strongly disagree with this problem that they want to bring plutonium to N.M. the waist will harm our soil and our air for many years! I hope and pray that they change there decision to bring waist to N.M.

Patrick Baldonado

ZI-1

ZI-1

NNSA notes that no radioactive waste would be brought into New Mexico as a result of actions proposed and evaluated in the *CMRR-NF SEIS*. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of construction and operation of the CMRR-NF, a facility that would replace the existing CMR Building, and in which analytical chemistry, materials characterization, and plutonium research in support of stockpile stewardship and other LANL efforts would be conducted.

Radioactive waste types that would be generated at the CMRR-NF include low-level radioactive waste, mixed low-level radioactive waste, and transuranic waste. Sufficient capacity exists at LANL or at offsite facilities to manage all of the projected waste associated with any of the alternatives included in the *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. Transuranic waste would be disposed of at WIPP or a similar facility. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Campaign AA

The following comments were identified upon reviewing approximately 4,500 submittals. The response to each comment is on the right of the page.

1. The United States does not need 80 new plutonium pits per year. Without a nuclear arms race, the 20 pit per year production limited implemented by DOE in 1999 should suffice.
2. A new nuclear facility will detract from cleanup of the existing mess. The Department of Energy (DOE) made a commitment to clean up the legacy waste at Los Alamos Lab by 2015. Construction activities for a new Nuclear Facility will interfere with cleanup activities. DOE must devote taxpayer funds to cleanup, not a new bomb plant that would only add to the pollution.
3. The draft Supplemental Environmental Impact Statement is premature and should be withdrawn. A new seismic analysis is underway at Los Alamos Lab and the results will impact the design of the building.

AA-1 A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

AA-2 NNSA does not consider compliance with the Consent Order to be optional and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. It should be noted that DOE and NNSA have limited authority in making decisions about how budgeted funds are spent. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

AA-3 NNSA notes the commenter's position that the SEIS is premature. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

A new seismic analysis is not under way at LANL, however, seismic studies are conducted on a continuing basis. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site specific geotechnical evaluations of the proposed CMRR-NF construction site were

Campaign AA (cont'd)

4. The alternatives considered in the Supplemental Environmental Impact Statement are inadequate. The DOE should include “taking no action” as one of the alternatives to the CMRR project. All of the alternatives currently listed support building the Nuclear Facility.
5. Manufacturing plutonium pits is a dangerous and polluting threat to the health and safety of those living downwind and downstream. Plutonium is a very potent carcinogen. Los Alamos Lab’s discharges disproportionately impact Native peoples and Hispanic New Mexicans.
6. Money spent on nuclear weapons does not spur economic growth. Investments in education, healthcare, renewable energy, and public transportation would all create more jobs and spur more growth.

performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. There is no reason to withdraw the *CMRR-NF SEIS*, as building designs are rarely completed prior to the preparation of a NEPA document. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

AA-4 Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA’s stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the *2003 CMRR EIS* (69 FR 6967). Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

AA-5 The dangers of plutonium have been recognized since its first large scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

Campaign AA (cont'd)

7. Expanding the United States' nuclear production capabilities further undermines President Obama's stated goal of a world free of nuclear weapons. This type of contradictory message will only breed distrust of US intentions. With such actions, the US could potentially spur nuclear weapons development elsewhere.
8. The Supplemental Environmental Impact Statement is inadequate – a complete, new Environmental Impact Statement is needed. Los Alamos National Laboratory sits on an earthquake-prone area between the Rio Grande rift and the volcanic Jemez Mountains. The original Environmental Impact Statement (2004) looked at a building designed to withstand only mild seismic events, but a 2007 study indicated a potential huge increase in ground motion activity, requiring major changes to the building design.
9. Nuclear weapons are obsolete. They are useless against a terrorist attack, and building more weapons will only increase proliferation and the chance that a terrorist could acquire nuclear material.
10. The CMRR Nuclear Facility proposed at Los Alamos Laboratory is dangerous environmentally and physically.

- AA-6** NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.
- AA-7** NNSA acknowledges that there is substantial opposition to nuclear weapons and that President Obama has stated a long term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.
- AA-8** Refer to the response to Comment AA-3.
- AA-9** Although a number of commentors expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.
- AA-10** The CMRR-NF would be designed, constructed, and operated in accordance with applicable regulations and standards for environment, health, and nuclear safety, including seismic standards (see Chapter 5 of the *CMRR-NF SEIS*). The potential environmental impacts of the proposed alternatives for construction and operation of the CMRR-NF are discussed in Chapter 4 and summarized in Chapter 2, Section 2.10, of the *CMRR-NF SEIS*.

Campaign AA (cont'd)

11. The costs to build a plutonium pit production complex are too high. The Department of Energy should consider other options, such as upgrading old facilities for safety, rather than spending \$5.8 billion on a project that was estimated to cost \$600 million at the start.

AA-11 As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production would not occur in the CMRR-NF. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

NNSA evaluated transforming the nuclear weapons complex into a smaller, more efficient enterprise in the Final *Complex Transformation SPEIS* (DOE 2008b) in 2008. NNSA announced its decisions regarding operations involving plutonium, uranium, and the assembly and disassembly of nuclear weapons, and including the decision to construct and operate the CMRR-NF at LANL as a replacement for portions of the existing CMR Building, which were based on a number of considerations including cost, in a ROD published in the Federal Register on December 19, 2008 (73 FR 77644). Continuing with the development of the CMRR Facility at LANL supports the analytical chemistry and materials characterization work needed to ensure that the United States' nuclear weapons stockpile can continue to be managed safely. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original CMRR EIS and the current CMRR-NF SEIS (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level because of seismic issues (for example, a fault trace underlies a portion of the existing CMR Building) and security concerns associated with the 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined not to be a reasonable alternative for a number of technical and programmatic reasons as discussed in the previously referenced Section 2.7 of the *CMRR-NF SEIS*. Section 2.7

Campaign AA (cont'd)

12. The NNSA is doing ecological harm by constructing a new nuclear storage and development facility at the Los Alamos National Laboratory.
13. The new plans for a CMRR Nuclear Facility at the Los Alamos Lab are alarming.
14. The National Nuclear Security Administration's plan to make a space for building new plutonium pits in Los Alamos is a terrible idea and not in the best interest of our country.
15. Nuclear weapons and nuclear power are generally bad industries and should be ended.

of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

- AA-12** As discussed in the response to Comment AA-10, the CMRR-NF would be designed, constructed, and operated in accordance with applicable regulations and standards for environment, health, and nuclear safety, including seismic standards. The potential environmental impacts of the proposed alternatives for construction and operation of the CMRR-NF are discussed in Chapter 4 of the CMRR-NF SEIS, with possible impacts on ecological resources specifically analyzed in Sections 4.2.7, 4.3.7, and 4.4.7.
- AA-13** NNSA acknowledges the commentor's concern about constructing and operating the CMRR-NF.
- AA-14** See response to Comment AA-11.
- AA-15** NNSA notes the commentor's opposition to nuclear energy and nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Campaign AA (cont'd)

16. More plutonium pits and nuclear weapons, and more plutonium in general, are not needed.
17. NNSA should not construct and operate the CMRR-NF.
18. NNSA does not have enough information to address seismic concerns.
19. NNSA must learn from prior accidents that have occurred in the nuclear industry, such as what has happened at Chernobyl, Russia, and Fukushima, Japan. These facilities were thought to be safe. The risks are too high; it is a matter of not if, but when, such accidents will occur.

- AA-16** NNSA notes the commentor's opposition to the production of plutonium pits and nuclear weapons, and to the existence of plutonium. DOE/NNSA has not produced plutonium since 1988 and has no plans to produce additional plutonium. Refer to the response to Comment AA-1 regarding pit production levels.
- AA-17** NNSA acknowledges the commentor's opposition to constructing and operating the CMRR-NF. A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort.
- AA-18** See response to Comment AA-3.
- AA-19** NNSA acknowledges the commentor's concern that an accident similar to those that occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant and in 1986 at Chernobyl could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The types of radiological accidents that occurred at the Fukushima Daiichi Nuclear Power Plant and Chernobyl require a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

Campaign AA (cont'd)

20. Plutonium is dangerous and threatens to pollute air, water, and agricultural lands, and endanger the health and safety of people who live downwind. LANL has been polluting the Rio Grande for years with its toxic runoff. People of Sante Fe have to drink polluted water because of the discharges from LANL, and LANL should not be adding more pollutants to air and water resources for the people down wind and down river. Commentors are concerned about the impacts spreading as far as Texas.

AA-20 The dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives. As indicated in Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, there would be no disproportionately high and adverse impacts on minority populations, including Native Americans and Hispanics, under any of the alternatives.

The Albuquerque water utility has monitored the Rio Grande by collecting and testing samples at various sites from the Heron Reservoir along the river to Albuquerque for metals, minerals, nutrients, organic substances, and radionuclides (City of Albuquerque 2006). The river water meets EPA drinking water standards for all of these substances (specifically, the levels of radionuclides are far below the EPA standards).

Campaign AA (cont'd)

21. The question was asked about how much compensation has been made to LANL workers and their families due to their premature deaths.

AA-21 The Federal government has a number of programs related to the health of former government workers. More information on these programs can be found at the following websites. <http://www.hss.energy.gov/healthsafety/fwsp/formerworkermed>; <http://www.dol.gov/owcp/energy/index.htm>; and <http://www.cdc.gov/niosh/ocas/ocassec.html>.

Campaign AA (cont'd)

22. The wildfires have come too close to LANL. New Mexico is experiencing its worst drought ever recorded with forest fires in several areas.
23. NNSA facilities are susceptible to terrorists. Nuclear facilities do not have proper security. It is not wise to have plutonium sitting around.

AA-22 Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 LANL SWEIS, Appendix D (DOE 2008a). The CMR Building and the TA 55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are largely constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to directly affect the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

AA-23 DOE gives high priority to the safety and security of all its facilities and to plutonium accountability. Security, theft, and potential acts of sabotage are integral considerations in the designs and operating procedures for new and existing DOE nuclear facilities. DOE considers these threats to be real and uses an established safeguards and security process to assess facility vulnerabilities to various threats, including those from intentional destructive acts such as terrorism.

Campaign AA (cont'd)

24. No one has designed a long-term safe storage facility for nuclear waste. WIPP is full. Nuclear waste cannot be disposed of safely.
25. The valuable resources at LANL should be addressing environmentally safe technologies and research.
26. Nuclear accidents can have disastrous consequences for the public.
27. No one calculates the nearly infinite costs of housing nuclear materials indefinitely or how to safely care for this material for its dangerous lifespan.
28. The production of plutonium pits, in today's tight economy, needs more study.

AA-24 Radioactive waste types that would be generated at the CMRR-NF include low level radioactive waste, mixed low level radioactive waste, and transuranic waste. Sufficient capacity exists at LANL or at offsite facilities to manage all of the projected waste associated with any of the alternatives included in the *CMRR-NF SEIS*, as discussed in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12. Transuranic waste would be disposed of at WIPP or a similar facility. Because the total quantity of transuranic waste that may be disposed of at WIPP is statutorily established, and the operating period for WIPP will depend on the volumes of waste that may be disposed of at WIPP, WIPP may meet its statutory disposal limit before the end of the operational period for the proposed CMRR-NF. If necessary, transuranic waste generated without a disposal pathway would be safely stored pending development of additional disposal capacity. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information. High level radioactive waste and used (spent) nuclear fuel would not be generated at the CMRR-NF and are outside the scope of the *CMRR-NF SEIS*.

Radioactive waste disposal facilities must meet Federal requirements regarding their ability to contain waste safely and not impact human health and the environment. Performance studies are performed to determine the suitability of the site and to optimize the facility design and operations to safely contain the waste. Facilities also must undergo environmental monitoring and report the results.

AA-25 LANL is an active research facility. Research areas currently under way at LANL include environmental technology, renewable energy, global climate change, antiterrorism and nonproliferation, and biological and biomedical research.

AA-26 Appendix C of the *CMRR-NF SEIS* describes the methodology and assumptions, accident selection process, and selected accident scenarios and their consequences and risks. While accidents at nuclear facilities can have large consequences, the risks can be managed and mitigated with proper design, construction, and operation. Refer to Section 2.8, Nuclear Accidents, of this CRD for additional information.

AA-27 DOE and NNSA are concerned about the long term process and costs associated with housing and safely storing plutonium from nuclear weapons. The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

Campaign AA (cont'd)

29. NNSA should not go ahead with a cost over-run, dangerous, and eco-damaging project such as the CMRR-NF. A more reasonable approach needs to be found. The poor and elderly are being stripped of their benefits to create this project. The quality of life of citizens needs to be improved.
30. Nuclear facility designs do not take into account the changing weather patterns. NNSA needs to heed the warnings of storms that are stronger than ever imagined.
31. The CMRR-NF building will be too heavy seismically.

- AA-28** As discussed in the response to Comment AA-1, a decision on pit production is not within the scope of the *CMRR-NF SEIS*.
- AA-29** NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on Federal programs (for example, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.
- AA-30** Nuclear facilities at LANL undergo an extensive safety evaluation and approval process that ensures that they can be operated safely. This process is mandated by Federal law. The details of the process are also codified and ensure that accident planning includes planning for rare events, including severe seismic and other natural phenomena, such as severe weather and flooding (see Appendix C of the *CMRR-NF SEIS* on facility accidents). Chapter 3, Section 3.4.4, of the *CMRR-NF SEIS* has been revised to include a description of the types of environmental changes that could occur in the southwestern United States due to climate change.
- AA-31** A geotechnical report prepared for the Shallow Excavation Option provides a thorough analysis that focuses on, among other things, the foundation design and performance, taking into account the local seismic setting and the underlying stratigraphy, which includes an unconsolidated tuff layer approximately 15 feet (4.6 meters) below the depth of the proposed foundation (Kleinfelder 2007a). The report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]). The proposed CMRR-NF would be designed and constructed in accordance with geotechnical recommendations provided in the geotechnical reports (Kleinfelder 2007a 2007b). Under the Deep Excavation Option, the addition of 60 feet (18 meters) of low-slump concrete would increase the weight of the building by about 980 million pounds (44 million kilograms). The weight of the soil that would be removed for this deeper excavation is estimated to be about 740 million pounds (340 million kilograms). Under the Deep Excavation Option, the building would sit on rock and there are not similar concerns related to allowable bearing pressure of the soil under this option as opposed to the Shallow Excavation Option. A draft slope stability analysis has been prepared that indicated that global slope stability is not an issue for the Deep Excavation

Campaign AA (cont'd)

- 32. The CMRR-NF project will not increase jobs for people of New Mexico.
- 33. There is too much plutonium.
- 34. Nuclear facilities are accident prone. There is no planning for rare seismic and other events.
- 35. The CMRR-NF building is being built on a fault line.

Option (LANL 2011a: LANL site, 028). If the Deep Excavation Option were selected, as part of the ongoing design and evaluation process, studies would be completed to verify that all geotechnical stability issues had been addressed.

AA-32 The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four county region of influence. However, NNSA recognizes the opinion stated by a number of commentors during the public comment period that the creation of any construction jobs during the current economic climate would have a positive effect on the construction industry in northern New Mexico.

AA-33 As addressed in the response to Comment AA-16, DOE/NNSA has not produced plutonium since 1988 and has no plans to produce additional plutonium. In fact, DOE/NNSA has plans to permanently disposition 34 metric tons of surplus plutonium, and as described in the July 19, 2010, Notice of Intent (75 FR 41850), is planning to permanently disposition approximately 13 metric tons of additional surplus plutonium. See <http://nnsa.energy.gov/nepa/spdsupplementaleis> for more information on NNSA's program for surplus plutonium disposition.

AA-34 Refer to the response to Comment AA-30.

AA-35 Refer to the response to Comment AA-3.

Campaign AA (cont'd)

36. What are the current cancer rates in the LANL area? We believe our daughter died from radioactively-contaminated well water in Santa Fe, New Mexico.
37. More nuclear weapons go against the START treaty.
38. The Cerro Grande fire in 2000 sent smoke to the northeast for probably a month. Is it a coincidence I was diagnosed with bladder cancer the following year? When the trees burned that had grown in the canyons surrounding Los Alamos it was discovered that these were places where barrels of waste from Los Alamos work done long ago had been tossed off the rim. We had to wonder what was in the particles that caused the coughing and two weeks of red eyes.

- AA-36** Chapter 3, Section 3.11.4, Health Effects Study, of the *CMRR-NF SEIS* provides a summary of a number of epidemiological studies that have been conducted in the LANL area, as well as a summary of cancer incidence and mortality figures for the Los Alamos Region as derived from data from the National Cancer Institute. Table 3 19 in Section 3.11.4 summarizes cancer rates from 2003 through 2007 for Santa Fe County. Although it is not possible to draw any conclusion about the cause of any particular cancers, the data indicate that Santa Fe cancer rates are higher than the U.S. and state averages for some types of cancers and lower for others.
- AA-37** Current operations at LANL do not violate the Treaty on the Non Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would operations that would be performed in the proposed CMRR-NF. The United States is reducing its nuclear weapon stockpile, but also needs to maintain the existing stockpile. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.
- AA-38** A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande fire. As noted in Chapter 4, Section 4.6.1.3, of the 2008 LANL SWEIS (DOE 2008a), an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by Risk Assessment Corporation at the request of NMED (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential release sites and concluded that exposure to LANL derived chemicals and radionuclides released to the air during the Cerro Grande fire did not result in a significant increase in health risk over the risk from the fire itself.

Campaign AA (cont'd)

39. Disposition of plutonium waste from the CMRR needs further analysis, including if there are plans to ship the materials to the Savannah River Site. Will plutonium waste to WIPP meet the “spent fuel standard” in disposing of plutonium? This standard was established in DOE’s deliberations on what to do when disposing of surplus weapons plutonium, but disposal in WIPP of such plutonium affirms that the spent fuel standard is null and void. Please confirm, or not, that the spent fuel standard is no longer the standard being applied.
40. There are concerns that issues flagged by DNFSB have not been adequately addressed.

AA-39 Refer to the response to comment AA-24. No shipments of radioactive waste are planned from the CMRR-NF to the Savannah River Site. The potential shipment of plutonium –bearing waste from the Savannah River Site to WIPP is the subject of another DOE SEIS. Refer to <http://nnsa.energy.gov/nepa/spdsupplementaleis>, for more information.

AA-40 For many years NNSA has worked with DNFSB regarding identification and resolution of possible safety issues pertaining to the CMR Building, the CMRR Project, and other nuclear facilities at LANL. For example, DNFSB has reviewed DOE seismic hazard evaluations for LANL (see Section 2.6, Seismic and Geologic Concerns, of this CRD) and NNSA has worked with DNFSB to resolve questions about the design of safety class systems at the CMRR-NF (LANL 2009). In 2009 and in accordance with the 2009 Defense Authorization Act, LANL received a certification of design closure from DNFSB pertaining to the CMRR Project, addressing seismic as well as engineering and design and safety control issues; the certification freed the release of allocated funding for continuation of the project.

The commentor may be referring to a February 8, 2011, letter from DNFSB to Thomas P. D’Agostino, Administrator, NNSA, which referenced a December 20, 2010, letter from LANL to NNSA proposing certain changes to the CMRR project and design (DNFSB 2011a). NNSA responded in a February 28, 2011, letter to Peter S. Winokur, Chairman, DNFSB, indicating that NNSA was analyzing the LANL proposal, and would share its analysis with, and solicit input from, DNFSB before reaching a conclusion. LANL was instructed not to proceed with any design changes until NNSA provides additional direction (NNSA 2011).

Campaign AA (cont'd)

Individuals submitting this campaign:

Frank Aaron	Janet Aldridge	Stephen Appell	John Avery	J. Ball	Athena Batsois	Nick Berezansky
Andrew Abate	Joseph Alfano	Arlene Aquino	Sara Avery	Jean Ballantyne	Allie Baurer	Samuel Berg
Vittorio Abatecola	Jean Alford	Susaan Aram	Ron Avila	Wanda Ballard	Tim Baures	Charlotte Berger
Linda Abbott	Jess Alford	Nick Arcos	Benjamin Axt	Wanda Ballentine	Tamara Baus-tupesis	Christine Berger
Patricia Abbott	Oscar Revilla Alguacil	Dalia Arellano	John Ayala	Katherin Balles	Lavon Bayler	Gaye Berger
Dove Abbott-Mejorado	Stephen Allard	Sholey Argani	Fatima Aydin	Brain Baltin	Maya Be	Gretchen Berger
Nasira Abdul-Aleem	Lisa Allarde	Carroll Arkema	Sue Azizi	Marie Banks	Hannah Beadman	Keith Berger
Judith Abel	Barbara Allen	Frank Armato	Sherry Azzara	Joyce Banzhaf	Richard Beal	Pat Berger
Olga Abella	Benjamin Allen	Jill Armentrout	Barbara Babin	Xochitl Barajas	Lorne Beatty	Jeanene Bergeron
Nando Abrego	Keith Allen	Salme Armijo	Christa Babst	Clara Barber	Beryl Beauchamp	Darcy Bergh
N. K. Acevedo	Lynda Allen	Joel Armin-Hoiland	Christina Babst	Bernadette Barberini	Susan Beauchamp	Patricia Bergh RN
Judith Ackerman	Michael Allen	Wendy Armitage	Daniel Bachmann li	Deborah Barbieri	Joanne Beaudoin	Jean Bergstrom
Inger Acking	Julie Alley	Betty Armstead	Karen Hedwig Backman	m Bare Chen	Bob Beaudry	Margaret Bergwall
Dolores Adams	Virgil Alley	Judy Arnal	Margot Backus	Bonnie Barfield	Deborah Beck	Mark Beringer
Gordon Adams	Jan-Paul Alon	Melinda Arndt	Jessie Bacon	John Barfield	Cindy Beckley	Patricia Beringer
Julie Adams	jacqueline Alpert	Frank Arnold	Joanne Baek	Rosemary Barger	Christine Bedard	Carol Berkeley
Steve Adams	Barbaralynn Altorfer	Margaret Arnold	Adam Baer	Jean Barker	Adam Beebe	Mary Berkenkamp
Elizabeth Adan	Rebecca Alvarado	Maris Arnold	Bernice Baeumler	Rebecca Barker	Thomas Beeh	Lisa Berkley
Patrick Adcock	Donna Alvarez	Loretta Aron	Janet Bagby	Yvonne Barker	Cecelia Behar	Riki Berlin
M. Dianne Addison-Perkins	Kevin Amaral	Darwin Aronoff	Elaine Baglemann	Dolores Barling	Daniel Belachew	Marcia Berman
Kurt Adelberg	Huda Ameen	Dolores Around	L. Bagley	Ray Barlow	Frank Belcastro	Marie Bernache
Marianne Adkins	Gene Ammarell	Richard Arrindell	Rosette Bagley	Stephanie Barlow	Lidia Belknap	William Bernard
Meryl Adler-Waak	Liz Amsden	Ardith Arrington	Helen Bailey	Christine Barnes	Daniel Bell	Jennifer Bernham
Willy Aenlle	Scott Amundsen	Alice Artzt	Marcia Bailey	Geri Barnhart	Jim Bell	George Berreman
Jane Affonso	Kristine Andarmani	Loretta Arvizu	Sharon Bailey	Robert J. Barnhart	Luz Beltran	Jessica Berryhill
Vin Agamenone	Jon Anderholm	Nancy Ashley	William Bailey	Sue Barnum	Joe Bender	G. Bertelmann
Amy Agigian	Abbe Anderson	Nayeem Aslam	Jeffrey Bains	Deborah Barolsky	Sue Benedict	Ray Berthiaume
Luisa Agonstini	Amy Anderson	Carrie Asmar-O'Guin	Arlene Baker	Shelia Barrand	Nancy Bengston	Gerald Bertholl
Ed Aguilar	Catherine Anderson	Armando Aspiras	Ed Baker	Manuel Barrera	Ilene Beninson	George Berton Latamore
Lilia Aguirre	Hallie Anderson	Artemis Asproyerakas	Kofi Baker	Mary Ann Barrett	Donna Benjamin	Lucille Bertuccio
Karen Ahern	John Anderson	Andrew Aсталos	Lang Baker	Steven Barrett	Glen Benjamin	Linda Bescrypt
Albert Ahronheim	Michael Anderson	Deanne and Jona Ater	Lee Baker	Ellen Barron	Brandon Benkosky	Ruth Bescrypt
Jed Aicher	Nancy Anderson	Jeremy Atkinson	Vickey Baker	Sally Barron	Jan Bennett	Bill and Bobbie Best
Mandana Alaudini	Stephen Anderson	Aire Atlas	Gerritt and Elizabeth Baker-Smith	Dwight Barry	Maris Bennett	Isabel Best
Dawn Albanese	William Anderson	David Atwood	Sara Bakker	Ann Bartell	Michael Bennett	Jerry Best
Louis Albano	Amena Andersson	Shari Au	Jack Balch	Kit Barth	Stephen Benson	Tammy Betancourt
Anthony Albert	Tanya Andrew	Lynda Aubrey	Martha Baldoni	John Bartolini	Coralie Benton	Nina Beucler
Eric Albert	Dina Angress	Boyer C. August	Kimberely Baldridge	Cathy Barton	Tamara Berdofe	Emma Beverage
William Albin	Julie Anne	Donna F. Austin	Carol Baldwin	Roberta Barton	Patricia Bereczki	Ken Biasco
Ned Albright	Raul Anorve	Czerny Auyang	Deanna Ball	Abigail Bates	Bernie Berenson	Sasan Bidari
	Barbara Antonoplos	Donna Avent		Roger Bates	Felice Berenson	Annie Bien

Campaign AA (cont'd)

Individuals submitting this campaign:

Amy Biggs	Eric Boehm	Margery Bowser	Laurel Brewer	Philip Bryer	Edith Cacciatore	Bret Carbone
Barbara Bills	Marjorie Boehm	Richard Bowser	Molly Brewer	Ivy Buchanan	Coral Cadman	Rodolfo Cardona
Raymond Bilodeau	Lawrence Bogdanowicz	Polly Boyajian	Steve Breyman	Nancy Buckholt	Terry Cadwallader	Paul Cardwell
Sheryl Biondi	Ronald Bogin	Bruni Boyden	Christine Bridenbaker	John Bucki	Daniel Cadzow	Bill Carey
Cathie Bird	Hope Boije	Christopher Boyle	Janet Brigantino	Trent Buckman	David Cain	Doris Carey
Patricia Birnie	Kathryn Boland	Lorraine Brabham	Sara Brigham	Shannon Buddes	Renato Calabrese	Edward Carey
Rev. Stephanie Bisceglia	Don Bolanos	Wilma Bradbeer	Lesley Brill	Olivia Buehl	Kathleen Caldwell	Naomi Carey
Juanita Bishop	Deetje Boler	Rhonda Bradley	William Brisolara	Joseph Buhowsky	Pam Calhoun	Juanita Carl
Melissa Bishop	Rachel Bolger	Sabine Bradley	Bill Britton	N. Bullock	Thomas Cali	Stephen Carl
Scott Bishop	Emily Boliver	Joan Bradow	Jerry Broadbent	Susan Bulmash	Mary Anne Callaghan	Ian Carlon
Mary C. Bittner	Alicia Bomhoff	Beverly Bradshaw	David Broadwater	Karen Bump	Timothy Callahan	Paul Carlsen
Anita Bixenstine	Patty Bonney	Lee Brady	Nancy Brodersen	M. Catherine Buntin	Mary Camele	Bob Carlsten
Karina Black	A. Bonvouloir	Sandra Brady	Charlotte Brody	Mary Bunting	Denise Cameron	Patricia Carlton
Barbara Blackburn	Jennifer Books	Don Brake	Loretta Brogran	John Buonaiuto	Gloria Cameron	Victor Carmichael
Joseph Blackman	Richard Booth	Chad Bramble	Alan Bromborsky	Al Buono	Patrick Cameron	Gaile Carr
Pat Blackwell-Marchant	Sara Booth	Shaun Brammer	John Bromer	Melinda Burgess	David Camp	Robert Carr
Matthew Blackwood	Kim Borba	George Y. Bramwell	Julia Broome	Bonnie Margay Burke	Rob Camp	Sarah Carr
Roger Blair	Margie Borchers	Anita Brandariz	Margaret Broughton	Colleen Burke	Vincent Campanaro	Patricia Carrier
Robyn Blakely	Bryan Borger	Julia Brandner	Marilyn Broughton	Paul Burke	Francesco Campanoni	Berry Carroll
Sally Blakemore	Dean Borgeson	Kate Brandt	Michael Broughton	Paul Burks	Alexandra Campbell	Mark Carroll
Jennifer Blan	Sharon Bort	Vicky Brandt	Patricia Brower	Deborah Burnett	Benita Campbell	Maureen Carroll
Annette Blanchard	Michelle Bosch	Kevin Branstetter	Alice Brown	James Burnham	Dudley and Candance Campbell	Rhonda Carsten
Brian Bland	Vic Bostock	Beth Brant	Bonnie Jean Brown	Audrey Burns	Grant Campbell	Roberto Carteno
Robert Blau	Jonathen Boston	Gretchen Bratvold	Carlene Brown	Bruce Burns	Karen Campbell	Natalie Carter
Lori Blauwet	Carol Bosworth	Beth Braun	Carol Brown	Darlyne Burns	Kent Campbell	Tim Casebolt
Dale Blecher	William Boteler	Joseph Braus	Deb Brown	Judy Burris	David Campbell	David Casey
Sandra Bleifer	Cheryl Botinelly	Larry Braverman	George C. Brown	Steven Burrows	Norma Campbell	Leslie Cassidy
Drake Bleiweiss	Mary Botti	Angie Bray	Kiley Brown	Kirstie Burt	Steven Campbell	Robert Cassinelli
Linda Blinder	Michelle Bourg	Dolores Bray	Richard Brown	Frances Burton	Tony Camuti	Rae Castina
Petra M. Blix, Ph.D.	Paula Bourgeois	Roberty Brazy	Taylor Brown	Vic Burton	Will Candler	Christina Castle Ray
Patricia Blochowiak	Jessie Bourke	Linda Brebner	Deidre Brownell	Serena Buschi	Annabel Caner	Corinne Cather
Trent Block	P. Boustany	Vernon Brechin	Dr. Joseph W. Brownrigg	Victoria Bush	Alex Cannara	James Catton
Ann Blocker	Susan Bouthot	Bonnie Breckenridge	Sarah Brownrigg	Martha W. Bushnell	John Cannatella	Kelley Caudell
Jerry Bloomer	John Bowen	Ann Breeden	Donna Brumlow	Pat Bushong Whitehead	Ernest Canning	Lenny Cavallaro
Donna Blue	Sandra Bowen Motz	Dana Brekke	Christopher Brunje	Julie Butche	Jay Caplan	Connie Cavara
Gerald Blume	Bettina Bowers Schwan	Denise Brennan	David Brunner	Dottie Butler	Anthony Capobianco	Michael Cecil
Robert Blumenthal	Louise J. Bowles	John Brennan	Robert Bruno	Elizabeth Butler	P. K. Caporrino	Alice Diane Celebre
Joel Blumert	Candy Bowman	Noah and Natasha Brennder	Rose Bruno	Scotti Butler	Hector Capote	James Celico
Orion Bobo	Candy Bowman	Heidi Bresilge	Emlyn Bruns	Richard Byrne	Jeanette Capotorto	Robert Cerello
Linda Bodian	Jason Bowman	Esther Brewer	Pat Brunson	Maureen Byrnes	Dan Cappello	Louie Cervantes
Robert Bodner	Jerry Bowman Jr.		Walter Bruun	C. C.	Barbara Capron	John Cevasco

Campaign AA (cont'd)

Individuals submitting this campaign:

Kathy Chad	Frank Christian	Josephine Coatsworth	Charles Connors	Vera Cousins	Judy Culberson	Ann Dargis
Suzanne Chaffee	Karen Christian	Margery Coffey	David Conroy	Russell Covington	Martha Cuneo	Diane D'Arrigo
Silvia Chai	Yvonne Christison	Kathy Coffman	Patti Constantino-Martin	Carla Cowgill	Judy Cupp	S. L. Dauby
Matt Chalfa	David Christman	Carla Cogswell	Anita Cook	Michael Cowsert	P. Judith Curley-Lindse	Randall Daugherty
Angela Chamberlain	Mary Christman	Beth Cohen	Elizabeth Cook	Bruce Cox	John Curotto	Diane Dauten
Clinton Chamberlain	William Christwitz	Claire Cohen	Jane Cook	Catherine Cox	Cindy Curran	Susan Davenport
Connie Chambers	Halima Christy	Eleanor Cohen	Patricia Cook	Joe Cox	Jon Current	Maggie Davidson
Craig Chambers	Mishka Chudilowsky	Holly Cohen	Rick Cook	Laurie Cozz	Colleen Curtis	Stephen Davie
Gloria Chambers	Gaye Chung	Lois Cohen	Terry Cook	Phillip J. Crabill	Howard Curtis	Merrilly Davies
Kathy Chan	K. Chung	Thea Cohen	Tina Cook	George Craciun	Eileen Custy	Thomas Davies
Nathaniel Chan	Linda Church	Michelle Cohn	Kelli Cool	Edward Craig	Adele Cuthbert	Adrienne Davis
Christopher Chan	Michele Church	Carolyn Cole	Don Cooney	Tanisha Craighead	Sandra Cutter	Anthony Davis
Wayne Chanault	John Cielukowski	Carrie Cole	Mitzi Coons	Jacqueline Craigo	Sandra Cuza	Byron Davis
Norman Chance	Dr. Dorothy Cinquemani	Deirdre Cole	Betty Cooper	Mary Ann Cramer	Betty Cypser	Darlene Davis
Tracey Chance	Jenny Clagett	Merrill Cole	Ruth Cooper	Jaclyn Cranach	Kathy Lynn Dabanian	Dassano Davis
Carolyn Chandler	William Claiborn	Martha Colella	Sandra Cope	Kimberely Crane	Deborah Dahlgren	Frances Davis
Leonard B. Chandler	Janice Clark	Edith Coleman	Anneke Corbett	Patricia Crane	Shelley Dahlgren	George Davis
T. Chandler	Jean and Donald Clark	Henry Coleman	Sister Kathleen Corbett	Lisa Crawford	Bob Dahlstrom	Lee Davis
Trish Chaney	Kenneth Clark	William Coleman	Tom Cordaro	Case Crenshaw	Felicia Dale	Linda Davis
Patricia Chang	Morgan Clark	Alessandra Colfi	Carmen Cordero	Pepe Luis Crespo	Glenn D'Alessio	Phillip Davis
Carol Changus	Stuart Clark	Anne Colgan	William Corey	Jessica Cresseveur	Mitch Dalition	Shirley Davis
Cara Chapman	Susan Clark	Judith Collas	Joseph Corio	John Crisman	John Dalla	William Davis
Paul Chappell	Cate Clarke	Frank Colletto	Leela Corman	Scott Crockett	Robert Daly	Karen Davis-Aragon
Celeste Chase	Karen Clarke	Tim Collingwood	Jared Cornelia	Sheila Croke	Anthony Martin Dambrosi	Carla Davis-Castro
Ruth Chase	Marcia Clarke	David Collins	Marie Corr	Gary Cronin	Dodie and Roy Danchick	Althea Day
Juanita Chatham	Gertrude H. Clawson	Peggy S. Collins	Catherine Corwin	Bill Cross	Dorothy Dangerfield	Michael Dayton
Marc Chatot	Metric Clay	Raymond Collins	Angelica Cory	David Cross	Edwin Daniel	Ruthanne Dayton
Tim Chavez	Janice Cleary	Virginia Collins	Jean Cossey	Norma Cross	Chris Daniel	Renee de Alba
Jean Cheesman	Deana Cleesattel	Rosemary Colson	Sonya Costanza	Jean Crossley	Arthur Daniels	Bro. Noel De Bruton,
Caroline Chesebrough	James Cleland	Lisa Nelson Colton	James Costello	John Crotty	John Daniels	SDB
M. Chessin	Gloria Clements	Lynne Colvig-Cameron	Mike and Heather	Gerrit Crouse	Judy Daniels	Pedro-Martin de Clet
Phoury Chhun	Tom Clements	Connie Colvin	Costello	Saundra Crowell	Sally Daniels	James De Crescentis
Francis Chiappa	Jamie Clemons	Steven Combes	Nancy Costello	Lawrence Crowley	Steve Daniels	Michael De Frane
Marianne Chiappone	Richard Clifford	Betty Combs	Daniel Cottle	Robert Bruce	Ephrosine Daniggelis	Stella M. Aleman de
H. Chicholm	Sister Mary Brigid	Janice Combs	Brad Cotton	Cruikshank	Pamela Dannacher	Gallardo
Winnie Chin	Clingman OP	Sandy Commons	David Cotton	Diane Crummett	Zepeda	Jane De Hawkhurst
Nancy Chismar	Steve Clinton	Lucia Comnes	Elizabeth Cotton	Melissa Crutcher	Wendy Dannett	Barry De Jasu
Albert Chiu	John Cloninger	Richard Comtois	Ricardo Cottrell	Marian Cruz	K. Danowski	Carol De Marinis
Tina Choate	Kate Cloud	Jo Conaty	Jack Couch	John Csaszar	Lisa Dantonio	Elisse De Sio
Ashley Choker	Douglas Clough	Lumarion Conklin	Chuck Countryman	C. T.	Richard D'Arcangelo	Vincent De Stefano
Ana Chou	Jan Clouse	Catherine Connell	Ron Courson	Drew Cucuzza	Cheryl Dare	Bonita De Trinis

Campaign AA (cont'd)

Individuals submitting this campaign:

Mercedita de Valle	Carol Devore	Elizabeth Dodd	Phyllis Drummond	Jane Edsall	Frank Erickson	Stephen Fass
Arienne De Vassasi	Carol Dewey	James Doeppers	Chris Drumright	Beverly Edwards	Lisa Erickson	Darlene Fast
Jeff Deal	B. Dewing	Anthony Doherty	Andrew Drury	Elliott Egan	Mary Christine Erickson	Wendy Fast
June Dean	Jill Dexter	Kathy Dolan	Rob Dryden	Emily Eggan	Stephanie Erickson	Thomas Fasy
Sue Dean	Paul Diamond	Robin Dolbear	Julie Du Bois	Bruce Eggum	Judy Ericson	Rachel Fatoorachi
Dorothy Dean	Brad Diaz	Merelyn Dolins	Chief Dubie	Jeffrey Eiche	Peter Eriksson	Naomi Fatouros
Angelina DeAntonis	Francisco Diaz	William Dolly	Thea DuBow	William Eichinger	Barbara Erlichson	Don and Joyce Faulk
Elisa DeBoer	Liliana Diaz	Linda Domina	Tim Duda	Nancy Eichler	Kristin Erman	Mariah Faulkner
Denise DeGarmo	Sara Diaz	Adam Dominiak	Robert Duffy	Henry Eisenhauer	Judith Ernst	Vernon Faulkner
Carolyn Deibel	Carol Dibbern	Parkhurst Don	Pat Dugan	Kimberly Eisentrager	Grace Ertel	Vanessa Favero
Rachel Deierling	Regina Dickerson	Mark Donaldson	Kathy Duke	Charlotte Eisner	Heather Ervin	Bob Fay
Joan Delauro	Laura Dickey	Mark Donato	Robin Dulling	Elizabeth Eisner	Donald Erway	Lori Fay
Lori Delbello	Robert Dickinson	Chuck Donegan	Lloyd Dumas	Steve Eklund	Victor Escobar	Victor Escobar
Barb DeLeone	Patricia Dicoste	Mark Donham	Maryse Dumas	Carol Elder	Dan Esposito	Peggie Feddersen
Arthur Delgadillo	Margaret Diegelman	Patricia Donnelly	Pat Duncan	Randall Ellenburg	Danny Esposito	Raleigh
Paul Delisle	Jennifer Diehl-Berman	Debbie Donofrio	Dave Dunkak	Gunhild Ellerbe	John Essman	Dennis Feichtinger
Jennifer Delker	B. Thomas Diener	Stephan Donovan	John Dunn	Nancy Ellingham	Douglas Estes	Emily Feingold
Jeanne Deller	Maria DiFiore	Mary Dorn	Krista Dunn	Michelle Elliot	Chris Evans	Elayne Feinsod
Pete Delorenzo	Jo DiLallo	Bernadine Dosch	Mary Dunn	Charles Elliott	Dinda Evans	Joe Feinstein
Dave Delson	Christi Dillon	Linda Doss	Clover Durfee	Eli Elliott	Jason Evans	John Felden
Ben Demar	Lilian Dillon	Ellen Douglas	Ganesh Durgadas	John Elliott	Jonathan Evans	Ovina Feldman
Jackie Demarais	Richard Dimatteo	John Douglas	Samuel Durkin	Julie Heath Elliott	Michael Evans	Ruth Feldman
Libby Demartelly	Michael Dimen	Shawn Douglas	Vanessa Duve	Chris Ellis	Monica Evans	Nancy Feraldi
Mary Jo DeMyer	Carmen Dinescu	Walter Douglas	Bob Dyck	Robert Ellis	Randy Eveleigh	Beverly Ferguson
Teresa DeNardo	Patricia Dion	Emily Doutre	Doug Dyer	Maura Ellyn	Suanne Ewing	Shirley Ferguson
Amy Denio	Deborah Dipierro	Amanda Doveatt	Paul and Carol Dyer	Angela Elmendorf	Megan Faber	Linda Ferland
James Denison	B. Dirnbach	David and Catherine Dow	Tracey Dyer	David Elmendorf	John Fabris	John Fernandez
Phillip Dennany	Jill Dismore	Ken Dow	Darlene Dynega	Celeste Elmore	Janet Fagan	Ed Ferrara
Alison Denning	Dave Dittman	Steve Downing	Denise Janssen Eager	Carol Elrod	Judy Fairless	Antonio Ferreira
Gudrun Dennis	David Dixon	Mcperson Downs	Susan Earle	Valerie Elster	James Fairley	Rebecca Ferrell
Bob Densmore	James Dixon	Felicity Doyle	Vickie Early	Ernest Ely	Daniel Faisal	Sharon Fetter
Karen Deora	Joan Dixon	P. K. Doyle	Rick Easton	Ronnie Endre	Bonnie Faith-Smith	Alica Fichandler
Joan Depew	Sarah Dixon	Richard Doyle	Linda Eaton	John Engel	Florence Falk	Pari Fields
Tiffany Derreumaux	Vernon and Mary Joyce	Sky Dredge	Roger Eaton	Lori English	R. Yvonne Fallert	Nancy Fifer
Thierry Deshayes	Dixon	John Dreiling	Wendy Ebersberger	Judith Enich	Sherry Falling Leaf Jones	Donald Figge
Kevin DeSilva	Janice Dlugosz	Lyn Dremalas	Gerhard Eckardt	Elizabeth Enright	Emily Fanning	Yvonne Fileccia
Lillian Deslandes	D. M.	Linda Drescher	Nancy Eckel	Dianne Ensign	Alison Huse Farhner	Laura Fillmore
Marshall E. Deutsch	Harlson Doak	Alicia Dressman	Sasha Eckert	Beth Enson	Allison Huse Farhner	Robert Fingerman
Sara Deutsch	Renata Dobryn	Beth Drewelow	Stacy Eddings	Nicole Eppstein	M. J. Faris	Tom Finholt
Gita Dev	Bruce Dobson	Todd Dripps	Muriel Edgerton	Jamie Erfurdt	Luke Farrell	Amanda Finlayson
Mary Devlin	Carol Dobson	Paul Drowns	Brian Edmison	Carole Erickson	Nancy Lee Farrell	Joel Finley

Campaign AA (cont'd)

Individuals submitting this campaign:

Mary Lou Finley	Robert Ford	Marion Frazier	Fairlee Gamble	GearhartSchinske	Joseph Gilliland	Aaron Gorden
Jeannie Finley-	Mary Ann Ford, IHM	Claudia Freeman	Margerite Gamboa	Deborah Geary	Monica Gilman	Abe Gordon
Kochanowski	Chad Fordham	Michael Freeman	Jeff Gammill	Sheila Geist	John Gingerich	Ben Gordon
Paulette Finnegan	Azima Lila Forest	Andre Frehley	Michele Gannon	Carol J. Gelfand	Jill Ginghamer	Susan Gordon
Marion Fiore	Elaine Forester	Steven Frenkel	Toni Ganshert	Sally Jane Gellert	Shirl Gladhill	Carole Gorecki
Sara Fisch	Joan Forman	Philip Frey	Kelly Garbato	Judy Genandt	Charles Glaser	Eugene Gorrin
Bernice Fischer	Sharon Forrest	Nancy Freyer	Julian Garberson	Derek Gendvil	Mark and Susan Glasser	Gordon Gosse
Elaine Fischer	Robert Forsythe	Chris Fried	Kathe Garbrick	Merideth Genin	Garry Gleckel	Barbara Gotti
Jason Fish	Lori Fortier	Cary Friedman	Sonya M. Garbutt	Jesse Gennarelli	C. Glick	Linda Gottschalk
Claudia Fisher	Nancy Fortin	Michael Friedman	Christine Garcia	Helen Gennari	Janice Gloe	Pat Gottschalk
Rich Fisher	Priscilla Forward	Mitchell Friedman	Kevin Garcia	Annick Gentet	Adams Glory	Mark Gotvald
Ted Fishman	MaryAnna Foskett	Victoria Friedman	Lauren Garcia	Don Gentry	Kris Glover	Rebecca Gough
William Fisk	Tawnya Foskett	Robert Fritsch	Olaya Garcia	Marvin Gentz	Michelle Gobely	Sean Gough
Marylee Fithian	Bob Fossgreen	Sarah Fritz	William Gardiner	Clyde George	Alicia Godbee	Charity Gourley
Calvin Fitzgerald	Chanda Foster	Joyce Frohn	Brandi Gardner	Constance George	Joan Godoy	Norman Gourley
Gerry Fitzgerald	David Foster	H. D. Frotscher	David Gardner	Francie Georges	Frank/Joan Goebels	Pat and Gary Gover
Stan Fitzgerald	Mary Foulger	Christina Frugoli	Rebecca Gardner	Gordon Gerbitz	Cathy Goff	Jennifer Goyette
Steven Fitzgerald	Brian Fourman	Beryl Fry	Gregory Garduno	David Gerke	Sandy Gold	Anthony Gradert
Mitra Fiuzat	Eleanor Fox	Lisa Frye	Rachel Garibay-	Betsy Germanotta	James Goldberg	Jess Graffell
Tania Flancher	Linda Fox	Steve Fuchs	Wynnberry	Mali Gesmundo	Leslie Goldberg	Amanda Graham
Linda Flannery	Robin Fox	Jen Fullem	Amber Garlan	Eric Geswender	Michael Goldberg	Charlie Graham
Robert Flavell	Frances FrainAguirre	Michelle Fuller	Toni Garmon	Elizabeth Gettins	Joseph Goldman	George Graham
Constance Fleming	Marushka France	Pamela Funkhouser	M. Garrett	Lisa Gherardi	Steven Goldman	Karen Graham
Doug Fleming	Irena Franchi	Sherrill Futrell	Donna Garrison	Violet Gholi	William Goldman	Dabra Grant
Sarah Fletcher	Faith Franck	Wendy Futrick	Melissa Garrison	Laurie Gianatasio	Andres Goldschmidt	Dori Grasso
Susan Fletcher	Matthew Franck	Joe Futterer	Nicole Garrity	David Giantomasi	Marlene Goldsmith	Marya Grathwohl
John Flitcraft	Nicholas Frangakis	Greg Gable	Ann Garth	Brian Gibbons	Sonia Goldstein	Tracy Grauel
Rick Flory	Lee Frank	Robert Gabriel	Esther Garvett	Alison Gibson	Frances Golf	Dick Gray
F. Daniel Floss	Robert Frank	Roland Gabriel	Lydia Garvey	Andi Gibson	Joseph Golinveaux	Erica Gray
Bobbie Flowers	Samantha Frank	Dennis Gadowski	Michael Gary	Robert Giese	Michael Gomel	Heather Gray
Kim Floyd	Sharon Frank	Marnie Gaede	Ruben Garza	Linda Giger	Gus Gomez	Roxy Gray
Caitlin Flynn	Audrey Franklin	Mary Gail Decker	John Gasperoni, Ph.D.	Gary Gilardi	Carlos Gonsalves	Sandra Gray
Dan Fogarty	Doug Franklin	Mark Galbraith	Nancy Gathing	Tavia Gilbert	Clarrisa Gonzales	Sylvia Ruth Gray
Erin Foley	Luther Franklin	Allison Gale	Gina Gatto	Valerie Gilbert	Veronica Gonzalez	William Gray
Michael Follman	Mary Frantz	Irene Gale	Jessica Gatty	William Gilbert	William Gonzalez	Marilou Greboval
Adrienne Fong	Joe Frascone	Richard Gale	Sister Jane Gaughan	Thomas Gilbin	Fran Good Medicine Wolf	Jeanne Green
Christina Fong	Alex Fraser	Daniel Galindo	Lyle Gaulding	Karen Giles	Klabunde	JoAnn Green
Damian Fontanez	Carol Fraser	Gary Gall	Linda Gazzola	Ayesha Gill	Nicole Gooden	Sandra Green
Deborah Forbes	Evelyn Fraser	Justin Galle	April Gear	Susan Gill	Ben Goodin	Stacy Green
Betty Ford	William Frayar	Rita Gallin	Dave Geare	James Gilland	Diana Goodman	Michael Green
John Ford	Timothy Frazer	Christopher Galton	Catherine	Sharon Gillespie	Edward Goral	Lenore Greenberg

Campaign AA (cont'd)

Individuals submitting this campaign:

Dan Greenburg	Evelyn Haas	Stephanie Hammond	Virginia Harris	Susanne Hayes	James Herne	Harry Hochheiser
Dan Greenburg	Margaret Haas	Todd Hammond	Wayne Harris	Terry-Anya Hayes	Ana Herold	Harold T. Hodes
Amy Greene	James Haber	Richard Han	Wendy Harris	Veronica Hayes	Ariel Heron	Thomas Hodges
Barbara Greene	Gloria Hacker	Lillian Hanahan	William Harris	Judith Hazelton	Bill Herrera	Noah Hodgetts
Jerry Greenstein	Sylvia Hackett	Karen Hancock	Auberon Harrison	Jim Head	Martha Herrero	Jean Hoegler
Ken Greenwald	Michaeline Hade	Janet Handford	Gerald Harrison	Mark Heald	Matthew Herrin	Joanne Hoemberg
Cathy Greer	Sarah Hafer	Tara Hands	Harry Harrison	Simone Healey	Claire Hertz	Maryilyn Hoff
Helen Greer	Francis Hagan	Steven Handwerker	Paige Harrison R.N.	Joan Heaps	Marla Herzog	Phillip Hoff
Cara Gregoire	Janet Hagge	Stephen Hanft	Nancy Hartman	Melody Heart	William Hess	David Hoffman
Rosemary Gremillion	Wouter Hagoort	Denise Hanley	David Hartsough	Roland Heath	Susanne Hesse	Tuesday Hoffman
Elaine Gremminger	Paul Haider	Sue Hanlin	Jackie Harvey	K. Heatherington	Joanne Hesselink	Norma Hogan
Kathleen Greshman	Brenda Haig	Helen Hanna	Richard Harvey	Thomas Heck	Thea Hetzner	Carol Hoke
Georgia Griffin	James Haig	Roger Hannah	Sr. Mary Harvey	Juliette Hedgecock	Lisa Hey	Beth Hoke
John Griffin	Jon Haigh	Arbie Hansen	Travis Harvey	L. D. Heiber, Jr	Harrison Heyl	Catherine Holden
L. Susan Griffiths	Harold and Eva Haight	Christine Hansen	George Hasapidis	Kristina Heiks	Lisa Heyl	Grace Holden
Tierney Grinavic	Milad Hakimbashi	Art Hanson	Chyako Hashimoto	Christian Heinold	Elizabeth Hickman	Sharon Holford
Russell Grindle	Denise Halbe	Donna Hanson	Robert Haslag	Erika Heins	Miranda Hicks	Dorothy Holland
Dave Griswold	Ellen Halbert	Jim Hanson	Gerald Haslam	Jenny Heinz	Nancy Hiestand	Kai Holland
Robert Groff	Carolyn Hale	Kristi Hanson	Malissa Haslam	Mary Heller	Alan Hill	Beverly Hollingsworth
Malcolm Groome	Jennifer Hall	Mardi Hanson	Kamal Hassan	Kathleen Helmer	Freya Hill	Ann Hollyfield
Ollie Grosclaude	Linda Hall	Natalie Hanson	Robert Hasselbrink	Charles Helt	Michael and Barbara Hill	Mary Holm
Seymour Gross	Lisle Hall	Phil Hanson	Sarah Hasted	Diane Helt	R. Hill	David Holman
Greg Grosser	Sarajane Hall	Robert Hanson	Dawn Hatch	Carol Hemingway	Susan Hill	Mark Holmgren
Lisa Grundmann	Victoria Hall	Michael Hante	Barry Hatfield	Drew Hempel	Frank Hill	Nicole Holstein
Jeanne Guerin	Mark Hallett	Tamara Harder	Ryan Hatfield	Carolyon Henderson	Shannon Hillary	Amy Holt
Edric Guise	Mary Halligan	Sondra Hardgrave	Susan Hathaway	Louise Henderson	Kristen Hilliard	Cathy Holt
Elizabeth Guise	Silvia Halligan	Nicole Hardin	Valeri Haugen	Nancy Henderson	Kathy Hilt	Rhonda Holt
Elizabeth Gulick	Elizabeth (Bay) Hallowell	Rinat Harel	Timothy Haught	Lynda Hendrell	Kylie Hines	Robert R. Holt
Marilyn Gullede	Donald Halm	Missy Hargraves	Carolyn Haupt	Charlotte Hendrickson	Lani Hink	Margaret Holton
Penny Dixon Gumm	Chad Halsey	Betts Harley	Carey Hauser	Carley Henius	Mark Hinnebusch	Barbara Holtz
Ellie Gunn	Dee Halzack	Linda Harlow	Sue Hawes	Ann Hennelly	Sally Hinshaw	Michael Holzman
Sylvia Lewis Gunning	Daniel Hamilton	Jack Harmell	Bruce Hawkins	Roy Henock	Peggy Hinsman	Deanna Homer
Karlene Gunter	F. Hamilton	Angela Harmon	Julie Hawkins	Joel Henry	Harriet Hirsch	Naomi Hood
Peter Gunther	James Hamilton	J. Harmon	Whitney Hawks	Mallika Henry	Ralph Hitchcock Jr	Marcia Hoodwin
Andrew Gustus	Michelle Hamilton	Ned Harmon	Judith Haworth	Norman Henry	Cherida Hivale	Janet Hoover
Elizabeth Guthrie	Sarah Hamilton	William Harmon	Sr. M. Amelie Hawxhurst	Lana Henson	Michael Hobbs	Karolyn Hoover
Linda Guthrie	Penny Hammack	Robin Harper	Bill Hay	Beverly Herbert	Roberta Hobbs	Sherman Hoover
Taza Guthrie	Barb Hammerlind	Roger H. Harrell	Shirley Hayden	Jack Hereford	Lita Hobgood	Elke Hoppenbrouwers
Luis Gutierrez-Esparza	Lisa Hammermeister	Claudia Harrington	Colleen Hayes	Nancy Herlinger	Frank Hobin	Maury Hopson
Michael Guyette	Hank Hammett	James Harris	Jack Hayes	Randy Herman	Adrienne Hochberg	Rosina Horeth
Carol Haag	Marcella Hammond	Melissa Harris	Jennifer Hayes	Israel Granja Hernandez	Charles Hochberg	Karen Horn

Campaign AA (cont'd)

Individuals submitting this campaign:

Maurice Horn	Danny Hull	Maria Jackson	James Johnson	Barbara Jurgens	Norman Keegel	Mary Kientz
Valerie Horne	Barbara Humphrey	Tom Jackson	Jeanie Johnson	Cynthia Justice	Kaija Keel	Mitch Kihn
Laura Horning	Jason Humphrey	Sharon Jacobs	John Johnson	Barbara Juskiewicz	JoAnn Keenan	Diana Kilche
Lucy Horwitz	Jay Humphrey	Lani Jacobson	Joyce Johnson	Adam K.	Thomas Keenan	Patricia Kiley
Michael Horwitz	Roberty Humphrey	Susan Jacoby	Karen Johnson	George Kacouris	Verda Keenan	Toni Kimball
Alexander Hosea	Thomas Humphrey	Carol Jagiello	Karolyn Johnson	Karen Kahn	Joy Keeping	Dawn Kimble
Ruth Hosek	Shiu Hung	Kathy Jakubowski	Lynda Johnson	Harvey Kaiser	Audrey Keesing	Scott Kimmich
Jessica Hosler	Jon Hunstock	Darlene Jakusz	Mark Johnson	Robert Kalayjiam	Steve Keil	Maria Kindel
Barbara Hostetler	Erika Hunt	Diane Jalbert	Michael Johnson	David Kaliner	John Keiser	Ann King
Holiday Houck	Neil Hunt	Dawna James	Michele Johnson	Lacey Kammerer	Joanne Kellar	Barbara King
Liz Hourican	Sharon Hunt	Michael Jameson	Michele Johnson	Kanthleen Kane	David Kelley	David King
David Houseman	Lynne Hurd	Tina Jamie	Molly Johnson	Louise Kane	Richard Kelley	Debbie King
Mandi Houston	Katie Hurley	Anna Janakiraman	Randy Johnson	Stephanie Kane	Alice Kelly	Debra King
Larry Hovekamp	Kristin Hurley	D. Jankord	Rheta Johnson	Nadia Kanhai	Barbara Kelly	Elisabeth King
Larry Hovekamp	Edward Hurst	Beverly Janowitz-Price	Scott Johnson	David Kannerstein	Ed Kelly	Robert King
Beatrice Howard	Erik Husoe	Bob and Donna Janusko	Sue Johnson	Michaelain Kanzer	Jack Kelly	Ruthmarie Kinley
Ernie Howard	Kimberely Hutcheson	Gayle Janzen	Virginia Johnson	Stephanie Kaplan	Nancy Kelly	Janet Kinniry
Lucy Howard	Kimberly Hutchins	Natalie Jarnstedt	Linda Johnson-Rubick	Piper Karie	Wayne Kelly	Paul Kinzelman
Maria Howard	Delores Hutson	Benjamin Jaymz	Breanna Lee Johnston	Sunni Karll	Jane Kelsberg	Susan Kiplinger
Orrin Howard	Sarah Hutt	Hubbard	Clifford Johnston	Fred Karlson	Craig Kelso	Cheryl Kirby
Belinda Howell	Joan Hutton	Paul Jefferson	Pamela Johnston	Patricia Karoue	Shari Kelts	John Kirchner
Jane Howell	Karie laflamme	Paridokht Jenab	Susan Johnston	Michael Karp	Susan Kempainen	Lorraine Kirk
David Howenstein	J. Iam	Gil Jenkins	Rev Allan B. Jones	Nowell Karten	Andrea Kendall	Jennifer Kirkpatrick
Abigail Howes	Tricia Idrobo	Mary Jenkins	Andrew Jones	Gloria Kasdan	Colleen Kennedy	Jim Kirkpatrick
Elaine Howes	Robin Iles	Blaine Jensen	Barbara Jones	Marion Kaselle	Margaret Kennedy	James Kirks
Jo Ann Howse	Elizabeth Indick	Jennifer Jensen	Gary Jones	Monir Kashef	Kate Kenner	Jill Kirkstadt
Jon Hoy	Chuck Infantino	Margaret Jensen	Jeffrey Jones	Kerul Kassel	Robert Kenney	Karen Kirschling
Robyne Huber	Harriet Ingram	Pia Jensen	Karen Jones	Andrew Katsetos	Haley Kenyon	Kathy Kirsh
Shirley Hudleson	Maryanna Ireland	Judy Jessee	Suzanne Jonson	Joanna Katz	Patricia Kerner	Jerome Kirsling
Jeffrey Hudson	Gretchen Irion	Anka Jhangiani	Sandra Joos	Raymond Katz	Angela Kerr	Mary Ann Kirsling
Carole Huelsberg	Lura Irish	Pam Jiranek	Joseph Jordan	Adene Katzenmeyer	Sarah Kerr	John Kitchel
Wanda Huelsman	Rachel Irwin	Joan Joesting	Lois Jordan	Eleanor Katzman	Vicki Kerr	Lana Kitchel
Yolanda Huet-Vaughn	Ed Isaacs	Florence Joffe	Olive Jordan	Muffett Kaufmann	Kathleen Keske	Janet Klecker
Richard Huff	Phil Issenberg	Keven Johansen	Eric Jorgensen	Swami Kavyo	Dorothy Kethler	James Klein
Debbie Huffman	Steve Issenberg	Oda John	James H. Jorgensen	Helmut Kayan	Eugene R. Key	Walter Kleine
Lisa Huffstickler	Anthony Ivankovic	Bettemae Johnson	Michael Joseph	Joy Kaye	Mha Atma S. Khalsa	Leona Klerer
Jennifer Hughes	Ian Iverson	Chrissie Johnson	Graham Joy	Gabrielle Kayser	Shantara Khalsa	Frank Kleshinski
Mary Hughes	Mary Izett	Elaine Johnson	Ana Jude	Adam Kean	Razeefa Khan	Margaret Klette
Tom Hughes	Martha Izzo	Elizabeth Johnson	Ruth Judkins	Michelle Keating	Salma-Ahmad Khan	Louise Kligman
Allene Hulett	Mau Jablinske	Erica Johnson	Karol Judy	James Keats	Kathi Kibbel	Scott Klimek
Cynthia Hull	Leila Jackson	Gerard Johnson	Lesley Julian	Aliza Keddem	Bob Kiefer	Crandall Kline

Campaign AA (cont'd)

Individuals submitting this campaign:

Doug Klingenberg	Marylin Kraker	B. Lacic	Dona LaSchiava	Kyra Legaroff	Orlanda Leyba	Peter and Vicky
Kathleen Klinkenberg	Joan Kramer	R. Terence Lamb	Lana Lasley	Doris Lehr	Georgia Libbares	Lockwood
Kay Klinsport	Judy Kramer	Mary Lambert	Margarita Latimer	Richard Leibold	Donna Libbey	John Loder
Peter Klosterman	Julie Kramer	Larry Lambeth	Sylvia Latimer	Karen Leibowitz	Dorothy LiCalzi	Stewart Loeblich
Sandra Kluth	M. Kramer	Jim Lamon	Norma LaTuchie	Barbara Leicht	Mark Lichtenberger	Wolfgang Loera
Mackie Knight	Beverly Krasner	Bryan Lancaster	Jillana Laufer	Avery Leinova	Bob Lichtenbert	Kandace Loewen
John Knipe	Al Krause	Marty Landa	Cynthia Laughery	John Lemmon	Sharon Lieberman	Kit Lofroos
Donna Knipp	Laura Krause	Beryl Landau	Char Laughon	Kathryn Lemoine	Gloria Lieberstein	Saab Lofton
Esther Knott	Margaret Krause	Doug Landau	Alison Laurell	Lukasz Lempart	Daniella Liebling	Scott Logan
Tracey Knowlton	Pesach Kremen	Dorothy Lander	Val Laurent	Dena Lenard	Edmund Light	T. Logan
Cynthia Knuth Fischer	Sally Kriebel	Margaret Lander	Ed Laurson	Donna Lenhart	John Light	Terrence Logue
Leif Knutsen	Robert Krikourian	Susan Lander	David Laux	Patricia Lent	Jim and Norma Lightcap	Robert Lombardi
Deb Kobres	Kathy Lou Kronenberger	Michele Landis	Marc Laverdiere	Jon Warren Lentz	F. Kay Lightner	Jeanne Londe
Mary Ann Koch	Janet Krouskop	Deborah Lane	Stephen Laverty	Eli Leon	Rick Ligin	Freddie Long
Susan Koehne	K. Krupinski	Frank Lane	Fred Lavy	Mary Leon	Linda Lillow	Jonne Long
Joseph Koeller	Vicki Kruschwitz	Jana Lane	Chris Law	Lisa Leonard	David Lilly	Mary Long
Steve Kohn	Patrick Kruse	Charles Lane	Linda Law	Lodiza Lepore	Audrey Lima	Matthew Longacre
Kirk Komick	Phyllis Krystal	Maryann LaNew	Carol Lawrence	Judith Lerma	Julene Lima	Victoria Lord
Felicia Kongable	Mike Kubisek	Mark Langberg	Christopher Lawrence	James Leslea Kunz	Karen Linarez	Michael Lord
Charlotte Koons	Claire Kugelman-Kropp	Marlena Lange	Janice Lawrence	F. Richard Leslie	Robert Lincoln	Robin Lorentzen
Richard Koontz	Eleanor Kuhl	Norbert Langer	Jessica Lawrence	Kerry Leslie	Britt Lind	Lois Lorenz
Frank Koort	Kristen Kuhre-Homquist	Alisha Langerman	Jim Laybourn	Gerson Lesser, MD	David Lindberg	Joe Lorigo
Ria Koper	E. Kulhanek	John Langevin	Joy Layman	Philip Letson	Thomas Lindeman	Rene Lough
Kristian Kopinski	Marie Kullman	Jennifer Langociu	Richard Leach	Tammy Lettieri	Joanne Linden	Thomas Love
Vicki Kopinski	John and Aline Kultgen	Catherine Langston	Kate Leahy	Paula LeVeck	Susan Linden	Patsy Lowe
Gloria Korhonen	Janet KuncI	Cheryl Laos	Bob Leaming	Mary Levendos	Ceryl Liniman	William Lowe
Meryle Korn	Adele Kushner	Carol Lapetino	Candy Leblanc	Shaun Marie Levin	Virginia Linstrom	Sanna Lowrance
Christopher Kormmann	Lester Kyle	Gary Lapid	Edward LeBlanc	Christy Levine	Robert Linzmeier	Alana-Patris Loyer
Alan Korsen	Denise L	Sharron Laplante Md	Naomi Lebwohl	Julie Levine	Matthew Lipschik	Luis Lozano
Greg Koshak	Martha La Cava	Mph	Sue Lecroy	Lisa Levine	Patricia Ann Liske	Eve Lubin
Phaedra Kossow-Quinn	Isabella La Rocca	Jennifer Larkins	Dennis Ledden	John Lewallen	Barbara Liszeo	Karen Lucas
Christian Kostelnik	Gail Lack	Areil Larsen	Lorraine LeDuc	Courtney Lewis	Gladis Little	Steve Lucas
Grrham Koster	Dale LaCognata	Charmaine Larsen	Brendan Lee	Erma Lewis	Marcia Little	Windy Lucas
Constance Kosuda	Susan LaFaive	Jane Larsen	Crystal Lee	John Lewis	Peter Little	Lora Lucero
Ben Kotcher	Michael Lahey	Joyce Larsen	Esther Lee	Larry Lewis	W. Little	Diane Luck
Thomas Koven	Donald Lahti	Karen Larsen	Gary Lee	Marvin Lewis	Caro Liu	Llewellyn Ludlow
Andrew Kozakow	Joanie Laine	Ruth Larsen	Kenneth Lee	O. Lewis	Daniel Livingston	Suzanne Ludlum
Tom Kozel	David Laing	Karen Larson	Rain Lee	Stephanie Lewis	James Livingston	Martha Lujan
Stefan Kozinski	John Laing	Karly Larson	Summer Lee	Thomas Lewis	Frances Lizette	Keth Luke
John Kraemer	Carole Lake	Pat Larson	Thomas Lee	Rena Lewis	Kim Loan Nguyen	Linda Luke
Diane Kraft	Jennifer Lake	Jennifer Lasby	John Leedy	Fred Lewis	Georgia Locker	Richard Luke

Campaign AA (cont'd)

Individuals submitting this campaign:

Patricia Luken	Molly Madden	Daniel Marks	Francis Matri	Mary McCarthy	Paul and Margaret	Esthert Megill
Caroline Luley	Michael Madias	Ira Marks	Cleo Masur	Mike McCartin	Mcgrath	Summer Megrath
Kirk Lumpkin	Richard Madole	Kip Marlow	David Masur	Brenda McCauley	William McGuire	Dan Meier
David Lunde	Calli Madrone	Richard Marrero	Adam Matar	Michelle McCaulley	William Mchenry	Andres Mejides
Joanne Luongo	Shanti Maffey	Jan Marsden	Maryjo Matheny	Mary Mccaw	Patricia McHugh	Carol Mellom
Rocio Luparello	Max Magbee	David Marsh	Thomas Mathews	Mauria Mcclay	Anton Mclnerney	Patricia Melody
Tammy Lusciatti	Michael Maggied	Christopher Marshall	Thomas Matsuda	Harriet Mccleary	Barbara McKee	Gwenn Meltzer
Brian Lutenegger	Laura Magzis	John Marshall	Martha Mattes	Joby McClendon	John McKee	Rose Marie Menard
Daniel Lutzker	Eileen Mahood-Jose	R. Marshall	Nancy Matthews	Linda McClure	Laurel McKeever	Jitka Mencik
Jayson Luu	Margaret Mainelli	Chas Martin	Laurie Mattingly	Kelly McConnell	Mark Mckennon	R. Miles Mendenhall
Mary Lyda	Patrick Maiorana	Janice Martin	Matt Matysik	Tamra McConoughey	Danielle Mckenzie	Loretta Mento
Frances Lynch	Cristine Maize	Judith Martin	Tamara Matz	Douglas McCormick	Ruth Mclauchlan	Paula Menyuk
Helen Lynch	Janet Maker	Linda Martin	Harry Mauney	Tracy McCowan	Mary Mclean	Sally and Don Merchant
James Lynch	Joan Makurat	Nancy Martin	Joseph Maurici	Howard McCoy	Carol Mclfree	Elissa Mericle-Gray
Linda Lynch	Karen Kravcov Malcolm	Timothy Martin	Gabriela Maurier	Joan McCoy	Robert Mclvor	Jane Merkel
Robert Lynch	Roy Malcom	Vera Martin	Margaret R. Mauti	jan McCreary	Annie McMahan	Judith Merl
Andy Lynn	Lori Mallams	Drew Martin	Bruce Maxfield	Charlie McCullagh	Charles Mcmahon	Lynn Merle
Steve Lyons	Janeth Mallory	Erik Martinez	Maggie Maxwell	Jane McCullam	Jean Mcmahon	Julija Merljak
Christy Lytle	Sonja Malmuth	Jennifer Martinez	Marsha Maxwell	Sally McDaniel	Eric McManus	Neil Merrick
Susan and Robert M.	Barry Maloney	John Martinez	Brett Mayer	Mary Ellen McDonald	Carrie McMaster	Barbara Mertig
Claudia Maas	Julie Maloney	Judith Martinez	Glenna Mayer	Damian McDonnell	Sharon McMenamin	John Meserve
Lea Mac Leod	Carol Malott	Manny and Danielle	Robin Mayerat	Irene McDonnell	Gene McMillion	Corey Mesler
Kevin MacDonald	Hilary Malyon	Martinez	Carole Mayers	Rebecca Mcdonough	Ann McMullen	William Messenger
Joan and Wallace	Maggie Mandzuk	Tim Martinson	Marilyn Mayers	Karla Mcduffie	Evelyn McMullen	Susan Messerschmitt
MacDonald	Laura Manges	Gerry Martocci	Pedro Maynes	Betty McElhill	Gail McMullen	Cindee Messineo
Elizabeth Macfarlane	Carolyn Mann	Joan Martorano	Dominique Mazeaud	Toby McElravey	Penelope McMullen	Whitney Metz
Adrea Mach	Ramona Mann	Jordan Marzano	Miroslav Mazel	Megan McElroy	Kathleen McNally	Vincent Metzger
David Maciewski	Natalie Mannering	Michael Maslanek	Lisa Mazzola	Cindy McFadden	Sarah McNally	Colonel Meyer
Deni Mack	Jone Manoogian	Barbara Mason	Lynn Mcardie	David McFarland	Eileen McNamara	Derek Meyer
Judith Mackenzie	Norman Manoogian	Elliott Mason	Carole McAuliffe	Eve McFarland	Amanda McNeill	Michele Meyer
Angie Mackey	Lynn Manzione	Kate Mason	Bill McBain	Helen McFarland	Douglas McNeill	Twyla Meyer
Rev. Sandra Mackie	Myrna Marcarian	Phyllis Mason	Susan Mcbee	Michele McFarland	John McNerney	Harold Meyer, Jr.
Richard Mackin	Maria Marchegiani	Robert and Mari Mason	Tom Mccain	Debbie Mcgee	Nickie Mcnichols	Carol Meyers
Alexa MacKinnon	Christina Marcus	Cindy Massey	Janet Mccalister	Frank Mcgee	Cynthia McWilliams	Paul Meyers
Patricia Mackinnon	Stuart Marcus	Eileen Massey	Donovan Mccall	Carol Mcgeehan	Patti McWilliams	Peter Meyers
Jenny Mackly	Gladys Marhefka	James Massey	Jan McCall	Ann Mcgill	Thomas Meacham	Robert Meyers
Melanie MacLennan	Judith Marie	Brad Massingill	Mary Beth Mccalla	Ron McGill	Michael Meade	Lotta Meyerson
Eileen Macmillan	Sr James Marie Gross	Darla Masterson	Maureen McCarter	Christine McGinn	Justin Mears	Grete Meyerthof
Lynn Marie Macy	Barbara Marino	Rik Masterson	Ai McCarthy	Alice McGough	Ana Medina	Joel Meza
Dianne Maddaus	Shannon Markley	Janice Mastin-Kamps	Debbie McCarthy	Wendy McGowan	F. Meek	Cindy Mezarina
Kenny Madden	Lynne Marko	Laura Mastrangelo	Jane McCarthy	Helen McGrail	Judith Meek	Edward Mezynnski

Campaign AA (cont'd)

Individuals submitting this campaign:

Brenda Michaels	Sophie Miranda	Karl Moor	Joe Moye	Paula Myles	Bernadette Newburg	Ursula Noto
Cb Michaels	Mary Jo Miserendino	Barry Moore	Raynera Mrotek	Jerry Mylius	Bill Newell	Janice Novotny
Patricia Michaels	Barbara Mitchell	Barry Moore	Lindsay Mugglestone	Nicole Naab	Matthew Newman	Marta Novotny
John Michal, M.D.	Brian Mitchell	Dallas Moore	Tom Mugglestone	Robert Nadeau	Ricki Newman	Jo Nowakowski
Lee Michalsky	Carol Mitchell	Deirdre Moore	James Mulcare	Fred Nadelman	Slater Newman	Julio Nunes
Lance Michel	Darius Mitchell	Dennis Moore	Jonathan Mull	Lawrence Naderhoff	Heather Newton	Carlos Nunez
Mary Ann Michel	Jonathan Mitchell	Kelly Moore	Dianna Mullen	A. A. Nagy	Peter Newton	Michael Nutini
Sister Anne Michel	Kristy Mitchell	Margaret Moore	Jane Mullen	Thomas Nakashima	James and Helen Niblock	John O'Neil
Anne-Laure Michelis	Shirley Mitchell	Roberta Moore	Michelle Mullen	James Nakata	Peter Nicholas	John Oakes
Lee Michelsen	Theresa Mitchell	Shannon Moore	Judi Muller	Terry Nall	Charles Nichols	Lee Oakes
Golda Michelson	Tony Mitre	Sheila Moore	Margie M. Mulligan	Amy Nammack-Weiss	David S. Nichols	Catherine Obrien
David P. Michener, M.D.	Darren Mitton	Thomas Moore	Bill Mullins	Jean Naples	Kim Nichols	Karen O'Brien
Melissa Middlebrook	Linda Miyoshi	Jerry Moorehead	Gail Mullins	Yoshinaga Nara	Shamus Nicholson	Chris O'Connell
David Middletown	Raymond Mlynczak	Mary Etta Moose	Kate Mullins	Jason Nargis	John Nickrosz	Ken O'Connell
Deborah Mihalo	Lisa Moats	Margo Morado	Kathy Mullins	Paul Naser	Anthony Nicolau	Timothy O'Connell
Donna Mikulka	Carole Mock	Sophie Morel	Wayne Mullins	Anne Nash	Rael Nidess	Phil Odea
Barbara Milano	Howard Mock	Phyllis Morello	Lori Mulvey	Jonathan Nash	John Niendorf	Norma Odell
Kathleen Milano	Deidre Moderaki	Tirso Moreno	William Munce	Raymond Nash	Michele Nihipali	Lisa Odo
Gerry Miliken	Jan Modjeski	Kay Moretti	Ken Mundy	Mary Nausadis	Joyce Niksic	Michael O'Driscoll
Frank Millen	Ronelle Moehrke	Bruce Morgan	Doris Munger	Paloma Navarrete	Vanessa Nixon-Klein	Cheryl Oeser
Calahan Miller	Robert Moeller	Jerry Morgan	Bonita L. Munk-Kegeler	Hazel Neal	George Noble	Tetsu Okuhara
D. Miller	Rev Donald Moeser	Nicole Morgan	Gretel Munroe	Yvonne Neal	Robert Nobrega	Roy Rogers Oldenkamp
Don Miller	James Moffat	Sharon Morgan	Deanna Munson	Michael Neil	Shane Nodurft	Barbara Oleksa-Reiss
Hermineh Miller	Lopamudra Mohanty	Ed Morin	Elisabeth Murawski	Richard Neill	Shane Nodurft	Della Oliver
Howard Miller	Michael Molder	Mariel Morison	Joyce Murchie	Laura Neiman	Rosemary Noellert	Mo Oliver
Jim Miller	Bianca Molgora	Gloria Morotti	Lauren Murdock	Nancy Nelligan-McGarry	Antoineette Nolan	Corey E. Olsen
Karen Miller	Jack Molina	John Morrill	Deborah Murphy	Bette Nelson	Katherine Nolan	Mary Olspn
Karen Miller	Ron Molina	Dee Morris	Mary Murray	Emily Nelson	Phyllis Nolan	Janelle Olvey
Marilyn Miller	Diana Molinari	Kathleen Morris	James Murray	Joseph Nelson	Marguerite Noll	Polly O'Malley
Phyllis Miller	David Mondejar	Ray and Betty Morris	Mary Murray	Kathie Nelson	Greg Noneman	Jeff Omans
Robert Miller	April Mondragon	G. Morrison	Rebecca Murray	Leah Nelson	Molly Noone	Maureen O'Neal
Ruth Miller	Marcia Monma	John Morrison	Vasu Murti	Maureen Nelson	Agneta Norberg	Jenny O'Neil
Sara Miller	Dean Monroe	Margaret Morrison	Dyan Muse	Steve Nepi	Ellen Norman	Jason O'Neill
Theresa Miller	Ronald Monson	Shirley Morrison	Mully Music	Jill Nerkowski	Kristina Norman	Carol O'Niell
Uma Miller	Luydia Montag	Lynn Morrow	Dr. Robert K. Musil	Dale Nesbitt	Raun Norquist	Adam O'Onofrio
James Millier	Erica Montague	Joan Mortenson	Marcie Musser	Ryan Nestler	Enid Norris	Benjamin Oppenheim
Jane Milliken	Anthony Montapert	Vivian Mosca-Clark	Adnan Mustafa	Mike Nestor	Joanne Norris	Kathy Oppenhuizen
Anita Mills	Sara Monteabaro	Sandra Moskovitz	Elaine Mustain	Paul Netusil	Marshall Norris	Paul Ordway
Krystal Mills	Bruce Montney	Kenneth Mosley	Diana Myers	Steven Neubeck	Bob North	Barbara O'Reilly
Martha Milne	Phyllis Montour	Sharon Moss	Kevin Myers	Stephen and Robin	Judy Northrop	Christine Orlando
Kent Minault	Kenneth Mooney	John Moszyk	Frederic Frank Myers	Newberg	Beth Norwood	Patricia Orlinski

Campaign AA (cont'd)**Individuals submitting this campaign:**

Patricia Helene Ormsby	Alfred Papillon	Rochelle Pendleton	Patricia Phillips	Christopher Pond	Rick Provencio	Mary Rausch
Carlos Oropeza	Jane Papin	Thad Pendleton	Stu Phillips	Joseph Ponisciak	Nicholas Prychodko	Maria Rausis
Kevin O'Rourke	Gabe Paras	Dave Peneton	Tomi Phillips	Elsie Pope	Peggy Pryor	Toniann Reading
Nancy Orsetti	Brandon Parcell	Yanula Pengenika	Janice Phillips	John Pope	Laken Pugsley	Gail Reams
Marlen Ortega Cruz	Daniel Parent	Vivian Penniman	Vero Piacentini	Donnal Poppe	Diane Pulsifer	Mark Reback
Dorothy Osak	Kristina Paris	Dolores Penrod	Ewa Piasecka	Susan Porter	Janice Pumphre-Willison	Marylleen Redish
Samantha Osborne	Denice H. Park, PsyD	Ralph Penunuri	Dolores Pieper	Claire Posada	Til Purnell	D. D. Redman
Andrew Osborne-Smith	Doug and Jan Parker	Melita Pepper	Joesephine Pierotti	Patricia Posenthal	Susan Puscheck	Gerard Redpath
Timothy Oseckas	Douglas Parker	Steve Peppercorn	Dana Pierson	Kimberly Posin	Clare Puskarczyk	Charmian Redwood
Wendy Oser	Patricia Parker	Luise Perenne	Nancy Pieters	Dianne Post	Chuck Putnam	Walter Reece
Alex Oshiro	Gordon Parker III	Martha Perez	Janis Pietro	Donna and Darwin Poulos	Linda Putney	Peter Rees
David Osterhoudt	Mariano Parks	Anne Perkins	Michael Pike	Robert Pound	Monica Putt	Bartley Reese
Annalisa Osterhout	Roberta Parrish	E. Perkins	Marc Pilisuk	Barb and Phil Powell	Marcia Quелlette	Gary Reese
Julie Ostoich	Robin Pascal	Koel Perkins	Lisa Piner	Ryan Powell	Frank Quin	Douglass Reeves
Helen Marie Ostrander	Richard Pasichnyk	Marie Perkins	Lois Pinetree	Susan Powell	Christopher Quinn	Glenn Reeves
Gavin Ostrom	John Pasqua	Wendell Perks, Jr.	Manuel Pino	Tracy W. Powell	Peter Quinones	Joyce Reeves
Michael Ott	Grace Passage	Frances Perlman	Dolores Pino, JD	Mark Powers	B. Quintana	Lenore Reeves
Elizabeth Otte	Eli Patsis	Susan Pernot	Meryl Pinque	Martin Powers	Ivy Quintero	Saun Rego-Ross
Irwin Ottenberg	Carol Joan Patterson	Claire Perricelli	Alain Pire	Nadine Poznanski	Jessie R.	Debra Rehn
Tracy Ouellette	Catherine W. Patterson	Amy Perrin	Edie Pistolessi	Brenda Prado	Barry Rabichow	Robyn Reichert
Tamara Overholt	Sue Pattie	Maryam Perrizo	Christiane Pistor	Annemarie Prairie	Diane Rabinowitz	Charles Reid
Eric Oxford	Nancy Patumanoan	S. Perry	Phoebe Pitassi	Lonneta Prather	Joyce Raby	Frederick Reif
Richard Ozanne	Rachel Patureau	Jonathan Peter	Mary Lee Pitre	Patricia Pratt	Margery Race	Bettie Reina
Dogan Ozkan	P.A. Paye	Judith Peter	John Pittenger	Shelia Pratt	Susan Racine	Emil Reisman
Virginia P	Blake Payne	Christine Peters	Phyllis and Bernard Pivo	Yvonne Pratt	Mark Rader	Dick Reiss
Rosemarie Pace	Skywalker Payne	Amy Peters	Chris Pizzinat	Eileen Prefontaine	Nancy Radford	Gayla Reiter
Susan Pacey-Field	P. D.	Gene and Doris Peters	Franklin Platizky	Sandee Preslan	Laura Raforth	diane Rencher
Thomas Pacheco	Suzanne Pearce	Robert Petersen	Robert Platt	Ansula Press	Cynthia Raha	Lori Rendina
Patti Packer	Ellen Pearson	Amanda Peterson	Kathryn Plitt	Susan Preston	Asad Ullah Rahbar	Douglas Renick
Alexis Pagoulatos	Rae Pearson	Frank Peterson	James Ploger	Jack Preston Marshall	James Ralston	Ann Rennacker
Barbara Palazuelos	Jerry Peavy	Gary Peterson	Frank Ploof	Ian Pribanic	Kate Ramirez	Rebecca Rens
Elanne Palcich	Jasnica Pecaric	Linda Peterson	Carole Plourde	Charlotte Price	Joann Ramost	Rebecca Rens
Bridget Palecek	John Peck	Michael Peterson	Shrikumar Poddar	Nicole Price	Jorgen Ramstead	Helen Renzelmann CSA
Jan Paley	Bob Pedretti	Nancy Peterson	Ellen Poist	Mark Pringle	Kirk Ranble	Nancy Reutter
William Palmisano	John Peeters	Ron Peterson	Alice Polesky	Johni Prinz	Julie Ranieri	Bruce Revesz
Sharon Paltin	David Peha	Shannon Peterson	Andrew Politzer	John Pritchard	Brian Ranum	Ynez Reyes
Colleen Pancake	Jacqueline Peipert	Carl J. Peterson Jr	Gary Pollack	Stephanie Proctor	Eric Ranvig	Cindy Reynolds
Ruth Panella	Leia Peison	Maryam Petersson	John Pollard	Johnnie Prosperie	Ivan Rarick	Jonelle Reynolds
Maneesh Pangasa	Rosalie Pelch	Mary Pettengill	Emily Pollom	Linda Prostko	Rosa Rashall	Kevin Reynolds
Robert Pann	Howard Pellett	Pati Philbrook	Steve Polydoros		Ron Rattner	Darla Reynolds-Sparks
Madlyn Pape	Deanna Pena	Tricia Philipson	Chris Pomeroy		Sharon Raum	Richard Rheder

Campaign AA (cont'd)

Individuals submitting this campaign:

David Rhinelander	William Risano	Sylvia Rodriguez	Sharon Rossol	Barbara Rystrom	Val Sanfilippo	E. S. Schloss
Ramona Rhoades	Carolyn Ritchie	Therese Rodriguez	Joseph Rosta	Lilly Ryterski	Jane Sanguinetti	Diana Schmidt
Mazda Riaz	Marco Rivarolo	Sue Rogan	Erik Roth	Frank Sabatini	Will Santana	Eric Schmidt
Mary Riblett	Joe Rivera	Annie Rogers	Rev. Nancy Roth	Rana Sabeh	Roger Santerre	Fran Schmidt
Michael Ribordy	Mercedes Rivera	Dirk Rogers	Lana Rothchild	Vivian Sabelhaus	Marc Santora	Linda Schmidt
Jose Ricardo Bondoc	Antoinette Riveria	Janice Rogers	Marguerite Rouleau	Mara Sabinson	Rocio Santos-Carrillo	Marylou Schmidt
Ellen Rice	Mario Riveria	Laura Rogers	Dan Rous	Rohan Sabnis	David Saperia	Richards Schmidt
Florence Rice	Rosetta Rizzo	Marliss Rogers	David Rousseau	Bert Sacks	Robert Sargent	Molly Schminke
Jay Rice	James Rizzolo	Rosemary Rogers	Cathy Rowan	Mina Saeid	Shawn Sargent	Roselyn Schmitt
Loree Rice	Christine Roane	Mary Rojas	Thomas Rowan	Joel Saeks	Sascha Sarnoff	Hugh Schmittle
Megan Rice	Warren Roark	Jelica Roland	Lorene Rowland	Jack Safarick, Jr.	Lake Sarovec	Bob Schneck
J. Rich	Aida Robana	Arnold Roman	Kimberly Rowlett	Mary Jane Sager	Dorian Sarris	Andrew Schneider
Lynn Rich	Elizabeth Robbins	Charlene Root	Joyce Roy	Ed Sahagian-Allsopp	Randi Saslow	Dan Schneider
Martha Rich	Karen Robbins	Robert Rosas	Deborah Rubin	Nancie Sailor	John Satchell	Gerri Schneider
David Richard	Nancy Robert-Moneir	Mirra Rose	Steffany Rubin	Lynn Sajdek	Linda Satter	John Schneider
Ben Richards	Gail Roberts	Pat Rose	Wonono Rubio	Myrna Sak	Jess Saucedo	Lynn Schneider
Damaris Richards	James Roberts	Sharon Rose	Stephen Ruby	Mark Salamon	Debra Saude	Ray and Marlene
Jay Richards	Jeanne Roberts	Kathryn Rose	Alan Rudan	Joe Salazar	Ted Saufley	Schneider
M. Richardson	Les Roberts	Amanda Rose	Richard Ruemenapp	James Saley	Annique Savage	Martha Schneier
Roberta Richardson	Dianne Robertson	Barbara Rose	Rita Ruetz	Penelope Sallberg	Anne Sawyer	Randolph Schoedler
Ronald Richardson	Merilie Robertson	Mary Rose McCrate	Virginia Ruffolo	Robert Salmon	Catherine Sawyer	Janet Schoenhaus
Trudi Richardson	AnNita Robinson	Deane Rosen	Bill Ruhaak	Jennifer Salome	Jerry Sawyer	Arthur Scholbe
Jackie Richer	Barbara Robinson	Deanna Rosen	Shamsi Ruhe	James Salter	Margaret Sawyer	Barabara Sue Scholl
Robert Richey	Clarence Robinson	Helene Rosen	Karen Running Enemy	Jeff Salvaryn	Jack Saylor	Marie Schopac
Chester Richey Martin	Janet Robinson	Judith Rosen	Richard Rushforth	Daniel Samek	Kelley Scanlon	Amy Schoppert
Rosalind Rickman	Kathy Robinson	Robert Rosenberg	Bob Rusk	Cecelia Samp	Charles Scarlott	Ray Schraft
Carolyn Riddle	Lillie Robinson	Eben Rosenberger	Robert Rusk	Mich Sampery	Crystal Schachtell	Myron Schrag
James Rideout	Pam Robinson	Paul Rosenberger	Sheely Rusk	Hugh Sanborn	John Schaechter	Peggy Schramm
William Ridgeway	Terry Ellen Robinson	Felix Rosenthal	Steve Rusk	Ralph Sanchez	Robin Schaef	Robert Schreib
Patricia Ridgley	Katherine Roche	Peggy Rosenthal	Katherine Blum Russell	Daniel Sanchez Sr.	Ken Schaefer	Eugene Schreiber
Rosalie Riegler	Peter Roche	Robert Rosenthal	Kelsey Russell	Glen Sandberg	Jennifer Schally	Troy Schreiber
Dale Riehart	Lisa Rochelle	Kathy Rosko	Sean Russell	Kellie Sandberg	Joy Schary	Darcy Schreiner
Ann Riehle	Brent Roddy	Adrienne Ross	Robert Rutkowski	Morris Sandel	Vivian Schatz	Shannon Schreur-Klein
Theresa Rieve	Steve Roddy	Bruce Ross	Ben Ruwe	Ruth Sander	Jennifer Schaufller-	Heidi Schubert
Kelly Riley	Peter Rodgers	David Ross	O. Ruzi	Karen Sanders	Vircsik	Julie Schubert
Carrie Rimes	Nick Rodin	Diana Ross	Anne Marie Ryan	Robert Sanders	Naomi Schechter	Susan Schuchard
Ami Ringler	Shirley Rodman	Douglas Ross	Penelope Ryan	Sandy Sanderson	Robert Scheff	Gail Schuessler
Timothy Rinner	Abraham Rodriguez	George and Darlen Ross	Rich Ryan	Allison Sandlin	Coral Scherma	Nancy Schuhrke
Susan Rios	Jennifer Rodriguez	Kathleen Ross	Sarah Ryan	Gustavo Sandoval	Craig Scheunemann	Helen Schulte
Susan Rios	Juan Rodriguez	Shaddon Ross	Therese Ryan	Diana Sandreson	Nancy Schimmel	Wm Schultz
Jeanne Ripp	Jude Rodriguez	Ilana Rossoff	Helen Rynaski	Reisha Sandwell	Arlette Schlitt-Gerson	Nancy Schulz

Campaign AA (cont'd)

Individuals submitting this campaign:

Maureen Schulze	Kimberly Seger	Joan Shelby	Rodger Sillars	Barb Slitkin	Jean Snow	Ann Duvall Sponner
Pat Schumacher	Lisa Seitz	Suzette Shel mire	Eva Silva	Adam Sloan	Vince Snowberger	Karen Spradlin
Kenneth Schumann	Susan Seitz	David Shelton	Margaret Silver	Rick Sloan	Patricia Snowden	Ann Sprayregen
Peter Schutz	Andy Sekara	Anna Shenk	Stacey Silver	Lauryn Slotnick	Ross Snyder	Constance St Jean
Ammiel Schwartz	Susan Selbin	Lindsey Shere	Ronald H. Silver, C.E.P.	Mary Ann Smale	Sara Snyder	Mary St. Michael
Daniel Schwartz	Robert Selles	Jim Sheridan	John Simcox	Gretchen Small	Marie Socarras	Elana Sue St. Pierre
Eleanor Schwartz	Wendy Selnick	Leslie Sheridan	Kathryn Simmons	Marya Small	Katherine Perrault	Dan Stabel
Jeremy Schwartz	Elizabeth Seltzer	Paul Sheridan	Steve Simmons	Victor Smalley	Sogolow, PhD	Charlotte Stahl
Judy Schwartz	Rob Seltzer	Wilma Sheridan	Carol Simon	Andrew Smith	Arthur Soifer	Margaret Stahl
Kraig Schweiss	Nicholas Selvaggio	Mary Sherman	Carrie Simon	Anita Smith	Fred Sokolow	Ruth Stambaugh
Mark Scibilia-Carver	Sr Mary Senderak	Vince Sherry	Violet Simon	Carlos Smith	Rita Sokolow	Barbara Stamp
Alan Scott	Carol Sepe	I. Sherwood	Arline Simone	Cathy Smith	John Solaperto	Jennifer Stanczak
Joseph Scott	Stan Serafin	Jane Shevtsov	Jeanne Simonoff	David Smith	Jose Sologuren	Steven Standard
Kenna Scott	Bill Serrani	Kate Shield	Bette Simons	Dennis Smith	B. Soltis	Phyllis Standish
Louise Scott	Brenda Serrano	Juli Shields	Michelle Simonson	Donald and Eulalia Smith	John Somers	Marsha Stanek
Martha G. Scott	Laurence Sessler	Roy Shigley	Mark Simpson	Edwina Smith	Timmi Sommer	Jeffrey Stannard
Mike Scott	Stefan Seuleanu	Aida Shirley	Rusty Simpson	Elizabeth Smith	Kathryn Sonenshine	Jack Stansfield
Rachel Scott	Tamara Severs	David Shirley	Louise Simrell	Ellen Smith	Rachel Sonnenblick	Anthony Stanton
Rachel Scott	Michael Sexton	Janet Shirley	Joan Sims	Gaye Smith	Sandee Sorel-LeDuc	Lucy Starbuck
Bisogno Scotti	Miriam Sexton	Rosemarie Shishkin	Millicent Sims	Jerry Smith	Bill Sorem	Carol Stark
Pam Scoville	Marian Shaaban	Celeste Shitama	Paul Sinacore	Jim Smith	Phoebe Sorgen	C. K. Starkweather
Lawrence Scrima	Roxann Shadrick	Sandi Shocket	Evelyn Singer	Joan Smith	Rachel Soroka	Tanai Starrs
Ryan Sdano	Paula Shafransky	Clare Shomer	Joan Singleton	Joanne Smith	Madeleine Sosin	Carrie Staton
David Seaborg	Aisha Shah	Denny Shoopman	Jan Sinnott	Kellie Smith	Lilvia Soto	Brian Stauffer
Kathy Seabrook	Elsy Shallman	Sterling Showers	Nancy Ann Siracusa	Kevin Smith	Derek Southard	Georgia Stauffer
Gerda Seaman	Erik Shank	Rick Shreve	John Siroki	Linda Smith	Ada Southerlnad	Barrie Stebbings
Barbara Searles	Georgia Shankel	Kenneth Shrum	Neal Sirwinski	Lori Smith	Leela M. Southworth	Matt Stedman
Julie Sears	Irving Shapiro	Joseph Shulman	Catherine Siskron	Lucy Smith	Margaret Spak	Carlene Steel
Nancy Sears	Jason "Great White" Shark	Sue Shulman	Joan Sitomer	Maria Smith	Will Spangler	Eric Steffen
LaRoy and Mary Seaver	Virginia Sharkey	Jamie Shultz	James B. Sitrick Jr	Mary Smith	Galadriel Spanogians	Karen Stegemann
Richard Sebastian- Coleman	Robyn Sharpe	Robin Shweder	Darcy Skarada	Maxsonn Smith	Derek Spark	Jill Steidl
Iria Cristina Sebastiao	Rhonda Sharpee	Toula Siacotos	Lauremce Skirvin	Sara Smith	Rick Sparks	Cletus Stein
Beth Seberger	Diane Shaughnessy	Jim Sickafoose	Morgan Sky	Stacey Smith	Harvey Spears	Herbert Stein
Klara Seddon	Donald J. Shaw	Ann Siegel	Debbie Slack	Stephen Smith	Sherry Spears	Howard Stein
Richard Sedivy	Peter Shaw	Larry Siegel	Matthew Slade	Virginia Smith	Daphne Speck Bartynski	Pail Stein
John Seeburger	Sally Shaw	Sabrina Siegel	Alice Slater	William Smith	Linda Spellman	George Steinitz
Nox Seehafer	Namia Shea	Suzy Siegmann	David Slater	Dia SmithRedman	Kathy Spera	Barbara Steinmann
Sue Seehafer	Steven Shea	Roberta Siemering	Debra Slater	Jerica Smythe	Linda Sperling	Diane Steitz
Joshua Seff	Gabriella Sheets	Vikram Sikand	John Slawinski	Dr. William J. Sneck, S.J., Ph.D.	Karen Spiegel	Dusty Stepanski
Bob Segal	Deborah Shekter	Aaron Sikes	Stephen Sleeper	Daivd Snope	Joseph Spiezio	Jan Stephens
		Patricia Sikora	Patricia Slevc		Jon Spitz	Jan Stephens

Campaign AA (cont'd)

Individuals submitting this campaign:

Robert Stephens	Stella Strand	Ellyn Sutton	Megan Taylor	Catherine Tierney	Karen Tremblay	Corey Valenzuela
Susan Stephens	Maleada Strange	John Sutton	Timothy Taylor	Grace Tiessen	Dennis Trembly	Paulino Valenzuela
Carla Stern	Marisa Strange	Julie Svendsen	Karine Tchakerian	Peter Tijerina	Irene Tremper	Vivian Valtri Burgess
Roberta Stern	Jewels Stratton	Bo Svensson	Dave Te Tohunga	Margo Tiller	Stephanie Trevor	Dona van Bloemen
Elizabeth Sterner	Gwen Straub	Lenore Swaim	Kim Telgarsky	Merritt Tilley	Gloria Trinka	Beirnda Van Cleave
David Stetler	John Strauss	Gerard Swainson	Robert Temple	Charles Tillotson	Tia Triplett	Deborah S. Van Damme
Lorene Stetzler	Nelda Street	Dr. John Swang	Marlene Tendler	Bernard Tilson	Dorothy Tristman	Penny Van Dyk
Robert Steurer	Erik Streeter	Kristen Swanson	Lee and Charlotte Terbot	Don and Roberta	Mike Trollinger	Karen Van Fossan
Barbara Stevens	Marjorie Streeter	Michael Swanson	Alexis Terell	Thurstin Timmerman	Brenda Troup	Kristen Van Tassell
Summer Stevens	Mary-Alice Strom	Stanley L. Swart	John Teriazzo	Ray Timmermans	Paul Troyano	Dan Vanbuskirk
Trish Stevens	Grace Strong	Kathleen Sweeney	Walter Terrell	Lisa Timmermeyer	Hal Trufan	Eric Vance
Jon Stewart	Timothy Strong	Ellen Sweetin	Michael Terry	Rebecca Tippens	Leon Trumpp	Nat Vance
Nancy Stewart	Joel Strauss	Arthur Swers	Olivia Teter	Lauren Titchener	Joel Trupin	Kris Vancil
James Stewart Jr.	Michael Stuart	Joe Swierkosz	Charles Thatcher	Thomas Tizard	Barabara Tucker	Roberta Vandehey
Karen Stickney	Harriet Stucke	Frank Swift	The Wojo Family	Kathy Tobey	David Tucker	Liesbeth Vandenbosch
Joan Stiehl	Maria Studer	Edmund Swiger	Lynn Thelen	Claudia Todd	Karen Tucker	Craig Vanderborgh
Virginia Stiepock	Patrick Studt	Rev Crow Swimsaway,	Ann Thielen	Laurie Todd	Gabriella Turek	Elizabeth Vandercen
Sophe Stine	Merlene Stuerzer-	PhD	Eva Thielk	Samuel Todd	Keith Turner	Rachelle VanDerWyst
Reggie Stiteler	Rhodes	Matthew Swyers	David Thiermann	Margaret Toews	Michelle Turner	Marjorie Vangsness
Bob Stockwell	Sandy Stuhaan	Angee Sylvester	Thomas Thirion	Shirley Tofte	Mike Turner	Mike VanLandingham
Ann Stoddard	Ernest Sturdevant	Cindy Symington	Chip Thomas	Mark Tokarczyk	Robert Turner	Joan Vanoni
Bob Stoddard	Robert Sucher	Joseph Szabo	Claudine Thomas	Mark Tolley	Rodgers Turrentine	R. Vanstrien
Ronna Stoddard	Ann Suellentrop	Thaddeus Szostak	Connie Thomas	Micheal Tomczyszyn	Virginia Twinam Smith	Annette Varady
Paul Stoft	Lynn Suits Lamkin	Laura Taffany	Cynthia M. Thomas	Kaori Tomioka	Steve Tyler	Dorothy Varellas
Diana Stokes	Christopher Sullivan	Nancy Taiani	Debbie Thomas	Andy Tomsky	Nathan Tyson	Joan Varney
Mele Stokesberry	Dr. Jay Sullivan	Ruth Ann Takes	Dennis Thomas	William Toner	Aaron Ucko	Karen Varney
Maria Stoll	Linda Sullivan	Tom Talboom	Elizabeth Thomas	Barbara Tonsberg	LaVernre Uhte	Leah Vasquez
John and Martha	Theresa Sullivan	Nicholas Talbot	Ellen Thomas	Michael Toobert	Betty Ulbrich	Lisa Vaughan
Stoltenberg	Tom Sullivan	Karen Talluto	Karen Thomas	Gloria Toolan	Barbara Ulman	Michael Vaughan
James Stone	Robert Sullivan, MD	Gabrielle Tao	Ken Thomas	Laurence Topliffe	Vic and Barby Ulmer	Ordell Vee
Lisa Stone	Dot Sulock	Arthur Taplinger	Stan Dorothy Thomas	S. Torres	Georja Umano Jones	Elinor Vega
Mark Stone	Jess Summers	Tim Tarbell	Theodore Thomas	Kim Tosdale	Luci Ungar	Anne Veraldi
Sonja Stone	Kathryn Summers	Ron and Paulette Tatum	Paul Thomason	Michael Toto	Kris Unger	Carolyn Verga
William Stone	Autumn Sun	Jennifer Taveras	Amber Thompson	Patricia Townsend	Julie Unruh	Evelyn Verrill
Emily Storar	Jane Sun	Brigitte Tawa	Dean Thompson	Walter Townsend	Sandra Uribe	John Viacrucis
Lauren Storm	Deborah Sunderman	Aileen Taylor	Mary Thompson	Sarah Tracey	John and Helene Vachet	Mar Vial
Libby Stortz	Jane Sunshine	Carol Taylor	Patricia Thompson	Kyle Tracy	Joshua Valdes	Daniel Vice
Robert Story	John Surdyk	Joan Taylor	Sally Thompson	William Trapnell	Karen Valentine	William Vickstrom
Berrie Straatman	Esther Surovell	Kirk Taylor	Robert Thomson	Kenneth Trauger	Valerie Valentine	Barbara Viken
Veda Stram	Charlotte and Earl	Larry Taylor	Shelley Thoppil	Dennis Treleven	Joseph Valentino	Kenny Villacorta
Laurel B. Stranaghan	Sutherland	Lee Ann Taylor	Marion Tidwell	Andrew Tremain	Arthur Valenzuela	Michele Vinz

Campaign AA (cont'd)

Individuals submitting this campaign:

Christina Virsida	Christopher Walker	Anita Wasserman	Stephen Weitz	Wayne Wilkinson	Amy Windish	Alex Woolery
Elizabeth Vitale	Craig Walker	Constance Waters	Krissy Weldch	Lisa Willamson	Laura Winds	Nancy Woolley
Nathan Vogel	Dan Walker	Wayne Wathen	Kate Wells	Monica Willard	Max Wineinger	Angela Wootton
Deborah J. Volk	James Walker	Brian Watson	Fred Welty	Laurie Willets	Doug Wingeier	Marjorie Worthington
Karl Volk	Lynn Walker	John Watson	Peter Wemyss-Gorman	Angie Williams	Gail Winter	Charles Wright
Peter Volkert	Nancy Walker	Larry Watson	Mary Lou Wendtland	Barbara Williams	Ann Witherspoon	Charlie Wright
Nan Vollbracht	Philip Walker	Laurel Watson	Sophia Werbowy	Brian Williams	Nancy Withington	Jacob Wright
Peter Von Ehrenkrook	Joy Wall	Nate Watson	Kirsten Wert	Bruce Williams	Peggy Witsell	Joan Wright
Cynthia von Hendricks	Kathy Wall	Gary Wattles	Nancy Weston	Danna Williams	John Witte	John Wright
Bill and Marilyn Voorhies	Linda Wallace	David Way	William Weston	Debbie Williams	Alice Wittenbach	Maureen Wright
Barbara Voss	Joshua Wallman	Lois Way	Mike Weyand	Diane Williams	Andreas Wittenstein	Sharon Wright
Pamela VourosCallahan	Hunter Wallof	Paul Waybrant	Shirley Whalen	Donna Williams	Chris Witting	Betsy Wright Loving
Frances Wade	Bennett Walls	Rick Wayman	Joan Wharton	Glen Williams	Laura Wittke	Susan Wrightsman
Lillian Wade	Barbara Walrafen	Larry Wear	Cleveland Wheeler	Janet Williams	Pauline Wittry	Mark Wrobel
Paul Wade	Anita Walsh	Dean Webb	Maureen Wheeler	Jayna Williams	Carolyn Wlater	Katherine Wuthrich
Rueben Wade	Christopher Walsh	Debra Webb	Mary Whitaker	Jeanee Williams	Andrew Woitkoski	Rowena Wyckoff
Eric Wagner	Dianne Walsh	Susan Webb	Allan White	Jesse Williams	Dot Wolf	Kimberly Wyke
Frank Wagner	Indi Walsh	T. Ed. and Marie Webb	Dave White	Leonora Hall Williams	Martin Wolf	Mary Wylie
Heidi Wagner	Rev. James Walsh	Majill Weber	Edwina White	Mara Williams	Pauline Wolf	Artemas Yaffe
Jim and Virginia Wagner	Ricki Walsh	Zorina Weber	Judy White	Mary Williams	Kathlen Wolfe	Susan Yamagata
Richard Wagner	Sharon Walsh	Susanne Wechsler	Lois White	Michael Williams	Regina Wolfer	Darlene Yamrose
Robert Wagner	Mark Walshin	Eldon Wedlock	Sue White	Sally Laidlaw Williams	John Wolff	Linda Yancy
Sandra Wagner	V. Walson	Rose Wedlund	William White	Terrie C. Williams	Jake Wolfhart	Theresa Yandell
Steven Wagner	Marilyn Waltasti	Ardeth L. Weed	Pippa White Lawson	Trudy Williams	Mark Wolgamuth	Susan Yarnell
Sam Wagstaff	L. Walters	Grant Weherley	Paul Whiteley Sr.	Wayne Williams	Jean Wollenweber	Erin Yarrobino
Mare Wahosi	Donald Waltman	Jeff Weicher	Andy Whiteman	Maria Williamson	Isaac Wollman	Sonya Yeager-Meeks
Linda Waiane	Gabrielle Wanner	Jeannine Weidner	Judy Whitley	Shawn Williamson	Cheryl Wong	Anthony Tsang Yee
Marlene Waite	Jacqjue Ward	Kenneth Weidner	Rosemary Whitmore	Beverly Williamson-	Olivia Wong	Mary Yelich
Marie Wakefield	Kelly Ward	Krystal Weilage	Karen Wible	Pecori	Dennis Wonn	Evangeline Yeun
William Wakefield	Lonnie Ward	Sherry Weiland	Roger Wiesmeyer	Richard Willing	Erik Wood	Peter Yff
George Walberg	Michael Ward	Wendy Wein	Amy Wiesner	Jen Willis	Margaret Wood	Jennifer York
Jeriene Walberg	Shelia Ward	Leslie Weinberg	Sunni Wigand	Melodi Willis	Martha Wood	Sarah and Mike Yost
Annamay Waldman	Susan Ward	Pete Weinelt	Marika Wilde	Patricia Willis	Virginia Wood	Lucia You
Joseph Waldner	Lisa Warmbrodt	Nona Weiner	Laura Wilder	Emily Willoughby	Sandra Woodall	David Young
Jason Waldo	Barbara Warner	Deborah Weinischke	Roy Wilensky	Judith Willoughby	Barbara Woodard	Diana Young
Richard Waldo	Carol Warner	Diane Weinstein	John Wiles III	Cassandra Wilson	Bennie Woodard	Geoff Young
Veneda Waldo	Kelly Warner	Carol Weinstock	Janus Wilhelm	Edith Wilson	Mary Woodconstable	Sonya Young
Charlotte Wales	Cecilia Warren	Edmund Weisberg	Doris S. Wilk	Judith Wilson	S. Woodruff	Vincent Young
Beverly Walker	Charles Warren	Jody Weisenfeld	Yancy Wilkenfeldt	Katrina Wilson	Billy Woods	Charlene Yourke
Carol Walker	Richard Warren	Jennifer Weishaar	Jere Wilkerson	Ken Wilson	Linda Woodward	Scott Yundt
Carrie Walker	Susan Warren	Stuart Weiss	Richard Wilkins	Sandy Wilson	Ken Woolard	Dawn Yunker

Campaign AA (cont'd)

Individuals submitting this campaign:

William Zaccagnino
Guy Zahller
Jonathan Zahos
Susan Zalon
Val Zampedro
Benjamin Zank
Jan Zanone
Caroline Zaworski
Susan Zega
John Zeigler
Tim Zemba
Zentura
Dennis Zerbo
Stephen Zerefos
Lynn Ziegler
Arlene Zimmer
Andrea Zinn
Adam Zion
Nancy Zorn
Bennet Zurofsky
Bettina Zwerdling

Petition 1

The following petition was signed by 607 individuals. The response is on the right of the page.

CLEAN UP! DON'T BUILD UP! NO MORE HARM FROM NUCLEAR WEAPONS!

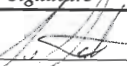
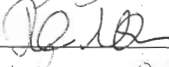
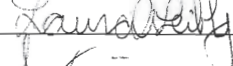

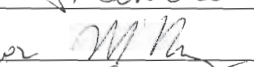
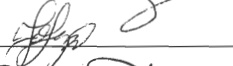


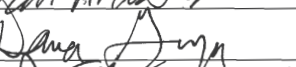

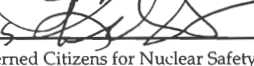


We, the undersigned, demand our elected officials to STOP ALL funding for nuclear weapons, which violates the Nuclear Non-Proliferation Treaty that was ratified by the U.S. Senate, and to invest in the total cleanup of ALL nuclear facilities and dumping grounds and provide compensation to those harmed by such activities. We can no longer put future generations at risk because of the mistakes that we are making now and made in the past beginning with the Manhattan Project in 1943.

The *Final CMRR-NF SEIS*, including this Comment Response Document, has been distributed to a number of elected officials in the U.S. Senate and the U.S. House of Representatives. A list of recipients is included in Chapter 9 of the SEIS.

Petition 1 (cont'd)
Individuals submitting this petition:

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Sergio Salgado		Box 1595 Santa Cruz NM 87531	sergio.salgado@nuclearactive.org
Paul Mark		120 Alamo Dr. Santa Fe, NM 87501	peruljmark@gmail.com
Laura Leibly		980 Acapulco Drive	leopard@nuclearactive.org
Anthony Kaiser		1670B W. Alamo Rd	poller.93cuse@gmail.com
Patti Andrea		1023 Cielo Azul	
Michael Rodriguez		123 Solana Dr SF NM	reguez3@yahoo.com
José Lopez		1603 Paseo de la Conquistadora	
Adrienne Miller		PO Box 221 Rowe NM 87562	
Linda Young		836 1/2 Pablina St Santa Fe, NM 87505	lirdinha1954@yahoo.com
Scott W. Eustace		544 1/2 Franklin Ave Santa Fe, NM 87505	
Dana Garcia		P.O. Box 4461 SF NM 87502	
Jason Coff		1724 Paseo de Peralta	jason.coff@gmail.com
Kendra Engels		1724 Paseo de Peralta	engelsk@gmail.com

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Natasha Torres	Natasha Torres	126 Camino Sombrero #3 S.F. NM 87501	
GAIL GILES	Gail Giles	450 Calle Conchosa SF 87505	gilesgail@coxglobal.net
Jochenpau	Jochenpau	184 KIMM ST. 87505	
Catherine Horstman	Catherine Horstman	2992 Plaza Ayala - S.F. 87507	
Betty Kuhn	Betty Kuhn	1415 Miraceros Ln S 87506	
Betsy Coover	Betsy Coover	1421 " " " 87514	
Jeanne Magill	Jeanne Magill	5 Grayhawk Pl	jmagill18@comcast.net
Sheila Keleher	Sheila Keleher	37C La Posta Way Santa Fe NM	keleshe@yahoo.com
Tyoti CAROLAN	T. Carolan	Po Box 6822 Santa Fe, NM 87502	
Subhankar Ranjita	Subhankar Ranjita	Po Box 28815, Santa Fe, NM 87592	
Scott Taylor	Scott Taylor	117 Old Cash Ranch Rd. Carrillos. NM 87010	
Anne deBunys	Anne deBunys	1815 San Felipe Circle SF NM 87505	
Sandy Clarke	Sandy Clarke	10 Arroyo Verde S.F. 87505	

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Laura Clarke	<i>Laura Clarke</i>	10 Arroyo Vista	clarkefam1@a.com
DIANA BAKER	<i>Diana Baker</i>	105 La Joya Rd.	dianabaker105@gmail.com
PAUL WHITE	<i>Paul White</i>		white@grappawireless.com
Kim Bailey	<i>Kim Bailey</i>	213 Barla St.	pamlico.bailey@earthlink.net
Eush Lake	<i>Eush Lake</i>	38 La Lomita	bushood007@gmail.com
Anna Molitor	<i>Anna Molitor</i>	2100 Paseo Ponderosa SF NM	anna.molitor@gmail.com
Michelle Delon	<i>Michelle Delon</i>	511 San Antonio SF 87505	smartlifemaps.com
Laure Liverman	<i>Laure Liverman</i>	125 Meva Kender St 87501	liverman@gmail.com
GUNER NASSHOFF	<i>Guner Nasshoff</i>	P.O. Box 33684 SANTA FE 87594	gunertn@a.com

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Name	Signature	Address	Email
Liam Denevan		PO Box 445 Arroyo Honda NM. 87513	
Thomas B. Hatcher		340 Upper Ranchitos Road Taos, New Mexico 87571-6818	tomashat@laplaza.org
Erich Kuerschner			
Christine Zampach		23 Antigua Rd, Santa Fe, NM 87508	
Judy E Spain		23 Antigua Rd Santa Fe, NM 87508	jespain@ac.com
LYNN F. LEE		369 MONTEZUMITA AVE, #113, SANTA FE, NM 87501	lynnleel@comcast.com
MERRY G. DIXMAN		3236 Calle de Molina Santa Fe NM 87507	
Adele Caruthers		I think I already signed this at The Community College 2168 B. Huerfano " SF - 87505	adele-caruthers@gmail.com
Sandra Oriel		1330 F. Carro Gordo Santa Fe, NM 87501	sandraoriel@aol.com
James VanderNaald		25 CAGUA RD, SANTA FE NM 87508	
Stuart O'Leary		14 Stamps Verde NE ALB NM 87123	stuart@half.lifer.digital.com
Joshua Stein		713 Edith Blvd SE, NM 87102	josh@half.lifer.digital.com

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Name	Signature	Address	Email
Jonathan Paschka		#919 cielo oeste view	Veritysnips@hotmail..
TREVOR ELLIS		312 La Veta Dr NE Apt. D Albuquerque, NM 87108	Trev.del.solo@gmail.com
Mark Banham		314 S. Guadalupe	BanhamRura PRVCONTACT@COM
Natalie Roberts		1219 Capillos Rd.	
PATRICIA BALLESTROS		103 ABILA ST. SE 87105	
Darya Peterson		59 Apache Ridge Rd. 87505	daryapeterson@hotmail.com
Acacia Brooks		1055 Camino Rancheros 87505	abrooks54@me.cc
Jodi Drinkwater		518 Old Santa Fe 87505	dreausof
Sydney Drinkwater		518 Old Santa Fe Trail #316 87505	water@yahoo.com sydney@sydney.com
Robert V. Keppel		829 W. Beaulieu Ave NE 87501	
Wendell Robinson		526 1/2 Alvarado, SE	

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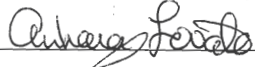
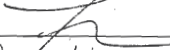


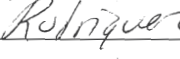
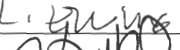

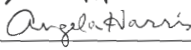
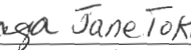
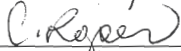
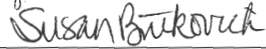

Name	Signature	Address	Email
David Bacon	<i>[Signature]</i>	54 San Marcos Rd. West SF 97506	tochino@cnsp.com
Carol Witter	<i>[Signature]</i>	1220 Galisteo St.	carolawitter@comcast.net
Nan Keegan	<i>[Signature]</i>	3040 Pueblo Grande	nan.keegan@stec.edu
Patty Banks	<i>[Signature]</i>	4537 Constanta Ridge Santa Fe, NM 87507	artalacant@gndil.com
Mario Ruiz	<i>[Signature]</i>	51 del Sol Santa Fe NM 87508	CSRkem@earthlink.net
Keith Meltz	<i>[Signature]</i>	4622 Sunset Rd. Santa Fe NM 87507	communitmez@aol.com
Christy Martinez	<i>[Signature]</i>	200 Ricardo Rd SF NM 87501	
Gloria Montoya	<i>[Signature]</i>	3021 Calle Cabrillo SF 87507	
Catherine Ortega	<i>[Signature]</i>	740 Galisteo Apt Santa Fe NM 87505	
Ariel Muniz	<i>[Signature]</i>	1515 LAS LOMAS RD NE A 02 NM 87106	ecoladeg@yaho.com
EXMUNIA COLE	<i>[Signature]</i>	63 E. Lupita Santa Fe NM 87505	
Mark Barkholtz	<i>[Signature]</i>	503. Bore Ln Santa NM 87505	
Andra Arcega	<i>[Signature]</i>		

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Name	Signature	Address	Email
Keith Carlson		2300 W Alameda Dr, SF, NM 87507	
Aihara Lovato		PO Box 114 Terque NM 87574	guengablet@comcast.com
Justin Hoffman		144 L. B. Ellis Rd SF NM 87505	
Liz Hanzel		1012 Hickory St. 87505	
Kate Marco		723 e Agua Fria 87501	
Jennifer DeCov Rodriguez		2300 W. Alameda 87501	
Doreinda L. Guynn		P.O. 6504 SANTA FE 87502	
David Wheeler		P.O. Box 16 San Fe NM 87505	dfw@fordwheeler@hotmail.com
Angela Harris		1002 Osage Cir. Santa Fe, NM 87505	angela@earthcare.org
Jane Tokunaga		264 Cam de la Sierra SF NM 87501	janetokunaga@cybermax.com
CINDY ROEPER		60 Tarantula Fets Cienillos, NM 87010	croper56@gmail.com
Susan Burkovich		1101 Galisteo St S.F. NM 87505	
Amy Kaplan		HR 72 BOX 110 750/752 ^{SR3} be Ribera 87500	jmsgr155@gmail.com

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Royal Drews	<i>Royal Drews</i>	16 Thistle Santa Fe 87506	royaldrews@gmail.com
Peter Valdez	<i>Peter Valdez</i>	501 Apolaca Hill Santa Fe NM 87501	
Calloway Bastien	<i>Calloway Bastien</i>	15 Winding Rd Santa Fe NM 87505	
GREG ARAGON	<i>Greg Aragon</i>	7698 Old Santa Fe Trail NM 87505	
Amber Schoch	<i>Amber Schoch</i>	34 Lavelle Rd	amschoch@yahoo.com
RC Smith	<i>RC Smith</i>	40 Camino Vista Grande, SF, NM 87508	BBS2713@yahoo.com
Tanan Churchoff	<i>Tanan Churchoff</i>	128 Sombra Dr Santa Fe, NM 87501	
Robert Dwyer	<i>Robert Dwyer</i>	8 Alcalde Rd, Santa Fe, NM 87502	
Gleyn Castro	<i>Gleyn Castro</i>	99 Los Horno Lamy, NM	87540
Perren Truitt	<i>Perren Truitt</i>	4 Escrado Rd SF NM	87508
Anita X. Tellez	<i>Anita X. Tellez</i>	P.O. Box 23604 SF NM	87502
ms Lyette Gish	<i>Lyette Gish</i>	2440 Calle America SF NM	87505
Krista Day	<i>Krista Day</i>	4193 Santa Ana St SF NM	87505

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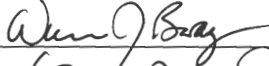


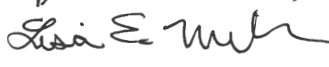
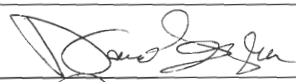

<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Mary Mahan	Mary Mahan	ABQ 87110 1922 Truman St NE	
Penelope McMullen	P McMullen	113 Cam. Santiago SF 87501	
PATRICIA HEARDON	Patricia Haddon	380 VANCOUVER Rd SE, RR, NM 87124	
Shannon Mason	Shannon Mason	7037 Pacific View Dr LA, CA 90068	
Chelsea Collonge	Chelsea Collonge	1925 Five Points Rd SW Abq, NM 87105	
JAMIE FUNK	Jamie Funk	10425 Mountain Rd NE Abq 87112	
SANDRA HARELD	Sandra Hareld	3 CEBOLLA LOOP JEMEZ SPRINGS NM 87025	
SYLVIA SEDILLO	Sylvia Sedillo	2617 Kentucky St NE ABQ, NM 87110	Sed11105L@Q.com
MARY ANN WAMHOFF	Mary Ann Wamhoff	6962 Golden Mesa SF NM 87507	somasphere@earthlink.net
MARY NELSON	Mary Nelson	009 Banco Bonito Rd 87025	M.NELSON24@aol.com
Sharon Palma	Sharon Palma	3 Cebolla Loop Jemez Springs NM	
Karen Knoll	Karen Knoll	P.O. Box 337 Jemez Springs, NM 87025	
Karen Navarro	Karen Navarro	12413 Cloudview NE Alb NM 87123	
Delores Kincaide	Delores Kincaide	3 Cebolla Loop Jemez Springs, NM 87025	

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Name	Signature	Address	Email
William Botz		107 MESA VISTA S.F. N.M., 87501	billbotz@earthlink.net
Lean Morton		401 BOTZOPH LN SF, NM 87505	
Bruce Gollub		401 Botolph Lane SF NM 87505	
Lisa E. Miller		1201 Alcamino Sierra Vista S.F. 87505	
Nora Fisher		551 W. Cordova Rd. #400 Santa Fe, 87505	norafisher@earthlink.net
J. D. Dalal		P.O. BOX 22792	

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Name	Signature	Address	Email
Elena Lovvig	<i>Elena Lovvig</i>	15888 Sande Lane Gross Valley Ca,	amni@earthlink.net
Francesca Lemus	<i>Francesca Lemus</i>	1934 Vineda, San Antonio, TX 78227	
Jadee Oyas	<i>Jadee Oyas</i>	32 Bohls Ln Santa Fe, 87047	Jadeeoyas@gmail.com
Nancy Down	<i>Nancy Down</i>	2501 W. Zia Rd #8109 Santa Fe NM 87505	
Peggy O'Mara	<i>Peggy O'Mara</i>	106 Overlook Rd 87505 SF	
Kori Francis	<i>Kori Francis</i>	516 Juanita St. #2 Santa Fe NM 87501	korifranco@gmail.com
Loen Elmer	<i>Loen Elmer</i>	2094 E. Berge St. Santa Fe, NM 87501	
Susan B. McDonald	<i>Susan B. McDonald</i>	488C Arroyo Tenorio, Santa Fe, NM 87505	
Kate M. Cooper	<i>Kate M. Cooper</i>	1229 Declovina St. 87505 Santa Fe NM	
Jitter Bessl	<i>Jitter Bessl</i>	402 St. Francis dr. Santa Fe NM, 87501	
Elaine Fattan	<i>Elaine Fattan</i>	121 Sereno Ar. SF, NM 87501	
Juniper Hunter	<i>Juniper Hunter</i>	119 Lugar De Oro St. SF, NM 87501	
Margot Ladwin	<i>Margot Ladwin</i>	218 Sombrero Dr S.F. NM 87501	

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Stephan Shearer	[Signature]	1200 Camino de la Cruz E-1	
Hope Buechler	[Signature]	PO Box 665 Arroyo Seco 87514	hopeb@tasnet.com
Carrie Leven	[Signature]	PO Box 1027 Questa, NM 87556	montecare11@yahoo.com
Julie Bernhart Sutherland	[Signature]	HC Rt 139 Lama, Questa 586-1657	
Elizabeth Keiner	[Signature]	PO Box 1768 El Prado NM	
MARY Vandenberg GREEN	[Signature]	PO 1779 Taos NM	greengreen108@yahoo.com
Susan Moore	[Signature]	1452 B Mesa Vista Ln El Prado NM	87529 susanlynnmoore@yahoo.com
Helen South	[Signature]	110 La Loma St. Taos NM 87571	
Mae've Nunez	[Signature]	State Capital Pueblo	lestie.palosanto
Leslie Gattalin	[Signature]	108 1/2 Hudellesca St Santa Fe, NM 87501	partulicney
Marisol Colón	[Signature]	108 Day Break 87507	danielbarrera@me.com
Daniel A. Borrero	[Signature]	"	"
Donald Houser	[Signature]	130 Valley Drive Santa Fe 87501	

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Name	Signature	Address	Email
Katya Backhaus		RR 4 Box 178 Española	katyabackhaus@gmail.com
Maneyo Tapp			
SAVDY RATH			
Elijah Walverton			
Priscilla Brahe			
Julie Salazar		139 Pine St SE 87501	julsbern@aol.com
Mike May		7008 Sweetbriar	NA 151425624@aol.com
Maury Culberg			
IZRA Lopez		54 oshara Blvd.	OLAOLA@gmail.com
Deborah Kornblau		130 E. Lupita Rd.	
Kasha Hogan			

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
KURT STALZER	<i>Kurt Stalzer</i>	2300 W. ALAMEDA #D1	stalzer@onsu.com
HEIDI OLSON	<i>Heidi Olson</i>	Onate pl	—
NED BITTINGER	<i>Ned Bittinger</i>	1323 Sycamore SF 87505	nedbittinger@earthlink.net
SONIA RAMIREZ	<i>Sonia Ramirez</i>	" " " "	"
Sobour H. Sher	<i>Sobour H. Sher</i>		
Michael "Chiffon"	<i>Michael "Chiffon"</i>		
Teresa Fayden	<i>Teresa Fayden</i>	Carmel SF 87507	
William's Williams	<i>William's Williams</i>	Box 8256 Santa Fe NM	RON29813@yahoo.com
Judy Bolles	<i>Judy Bolles</i>	512 Alicia St. Santa Fe, NM	87105
Alma Best	<i>Alma Best</i>	1501 Montano St #10	87505
JULIA TAKAHASHI	<i>Julia Takahashi</i>	PO Box 9230, SF	87504
Elizabeth Christine	<i>E Christine</i>	1325 Cerro Gordo	87501 SF

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Ned LANE	<i>N. Lane</i>	1005 Alto St	nedlane@unmsu.edu
Louis Beetz	<i>Louis Beetz</i>	PO Box 9627 Santa Fe, NM 87504	
Allen Amba Calderon	<i>Allen Amba Calderon</i>	132 Romero #4 Santa Fe, NM 87501	
Stephanie Burns	<i>Stephanie Burns</i>	Tesuque NM 87574	
Peter Mattair	<i>Peter Mattair</i>	2501 W Zia Rd #9-206 87505	peter@bionceers.org
John Wilson	<i>John Wilson</i>	P.O. Box 2374 TROS	
Deborah Wroth	<i>Deborah Wroth</i>	651 Camisacola Luz	
William Wroth	<i>William Wroth</i>	"	
Marnie Galston	<i>Marnie Galston</i>	551 W. Cordova #382 SF, NM 87505	
Dobson Jellie	<i>Dobson Jellie</i>	127 Durio SF NM 87500	
Garry Transne	<i>Garry Transne</i>	121 Mesavista SF, NM 87501	
Felicia N. Trujillo	<i>Felicia N. Trujillo</i>	POB 28068 SF NM 87592	

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
PETER THOMAS WHITE	<i>Peter Thomas White</i>	501 HILLSIDE AVE SANTA FE 87501	
TARA HOWELL	<i>Tara Howell</i>	2214 W Alameda St 87501	
KAREN McCLARY MUNOZ	<i>Karen McClary Munoz</i>	200B Gonzales Rd. SF 87501	
Josh Herrera	<i>Josh Herrera</i>	121 Sereno Dr. Santa fe 87501	
* Erin Mankins	<i>Erin Mankins</i>	525 Camino Solano 87505	
Anthony P. Beggs	<i>Al Beggs</i>	825 Calle Mejia #402, Santa Fe, NM 87501	

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Andrew Gomm	<i>andrew Gomm</i>	52 Camino Chupadero Santa Fe NM 87506	agomm@yahoo.com
Alejandra Rebolledo	<i>Alejandra Rebolledo</i>	11	aliuxread@gmail.com
Xabier Rivas	<i>Xabier Rivas</i>	P.O. Box 457 Santa Cruz, NM 87167	
BARBARA SIMPSON	<i>Barbara Simpson</i>	P.O. Box 3199, SANTA FE NM 87594	
Gabriel Rivas	<i>Gabriel Rivas</i>	2378 Camino Capitan #1 Santa Fe NM 87505	potentia@verpotentia.com
KATHY BARRON	<i>Kathy Barron</i>	2 RED BLUFF DRAW SF NM 87508	sisufilms@gmail.com
MARDALENA ANDERLE	<i>Mardalena Anderle</i>	1549 Camino de la Cañada	mardalena.anderle@ciudad.com.ar
Susan	<i>Susan</i>	2 Calle Franca SF NM	susanne@ciudad.com.ar
Julie Claus	<i>Julie Claus</i>	P.O. Box 330 El Rito NM 87530	
Jewel Alexander	<i>Jewel Alexander</i>	2103 Rancho Cimarron PO Box 24273 Santa Fe 87502	
Paul GARNATT	<i>Paul Garnatt</i>	1401 Hickory #4C	hoss.p.gat@gmail.com
Joe Wheeler	<i>Joe Wheeler</i>	Univ. SF NM	87501

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Individuals submitting this petition:

- PAUL NORTH Paul North P.O. Box 66057 87193

- Lian Reed Lian Reed 2612 Redwood 87507

- James Archibald Jim Archibald 1105 Caminito Alegre 87501

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Name	Signature	Address	Email
Amanda Bramble		P O Box 773 Cerrillos NM	
Marianne Grundyk		120 Meriden Rd, Bordent, NJ	
Bobbe Besold		362 Winita St	
Mauricio Webster		204 Serrano Pk. Santa Fe	
Margaret Gorman		755 W Manhattan Ave / Santa Fe	87501
Mecusacurians		109 Camino Montano St. / " "	87501
Brian C. Morgan		1304 Arenal Ct. S.F.	87501
James Keel		3313 Camino Cielos Vista, St	87507
DAVID RECICOM		127 VALLEY DRIVE	87501
NICOLA FOLKERT		#C74 BOX 561	87501
Jan Boyer		815 RIVIERA ST.	87501
JEN LESHAR		222 MIRA-MONTE ST, SANTA NM	87501
FOREST McDONALD		1067 66th St Oakland CA	94608

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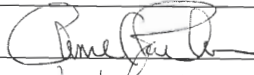

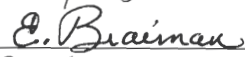
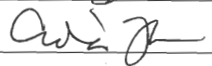
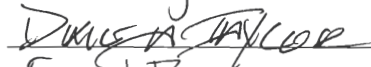


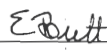
Name	Signature	Address	Email
Alice Thompson		PO BOX 982, SF, NM 87505	
Deborah Dickerson		134 Cilda Cir SF, NM 87505	
Elizabeth Allen		303 E. Buenavista St 87505	
Carmen Blue		P.O. Box 31152 SF, NM 87594	
Laura Liverna		125 Mea Verde St 87501	
Alma Dasilva		1512 Paseo de la Conquistadora Santa Fe NM 87501	
Azra Mae I		1 Inez Ct, SF, NM 87505	
Steve Marlon		429 Wubber St SF NM 87505	
Sandra Shults		P.O. Box 416 El Prado NM 87529	
Maria Hondros		1999 Camino Cimare, SF. 87505	
Maria S. LeBlanc		1501 Montano St. #23 S.F. 87505	
Shelie Beckel ~ Sheppard		5 Frasco place Santa Fe, n.m. 87505	
Carol Madley		917 Don Juan St Santa Fe NM 87501	

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Bruce Melanson		306 Cimarron Canyon 87505	
Anne PARKER		551 W. Cordova #559 Santa Fe, NM 87505	
Wyn Lewis		814 Sereno Dr Santa Fe, NM 87501	
Mimi Braiman		1719-B Seri Dharma Ct	
Ada Taylor		PO Box 2185 Española, NM 87532	
DIANE TAYLOR		PO Box 31194 Santa Fe, NM 87594	
Ernest Romero		PO Box 16422 Santa Fe, NM 87592	
Claudia Stromberg		PO Box 188 Ocate, NM 87734	
Elizabeth Britt		2385 Camino Capitan #1 SF, NM 87505	

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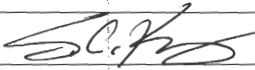

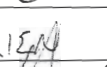
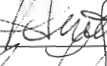

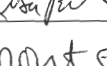
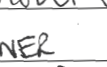
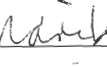
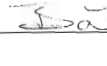
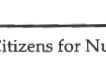
<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
TOM CAUEGOS	<i>Tom Callegas</i>	P.O. Box 604 Santa Fe	tpallegos2006@msa.com
Teresa Smith	<i>Teresa Smith</i>	10 Town Plaza #214 Durango Co 81301	justpedal@earthlink.net
Barbara Conroy	BARBARA CONROY	934 Dunlap St. SF 87501	beconroy@earthlink.net
Penny Truitt	Penny Truitt	4 Carrado Rd 87500	Pennytruitt@hotmail.com
Beata Tsosie	<i>Beata Tsosie</i>	#93 S. Santa Clara Esp. NM. 87532	
Doug Doran	<i>Doug Doran</i>	804 Aland St., S.F. NM 87507	dougdoran16@yahoo.com
Mary Weahlee	<i>Mary Weahlee</i>	P.O. Box 970 Esp. NM 87532	
Nina Motah	<i>Nina Motah</i>	P.O. Box 970 Esp. NM 87532	
Jurational Block	<i>Jurational Block</i>	127 Huddleson St., Santa Fe 87501	7606241@gmail.com
Kathy Glaser-Block	<i>Kathy Glaser-Block</i>	127 Huddleson St Santa Fe 87501	maxkat21@gmail.com
Teresa Chavez	<i>Teresa Chavez</i>	6000 Sunbelt #101 Los Alamos NM - 87544	

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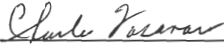
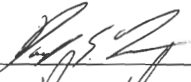
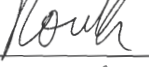

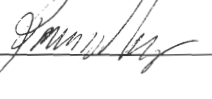
Name	Signature	Address	Email
Sharon Knox		5944 Camino Arroyo	sc-knox@ya.com
Charles Mercer		602 Agua Fria SF, NM 87501	
BRENDAN O'BRIEN		5615 CAMINO DON EMILIO SF 87507	
Annette Dupree		223 N. Guadalupe St #122 SF, N. M. 87501	
Nancy Seewald		3000 Cerillos Rd 729B SF NM 87505	nlooise78@gmail.com
Lisa Putkey		PO Box 508 Chimayo, NM 87522	lputkey@gmail.com
Rev. Holly Beaumont		27 Old Galisteo Way habeaumont@	aol.com NM 87521
ERICH KUERSCHNER		HC 74 Box 2444 EL PRADO	erichwk@gmail.com NM 87521
Marilyn Hoff		PO Box 295, El Prado, NM 87509	marigayl@netza.com
Basia Miller		2848 Vereda de Pueblo, Santa Fe, NM 87507	bmiller@sjcsf.edu

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Karen Kencontric		1229 Rockwood St	
Charles FASANO		226 Las Mananitas	
Doug Lynn		226 Las Mananitas St	
Rowan Jackson		2311 Cattle Branch SF, NM 87501	
Deborah Meberg		113 Ojo de la Vaca	
Ravena Mays		P.O. Box 31188, SF, NM 87514	

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Name	Signature	Address	Email
Rachel Bliven	<i>Rachel Bliven</i>	120A Valencia Rd. Santa Fe 87505	<i>rachelbliven@gmail</i>
Sue Royjansky	<i>Sue Royjansky</i>	212 Tohatchi NW APO NM 87104	
GAIL ANDERSON	<i>Gail Anderson</i>	104 Lugar de Oro SF, NM 87501	
DIANITA M-JILCO	<i>Dianita M-Jilco</i>	7 COPPER TRL SF NM	
Jill E. Fiey	<i>Jill E. Fiey</i>	7 Copper Trl SF NM	

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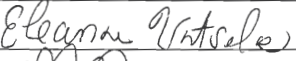

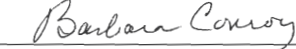




Name	Signature	Address	Email
ARON SALAZAR		798 CALLE KANON AMCS OJUNDA	
TONY ISAACS		Box 472, TAOS, NM 87571	
Dr. Daphne Kennedy		2125 Paseo Pineda Santa Fe NM 87501	
David Crocker		125 E Palace Ave #41 SF NM 87501	
NORM BURDOW		2138 Comblano SF 87505	
Catherine Stember		20812 4 th st #3 saratoga ca 95070	
Louis SKogen		58 Corner 4 th Loop S.F., NM 87508	
BRETT JORDAN		3236 N. 14 th AVE PHOENIX AZ 85013	
Amanda Montoya		21 arroyo seco circle esparola NM 87532	
Terese Candelaria		3144 Jemez Rd S.F. NM 87507	
Joe Pulido		1001 SAN CLEMENTE BLVD ALBUQUERQUE NM 87107	
Tom Miller		P.O. Box 9860, Santa Fe, NM 87504	

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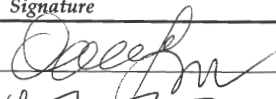
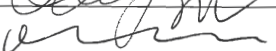

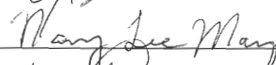

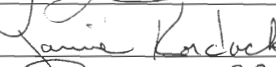
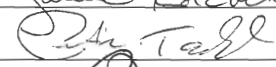
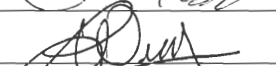
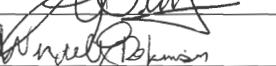
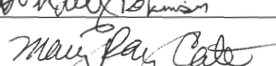
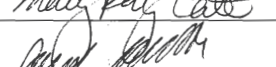
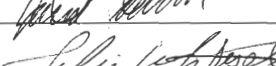
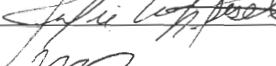
<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Eleanore Voutselas		4345 Dancig Ground ^{Santa Fe} ⁸⁷⁵⁰⁷	ellicvont@g.com
Leslie Alderick		P.O. Box 646 Arago San NM 87514	
Barbara Conroy		934 Dunlop Sfe 87501	
Anna Hansen			
Adele Caruthers		2708 E Hemadana SE 87505	
Rebecca Ortega		P.O. Box 2305 Espanola, NM 87532	
Nora Lee Gregg		347 Currier Rd, #69 NM 87507	
Lara Cooper		5011 Adelfost Santa Fe NM 87501	

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Oak Chezar		PO B 17 Jarustown	80155 oak@riseup.net
Marcus DeVito		224 'E' maynard st	S.Fe. 87501
GAIL BUONO		19 Copper Trl., Santa Fe	87508
Nancy Margis		3373 Ave San Marcos	87507
JAMIE DUGGAN		3660 Catalpa Way	Boulder, CO
Jamie Kordack		104 Draper Rd., East Brookfield,	MA 01515
PETER TAD		57 Lubbock Rd.	Santa Fe - NM, -
Louis Willford		5099 N Bond Rd	LANSING MI
Wendell Robinson		526 1/2 Alameda, Dr. SE	
MARY RAY CATE		1671 Cielo Grande	87820
Jarrod Scarborough		35 Apache Plume Rd	87031
Julie Whitesell		104 Avenida de Velasquez,	Taos NM 87571
Robert Mac Dryden		8 Alcalde Red.	Santa Fe, NM 87508

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Jackie Dulle	JACKIE DULLE	2116 CALLE TECOLOTE ⁸⁷⁵⁰⁵ S.F. NM	jdulle8798@AOL.com
Floz de Maria Oliva		2140 Caudelero St. 87505	
Janet Greenwald	Janet Greenwald	215 Hentling SW	Contactus@cardnm.nm.109
Borie Bunting		2832 Smith SE 871106	
Marijke Sole Vries		6302 Harper PINE NW 87109	
Mitzy Kraft		6200 Indian School NE #331	mitzi919@yahoo.com
Penelope FORAN		1309 San Jose Ave SE Albuquerque NM	
Janet		1925 Five Points SW Albuquerque NM	
Neredith Bunting		3423 Smith Ave. SE apt #1 Abq, NM 87106	
Pat Roach		102 Camino Santiago NM 87501	
Carol Miller		5330 N. Central Ave. #17, Phx, AZ 85012	
Mary McCormick		P.O.B. 2408, Santa Fe, NM 87502	
Sheila Gibben		PO Box 1485 Pena Blanca NM 87041	

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
ETHEL M. SIEGWARD	ETHEL SIEGWARD	77 S. Lucella St, Beverly Hills, FL 34465	
Donna Kangeter	Donna Kangeter	205 Adams NE # 3Alba	dkangeter@hotmail.com
MARY NELSON	Mary Nelson	009 Rancho Benito	CS 87025
Ethel S. Smith	Ethel S. Smith	118 Camino Santiago, SF/NM 87501	
Cynthia Piatt	Cynthia Piatt	169 Camino Santiago, SF NM 87501	
Helen Sutton	Helen Sutton	201 Basas de la Cueva, SF 87501	
Marta Harrison	Marta K. Harrison	103 Cam Santiago, SF 87501	
Dia Jimenez		122 CAMINO SANTIAGO S.E. 87501	
Carli Landen	Carli Landen	125 Camino Santiago # SF 87501	(twice)
Luella Clavio	Luella Clavio	101 Camino Santiago SF 87501	(twice)
Nancy Ambroster	Nancy Ambroster	111 Camino Santiago SF 87501	(twice)
Madeline Pryor	Madeline Pryor	125 Camino Santiago #1 SF 87501	
Michelle Trunfio	Michelle Trunfio	1200 Makomis Drive, HRT+MICHELLE@	ACT.COM

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
JUAN MONTOYA	<i>Juan Montoya</i>	1438 SLOAN PL SW Alb NM 87105	JMONT@COMCAST.NET @MSN.COM
Terry Cosner	<i>Terry Cosner</i>	218 Iron St, Alb.	
WILL COVERT	<i>W.R. Covert</i>	1200 NAACOMIS DR NE ALBUQUERQUE, NM 87112	
ETHAN GENAVER	<i>Ethan Genaver</i>	1925 Five Points Rd SW, Albuquerque NM 87105	
Jason Bohannon	<i>Jason Bohannon</i>	218 Iron St Alb	jabo2x@hotmail.com
Charles R. Powell		P.O. Box 20451, Abq 87154	crp66@juno.com
Bobbie Sue Davis	<i>Bobbie Sue Davis</i>	1925 Five Pts. Rd Abq 87105	BobbieSDavis84@gmail.com
Imani Z. Clements	<i>Imani Z. Clements</i>	Atlanta, GA	imanizc@yahoo.com
Chelsea Collonge	<i>Chelsea Collonge</i>	1925 Five Points Rd SW Abq 87105	
BOB O'CONNOR	<i>Bob O'Connor</i>	P.O. Box 22262 SF 87502	
Robert L. Roybal	<i>Robert L. Roybal</i>	57 Cougar Canyon Santa Fe, NM 87508	rroybal@hotmail.com
DANN HARRIS ROYBAL	<i>Dann Harris Roybal</i>	57 COUGAR CANYON, SF, NM 87508	
Ann Feighny	<i>Ann Feighny</i>	155 Village Wy, SF. 87507	

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<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Peter Lapolle	<i>Peter Lapolle</i>	106 Camino Santa Fe 1290 SF NM 87501	pipec 64770@earthlink.net
Nancy Ambruster	<i>Nancy Ambruster</i>	111 Camino Santiago SF NM	narmbruster@msn.com
Joe Ambruster	<i>Joe Ambruster</i>	111 Camino Santiago SF NM 87501	
Margaret Burlingame	<i>Margaret Burlingame</i>	112 C. Santiago	
Luella CLAVIO	<i>Luella Clavio</i>	101 Camino Santiago, SF, NM 87501	
Lowelle Simms	<i>Lowelle Simms</i>	122 Camino Santa Fe SF NM 87501	
S Papp	<i>S Papp</i>	1137 NW 34 th OKC, OK 73118	
Mary Pugh	<i>Mary Pugh</i>	8805 NW 114th St. OKC, OK 73162	
SANDRA SCHANK	<i>Sandra Schank</i>	8 Finrock Place Santa Fe, NM 87508	
Susan Charmley	<i>Susan Charmley</i>	3856 Ladera Dr. NW Albuquerque, NM	
CAROLYN WHERAT	<i>Carolyn WHERAT</i>	3856 LADERA DR. NW ALBUQ. NM.	
KAREN KNOLL	<i>Karen Knoll</i>	30 Zeni Ct. Jemez Springs NM 87025	
Delores Kincaide	<i>Delores Kincaide</i>	3 Cebolla Loop, Jemez Springs NM 87025	

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Name (Print)	Signature	Address	Email
Madonna Day	<i>Madonna Day</i>	1205 Claytonia, Ten. A Home 63117	delays@loretto Community.org
CAROLE LANDESS	<i>Carole Landess</i>	125 Camino Santiago #4 S.F. NM, 87501	carole.landess@gmail.com
Elizabeth Reed	<i>Elizabeth Reed</i>	110 Cam. Santiago	
Hella Neumann	<i>Hella Neumann</i>	125 Camino Santiago #2	info@songs of the ancestors com
Adrianne Ewing	<i>Adrianne Ewing</i>	104 Cam. Matias	Fab Artist cool.com
Dorothy Ann Colton	<i>Dorothy Ann Colton</i>	117 Camino Santiago	dacolton2@msn.com
Richard Silverman	<i>Richard Silverman</i>	120 Camino Matias	
ROD SILVERMAN	<i>Rod Silverman</i>	120 Camino Matias	
NANCY GILCHRIST	<i>Nancy Gilchrist</i>	105 Camino Matias	
DEBROT REECONI	<i>Debra Reecon</i>	12 White Boulder Ln SF. 87506	
Mary Anne Fowlkes	<i>Mary A. Fowlkes</i>	114 Camino Santiago 87501 SF	
Betty CAUTHORNE	<i>Betty P. Cauthorne</i>	121 Camino Santiago, SF	
Richard K. Avery	<i>Richard K. Avery</i>	119 Camino Santiago Santa Fe, NM 87501	

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Jessica Brewster	Jessica Brewster	724 Juniper Dr. SF	
P.C. JAROS	P.C. Jaros	212 E. Mary #7	87501
Alex McDonough	Alex McDonough	1320 Madavia St	
N. HARNISH	N. Harnish	104 LUGAR DE ORO	SF 87501
Patty Conway	Patty Conway	conway - patty @ yahoo	
Shenday Phillips	Shenday Phillips	3224 Casa Rinconada	SF 87507
Ray Corlin	Ray Corlin	1371 CENENO GORDO	87501
Billie Jean	Billie Jean	13404 Auburn AVENUE	87112
Barbara Sinha	Barbara Sinha	132 Camino Los Abuelos,	SF 87508
Jan Johnson	Jan Johnson	PO BOX 31864,	SF, NM 87594
Jim Kuznetsov	Jim Kuznetsov	11 N. GONZALEZ UNIT 3613	SF, NM 87506
Michael Gregory	Michael Gregory	107 Paseo Del Pinar	SF, NM 87508
Richard Stanganone	Richard Stanganone	107 Paseo Del Pinar	SF, NM 87508

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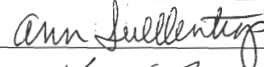
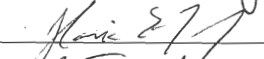



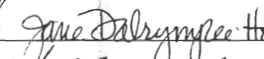

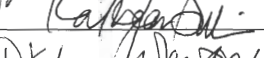
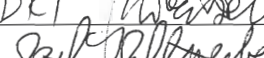



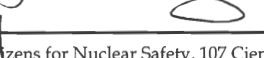
<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
EUSA AND	<i>EUSA AND</i>	551 W. Cordova #344 Santa Fe	87505
Mike Odom	<i>Mike Odom</i>	P.O. Box 595, Arroyo Seco N.M.	87514
RS PFAMMATTER	<i>RS PFAMMATTER</i>	PO Box 1915 El Prado N.M.	87529
JHANNE RUDIG	<i>Jhanne Rudig</i>	54 CAMINO TREE FROG VADITO	87579
Carl Struck	<i>Carl Struck</i>	54 Camino Tree Frog, Vadito NM	87579
Maria B. Turner	<i>Maria B. Turner</i>	351 Vegas de Taos Circ. Taos NM	
KIMM BUEHRE	<i>Kimm Buehre</i>	226 ESPINOZA RD RDT. NM	87557
Ellen Brodsky	<i>Ellen Brodsky</i>	PO Box 1102, Tucs, NM	87571
YONA LEE GREGG	<i>Yona Lee Gregg</i>	3471 Carrillas Pl #69	87507
Merry Schroeder	<i>Merry Schroeder</i>	757 Placita Santa Fe. Santa Fe, NM	87505
Elliot Hammans	<i>Elliot Hammans</i>		
James Leehan	<i>James Leehan</i>	7047 Vuelta Vistoso Santa Fe, NM	87507
TINA H. BLACKBURN	<i>Tina H. Blackburn</i>	4 JOYA CT SANTA FE, NM	87508

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Ann Suellentrop		1865 S. Pyle St, KCKS 66103	annsuelentrop@gmail.com
Gloria Nouel		1895 Alpine Ave B32-Boulder	
Cody Spyer		1128 Bennett Ave. GWS CO 81601	cspyker@students.noropa.edu
Megan Drimal		Po Box 2012 Boulder CO 80306	mdimal@abosaroka.org
JAYC. HORMEL		6020 JAY RD. BOULDER, CO 80301	jchormel@gmail.com
JANE DALRYMPLE-HOLLO		3336 14th St. 80304	JDHollo@GMAIL.COM
Molly Long		3100 34th St B-29 Boulder CO	Molly.Long@edu.colopro.
KATHLEEN SULLIVAN		270 21st Apt 3 Bk, NY 11215	edna@bestweb.net
ROST DEL TREDKI		544 Beauregard St Beacon Hill MA 02132	rdeltredki@ohiostate.com
Seth Schlottenbeck		ais Linden Dr Boulder, CO 80304	seth.schlottenbeck@gmail.com
Pinar Toy		602 Alpine Ave. Boulder, CO	sacredgarawarrior@gmail.com
Karen Foglesong		7129 Baltimore KCMO 64114	karenfoglesong@kcrr.com
Mary Ellen McCarry		Boulder, Colorado	memccarry@earthlink.net

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Name	Signature	Address	Email
Charles J. Dale		PO Box 5851, SF	rcoutas@aol.com
Charlotte Bink			Char.bink@gmail.com
MARK LIGHT		1012 MARQUEZ PL SF NM 87505	
RATHLEEN CHRISTISON		23 Camino Sudeste Santa Fe, NM 87508	KB.CHRISTISON@ EARTHLINK.NET
Eduardo Krasilovsky		17 Lucero Rd. SF 87505	tortuska@NSP.com
Barbara Belding		1350 FERGUSON LN 87505	Bbelding@yahoo.com
Chedza Nlloum		Ferguson LN	naomindlou@yahoo.com
Jarin Anden		804 Alarid St SF NM	shigincos@st.com
Samantha Kowalisyn		804 Alarid St. SF, NM 87505	skowalisyn@gmail.com
Edward Archuleta		3801 Cerrillos Rd SF NM 87507	edarchuleta@aol.com
James Podesta		2920 BONITO CIRCLE Santa Fe, NM 87507	
Paige Kitson		804 Alarid ST, SF, NM 87505	paigeleigh kitson@
Evan McWilliam		804 Alarid St SF NM 87505	khalmur@hotmail.com

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
ROSA MARLESE	<i>Rosa Marlese</i>	123 DE TEJES LA TAOS 87571	
BARBARA HARTFIELD	<i>Barbara Hartfield</i>	BOX 3156 TAOS NM	BHspeaks@gmail
Margarita Denevan	<i>Margarita Denevan</i>	PO Box 445 Arroyo Hondo, NM	micuaro@taosnet.com
William Panzer	<i>William Panzer</i>	34 Circunvala Rd #1 87557	
Melissa Lousin	<i>Melissa Lousin</i>	PO Box 1051 Randos de Taos 87557	
BONNIE KORMAN	<i>BONNIE KORMAN</i>	POB 80 TAOS, NM 87571	
Nancy Johnson	<i>Nancy Johnson</i>	226 Espinoza Rd, Randos de Taos 87557	janaki-123@msn.com
Shant Overbey	<i>Shant Overbey</i>	14 Siempre Verde NE Albuquerque NM	
TANIA ZIVKOVICH	<i>Tania Zivkovich</i>	PO BOX 552, Chimayo NM 87522	
KAY SOLOMON	<i>Kay Solomon</i>	HCR 74 Box 24807 EL PRADO NM 87529	
HARVEY SOLOMON	<i>Harvey Solomon</i>	HCR 74 Box 24807 EL PRADO NM 87529	
TONY ISAACS	<i>Tony Isaacs</i>	Box 472, TAOS, NM 87571	muir@indianhouse.com

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<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Eileen O'Brien		29 Tahoma Rd Lexington KY 40503	
LINDA HARRIS		429 Holiday Lexington, KY 40502	
Gwen Phillips		201 Lake Shore Dr Lexington KY 40502	
Amy Evans		264 St. Ann Dr. Lexington, KY 40502	
Alice Carver		560 Severn Way Lexington, KY 40503	
Mary Henson		562 Stratford Dr Lexington, KY 40503	
Kathy Gabb		1407 NIDBY LN URSOVILLE KY 40383	
Philip Anderson		10414 LONG HOME RD., LOU., KY 40341	
ANN ANDERSON		"	
Julio Ramirez		2805 Ave of the Woods Louisville KY 40241	
MARIELA RAMIREZ		2805 Ave of the Woods Louisville KY 40241	
LUPE ARCINIEGA		515 MERINX RD MERINX, KY 40049	
Dr. Irene Villavreal		P.O. Box 6 ^{St. Francis, KY}	villavreal@wind.net

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<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Mary C. Leibman	Mary C. Leibman	515 Nernst Rd.	
Judith Baenen	JUDITH BAENEN	1050 E. Amherst Ave	80113
Rudence Maffett	[Signature]	515 Nernst Rd.	40049
Virginia Ann Disedell	[Signature]	515 Nernst Rd	40049
Mary F. Lottes	Mary F. Lottes	515 Nernst Rd	40049
Janet Rabideau	Janet Rabideau	515 Nernst Rd	40049
Edith A. Jaeger S.T.	Sister Edith A. Jaeger	" " "	"
S. ALICE EUGENE TIGHE	Sister Alice Eugene Tighe	" " "	"
ELMINE PREVALLET	Elaine Prevallet	515 Nernst Rd	Nernst Ky 40049
Barbara Croghan	Barbara J. Croghan	515 Nernst Rd	Nernst Ky 40049
Margaret Ann Stammel		"	"
Jane Clark		"	"
KAY CARLEW	Kay Carlew	515 Nernst Rd	Nernst, Ky. 40049

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<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Katherine Feely	<i>K Feely</i>	13000 Autumn Rd	<i>kfeely@ndec.org</i>
Natalie Wing	<i>Natalie W</i>	515 515 Nerinx Rd	<i>nataliewing2003@yahoo.com</i>
CECILY JONES	<i>Cecily Jones</i>	515 NERINX RD. NERINX, KY 40049	<i>CJONES@LURET70MOTHERHOUSE.ORG</i>
Margaret R. Knoll		11	
JUDY POPP, JR	<i>Judy Popp, Jr</i>	515 NERINX RD, NERINX KY 40049	
Lois DUNPHY, Sr	<i>Lois Dunphy, Sr</i>	515 NERINX RD, NERINX, KY 40049	
PAULINE ALBIN, Sr	<i>Pauline Albin, Sr</i>	515 NERINX RD., NERINX, KY. 40049	
Jeannette Donnelly	<i>Jeannette Donnelly</i>	515 Nerinx Ky	
Eva Marie Salas	<i>Eva Marie Salas</i>	515 Nerinx, KY 40049	
Elizabeth Croom	<i>Elizabeth Croom</i>	515 Nerinx Road Nerinx, KY 40049	
Theresa L. Coyle	<i>Theresa L. Coyle</i>	515 Nerinx Rd. Nerinx Ky 40049	
Angelus Caron	<i>Angelus Caron</i>	515 Nerinx Rd Nerinx KY 40049	
MARY SWAN	<i>Mary Swans</i>	515 Nerinx Rd Nerinx Ky 40049	

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<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Claudette LoPorto	C. Lo Porto	515 Nerinx KY	-
Katherine A. Heinz	Katherine A. Heinz	515 Nerinx KY	
JoAnn Gates	JoAnn Gates	515 Nerinx Rd. 40049	
JANE CLARK	J. Jane Clark	515 NERINX RD. 40049	
CAROL DUNPHY	Carol Dunphy	515 NERINX Rd. 40049	
Susan Classen	Susan Classen	515 Nerinx Rd. 40049	
Mary Judith Brown	Mary Judith Brown	515 Nerinx, Ky.	
MARY GENEVIEVE	Mary Genevieve	515 Nerinx, KY 40049	
PATRICIA TONER	Patricia Toner	515 Nerinx Rd. 40049	
Lydia Peña	Lydia Peña	3101 W. Hillside Pl, Denver, CO 80219	
Pat Hummel	Patricia Hummel	515 Nerinx Rd 40049	
Eileen Custy	Eileen Custy	515 Nerinx Rd 40049	
ANTOINETTE JOYCE	Antoinette Joyce	515 NERINX Rd 40049	

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Elizabeth Comeaux	<i>Elizabeth Comeaux</i>	1663 Steele St #901, Denver CO 80206	
Sharon Kassing	<i>Sharon Kassing</i>	5445 Chippewa #5	
Mary Catherine Rabitt	<i>Mary Catherine Rabitt</i>	1602 S. USMAR ST LKWD Co 80232	
Mary Ann McGivern	<i>Mary Ann McGivern</i>	5865 Hart Path St Louis, MO 63116	maryannm@verizon.com
Maureen Smith	<i>Maureen Smith</i>	5909 Ridgeway Kansas City, MO 64132	kcmaura@yahoo.com
Maureen O'Connell	<i>Maureen O'Connell</i>	P.O. Box 448 Jacksboro, TN. 37757	maureenocconnell25@gmail.com
Anna Koop	<i>ANNA KOOP</i>	2420 WELTON ST. Lakewood, CO 80224	AKOOPSL@JUNO.COM
Catherine Mueller	<i>Catherine Mueller</i>	7250 W 21st Ave	cmueller@lorettecommunity.org
Marie L Ego	<i>Marie L Ego</i>	7250 W 21 Ave Denver 80214	meego@lorettecommunity.org
Carole Eschen	<i>Carole Eschen</i>	2544 Cherry St. KCMO 64108	ceschen@kcocad.org
Betty McWilliams	<i>Betty McWilliams</i>	2565 S. University #710	Denver, CO 80210
Natalie Wing	<i>Natalie Wing</i>	515 Nernix KY	nataliewing203@aol.com
Ann David Naeger	<i>Ann David Naeger</i>	515 Nernix KY	_____@yahoo.com

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Name (Print)	Signature	Address	Email
ELIZABETH PEREZ	<i>Elizabeth Perez</i>	2980 St Rose Rd, Apt A Linton, Ky 40233	
Catherine I Madden	<i>Catherine I. Madden</i>	321 E. Sienna Hts Dr. ADRIAN, MI 49221	Kittynewmoon@gmail.com
Pam McBRIDE	<i>P. McBride</i>	515 Norinx Norinx, KY 40049	pamela.mcbride@att.net
Susan Britto	<i>Susan Britto</i>	Gravel Switch Ky 40328	
Alma Schuler	<i>x</i>	515 Norinx Norinx, Ky 40049	
Karen Madden	<i>Karen Madden</i>	515 Norinx Norinx, Ky 40049	
Clare Gray	<i>Clare Gray</i>	1041 Harkin Dr. Cincinnati OH 45246	graycl@berca.edu
Rahimullah Ammani	<i>Rahimullah Ammani</i>	101 Chestnut St CPO 46 Berea, KY	
Natasha Smith	<i>Natasha Smith</i>	101 Chestnut St CPO 1527 Berea, KY 40404	smithna@berca.edu
Courtney Matthews	<i>Courtney Matthews</i>	101 Chestnut St. CPO 1127 Berea Ky 40404	
Grace Hair	<i>Grace Hair</i>	101 Chestnut St. CPO 696 Berea, KY 40404	
Cassidy Franklin Dutton	<i>Cassidy Franklin Dutton</i>	101 Chestnut St. CPO 538 Berea Ky 40404	
Carolyn L. Jaramillo	<i>Carolyn Jaramillo</i>	524 Manor Dr Pacifica, CA 94044	

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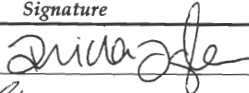
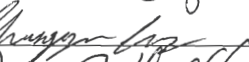
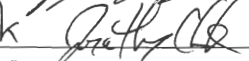

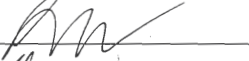
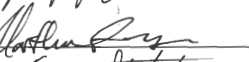


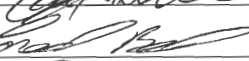
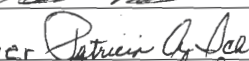
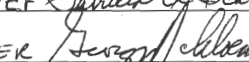
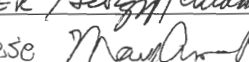

<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Jane Thonley Roeschley	Jane Thonley Roeschley	405 Scottage Ave, Normal IL 61761	jane@normalmennoite.org
Mary J. Cross	Mary J. Cross	200 17th Vlg, #6 Moundridge, KS	mjcross@mtelco.net
STANLEY KROPF	Stanley Kropf	337 E Beard Ave, Ellettsville, IN	skropf@gmail.com
Kathleen Springer	Kathleen Springer	40364 E 600 N. Rd. Saybrook, IN	kk.springer@coxus.com
Jana Schopp	Jana Schopp	2111 Woodbine Bloomington, IL	rjmschopp@comcast.net
Sara Wengerd	Sara Wengerd	1627 Spring Brook Dr., Gosport, IN	slwengerd@frontier.com
Susan Ortman Koering	Susan Ortman Koering	1339 Ashland Ave, Col, OH 43212	sookoering@sbcglobal.net
Val Kliewer	Val Kliewer	613 Mark Pearce Ave Winnipeg, MB R2G 0G-6	
Bob Smith	Bob Smith	21 Wolfbrook Circle Iowa City IA 52246	richersmi@aol.com
GENIE CASKEY	Genie Caskey	1615 South 8th St. Gosport, IN	
Cheryl Lehmann	Cheryl Lehmann	4405 E. Pepperidge Cir. Sioux Falls, SD 57103	
LOUISE WIDEMAN	Louise Wideman	431 S. Jackson Bluffton, OH	
Sue Steiner	Sue Steiner	#23-206 Condonwood Cr. Waterloo, ON.	

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<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Inci Taylor		604 Chestnut St. Berea Ky	tnforpaz@bera.edu
Chungyen Cheng		103 Kayla Dr. #6 Berea, Ky	changc@bera.edu
Jonathan Clark		118 Washington Ave Berea	
Antonio Bill		101 Chestnut St. (P17) Berea KY	billac@bera.edu
James Wilder		121 W. Main Oak Ridge, TN 37830	wilderja@bera.edu
Martha Savage		61 Chestnut St. Berea KY CPO 86	savagem@bera.edu
Anna Stukenberg		CPO 1530 Berea, KY 40404	stukenberga@bera.edu
ZACHARY DANN EMAN		101 Chestnut St. CPO 431 Berea, KY 40404	stossfurnaces@bera.edu
Loreal Bell		101 Chestnut St. CPO 86 Berea Ky 40404	bell1@bera.edu
Patricia A Schloemer		5300 Hamilton Ave, #1606 Cincinnati OH 45224	pschlo39@fuse.net
GEORGE R SCHLOEMER		5300 Hamilton Ave #1606 Cin OH 45224	
May Anne Reese		2414 Grandview Ave, Grafton OH 45206	
Marie Ego		7250 W 21 Ave Lakewood CO 80214	

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Name (Print)	Signature	Address	Email
CAROL PACEK	<i>Carol Pacek</i>	515 Nerinx Rd, Paris, KY 40369	
Martha Hinton	<i>Martha Hinton</i>	410 Locust St. Springfield Ky 40069	
ELIZABETH B. MITCHELL	<i>Elyzabeth B. Mitchell</i>	708 Leawood FRANKFORT KY 40601	
BARBARA FINNERAN	<i>Barbara Finneran</i>	415 Church St. Nashville, TN 37219	-no mailing list-
Deborah Knost	<i>Deborah Knost</i>	940 W. Dearborn Fern Hl 61615	
Faye Yaste	<i>Faye yaste</i>	240 Holy Cross Rd Loreto, Ky 40097	" " "
MARY DUEENES	<i>Mary M. Duennes</i>	4427 DUNEDON AVE. CINT, OH 45236	mduennes@aatt.net
KATHLEEN NOONAN	<i>Kathleen Noonan</i>	3518 SAYBROOK AVE. CINT, OH 45208	
Virginia Brown	<i>Virginia Brown</i>	1857 Alfresco Pl, Louisville, Ky 40205	
Jane Montgomery	<i>Jane Montgomery</i>	15 Rawson Woods Cr Cincinnati OH 45220	
CAROL T. YEAZELL	<i>Carol T. Yeazell</i>	10115 WINSTEAD LN. CINCINNATI, OH 45231	
Patricia Joyce	PATRICIA JOYCE	4606 Trowbridge Apt. 2 El Paso, TX 79903	
Marie L. Stecklee	<i>Marie L. Stecklee</i>	515 Nerinx Road Nerinx, KY 40049-9998	

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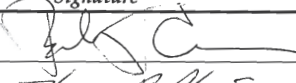



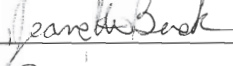
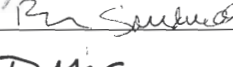
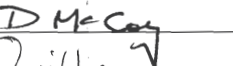
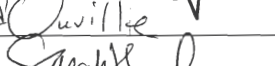
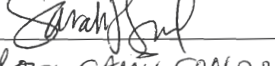
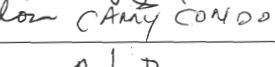
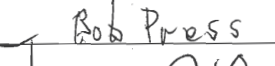
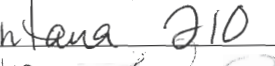

<u>Name (Print)</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Mag Richer Smith	<i>Magaret Richer Smith</i>	21 Wolfbrook Circle, Iowa City, IA 52246	Riclarsmit@aol.com
VICTOR KLIEWER	<i>V. Kliewer</i>	613 Mark Pearce Ave., Winnipeg MB Canada R2G0G4	
Wesley Newsuzuger	<i>Wesley Newsuzuger</i>	103 Circle Rd, Lancaster PA 17601	
Janet M. Breneman	<i>Janet M. Breneman</i>	103 Circle Rd, Lancaster PA 17601	
Marlene Y Kropf	<i>Marlene Y Kropf</i>	334 E. Beardsley Ave. Elkhart, IN 46514	
Carole Eschen	<i>Carole Eschen</i>	2544 Cherry Kansas City, MO	
Kay Carlew	<i>Kay Carlew</i>	515 Nerima Rd Nerima, Ky 40049	
Jeanne Sabet	<i>Jeanne Sabet</i>	3568 Knollwood Ln 5355 ANDERLIE LANE ST. PAUL, MN 55110	Cipron, Ohio 44333
Jan Hallman	<i>Janie Hallman</i>	1678 Adams ST DENVER, CO 80206	LISANZALF@g.com
LISA REYNOLDS	<i>Lisa Reynolds</i>	3 Cebolla Loop, Jemez Springs NM 87025	
Delores Kincaide	<i>Delores Kincaide</i>	425 Elizabeth Rd Yorktown VA NY 10591	
Nazela BIANCO	<i>Azela Bianco</i>	590 E. Lockwood St. Louis, MO 63119	

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Betsy Conover		1421 Maceros Ln. S. 87505	
HARRY R. HARRIS		174 TRINQUE VILLAGE RD. 87574	AVR57AT@NCSA CYNH@cs.com
CAROLINE LADIE.		12 Paseo de San Antonio 87507	caroline@cnsp.com
Bruce J. Hummel			
JEANETTE BUCK		1530 Hickox St. #2 Santa Fe, NM 87505	
RASHA SANKER		PO Box 23882 SF 87102	
DAVID MCCOY		PO Box 4276 Abq. NM 87196	
Sylvain Diaz d'Quville		PO Box 7143 Abq, NM 87193	
Sarah Crawford		919 Tieren Ct. NE Abq, NM 87112	
Camy Condon		522 Deboran Los Lunas 87031	
Bob Press		901 Adams SE Abq NM.	
Marlene Quintana		210 Rencher Ave. SE 87105 Abq.	
Tara Somerville		PO Box 1784 El Prado NM 87529	

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Name	Signature	Address	Email
JUSTIN ALCOCK		2033 Calle Lorca #36 Santa Fe, NM	frzamonkey@gmail.com
IRENE DYCE		21-A Likely Rd. SE, NM	87508
JANE NAVIER		1719 Calle Pon Lovelock Ste	87500
RENÉE CASTAÑOLA		806 E. Palace B SE	87501
Juanita Blum	Francis Blum	1100 A Valencia Rd Santa Fe,	87505
GARY JURACEK		187A SUNRISE RD	S.F. NM 87509
Rosemary Tucker		2304 Calle Cortez	SF NM 87507
JORNER RESSOR		509 Camino San Antonio	Santa Fe, NM 87505
Stephanie Smith		919 Don Juan	SF, NM 87501
Cathy Smith		20A Summer Rd.	SF, NM 87506
Deather Bradley		1204 Canyon rd	Los Alamos SF, NM 87501
Sarah Hesse		701 Paseo de la Luna	SF NM 87501
Amy Donadio		140 Paseo Norteno	SF NM 87507

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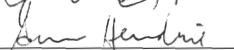





<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
GORUS BJX		HCR7440X22428 B1A00 NM 87529	nrki@jstpete@gmail.com
mellers, B		601 W San Mateo, 87505	loaxama@msn
Stephenson, David		40 Twisted Pine, Cerrillos 87010	adobedave@gmail.com
KuAnn Worsick		3 Crystal Mesa Rd, Santa Fe 87508	lworsick@gmail.com
HOWARD MANOFF		24 VOLTA SUSANA S.F. 87506	
Bea Davis		56 Verano Loop Santa Fe, NM 87508	
Jish Wilson		40 Twisted Pine Cerrillos, NM 87010	tishwilson1@gmail.com
Richard Graham		2985 Playa Blanca, Santa Fe, NM	
Puck Hogenboom		59 Dancing Horse Rd Madrid NM.	
Marc Hogenboom		59 Dancing Horse Rd Madrid NM	
Tomoko Ryan		POB 1594 Cedar Crest NM 87008	
Jeanne Green		11 Los Padillas Rd #311 Prado NM 87529	
Marilyn Hoff		PO Box 295, El Prado NM 87529	mangayl@netzero.com

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<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Email</u>
Robert Carman		HC 64 Bx 12-15, Santa Cruz NM 87567	rocar14@hotmail.com
Heidi Cooper		P.O. Box 317, Alameda, NM 87511	
Pamela Seston		PO Box 144, Embudo, NM 87531	pinta.seston@gmail.com
Ann Hendrix		HCR 65 Box 44 Ojo Jarco NM 87521	alsh.funny@earthlink.net
Sara Pene	SARA PENE	PO BOX 103 DIXON NM 87527	
Joan Logghe		12c Eckardt way Espanola NM 87532	joanlogghe@gmail.com
W. Ross	W. Ross	POB 1176, Crestone, Co 81131	
EMMY KOPPEL		PO Box 456 Dixon N.M. 87527	EMMY.KOPPEL@earthlink.net
Julie Pratt		PO Box 957, El Prado NM 87529	
Carole Crews	Carole Crews	HC 78 Box 9811 Ranchar de Taos 87557	
KENNETH ESKEBAEK	Kenneth Eskebaek	P.O. Box 308 EL PRADO NM 87529	
LINDA HOWE		PO Box 246 Taos, NM 87571	
Jan Boyer		815 Rio Vista St. SFE NM 87501	

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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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PUBLIC HEARING
DRAFT CMRR SEIS
CMRR AT TECHNICAL AREA 55 (LOS ALAMOS)
Marriott Hotel
2101 Louisiana Boulevard, Northeast
Albuquerque, New Mexico

May 23, 2011
5:00 p.m.

REPORTED BY: Beverly Ann Schleimer, RDR NMCCR #66
Mary Abernathy Seal, RDR CRR NMCCR #69
Bean & Associates, Inc.
Professional Court Reporting Service
201 Third Street, Northwest, Suite 1630
Albuquerque, New Mexico 87102

JOB NO.: 1165K BEV/MARY

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@birsupport.com

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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 (5:30 p.m.)

2 MR. MacALLISTER: Good evening. My name is
3 Bruce MacAllister. Welcome. This is the first
4 public hearing for the Draft Supplemental
5 Environmental Impact Statement for the Los Alamos
6 National Laboratory Chemistry Metallurgy Research
7 Replacement building, the nuclear facility portion.
8 Pardon me, I've grown up in Colorado, and we often
9 say nuclear. So if I stumble, you'll know that I
10 know better.

11 My name is Bruce MacAllister. I'm the
12 senior principal at a firm called Business Excellence
13 Solutions. This firm and myself do community meeting
14 facilitations. We're all conflict resolution
15 specialists and organizational excellence
16 consultants. We work with a variety of
17 organizations, large and small, to resolve conflict,
18 and to help optimize efficiencies in those
19 organizations.

20 It's my pleasure to welcome you here
21 tonight. My role for the meeting tonight will be to
22 be your facilitator and moderator, insofar as I will
23 be conducting the flow of the meeting.

24 I'm going to go through carefully some
25 ground rules. And typically I work a little more

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Albuquerque, NM 87102
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 informally on the ground rules, but because we're
2 doing four officially recorded meetings, it's
3 important that the ground rules are consistent
4 meeting to meeting.

5 So I will work through these with you, so
6 that the understandings for tonight, the expectations
7 and understandings for tonight's meeting are clear to
8 you all.

9 And remember, if you care to speak at
10 tonight's meeting, at the mike for recording now,
11 please fill in a card at the registration table, and
12 we will be taking those comments in order once
13 received after we hear from any elected officials,
14 and I'll go through that in more detail in just a
15 minute.

16 The order of the meeting will be, I'll go
17 through the ground rules. We're going to have a
18 brief presentation by Mr. Tegtmeier, who's the public
19 document manager for the program. Then we will have
20 comments through the duration of the meeting.

21 The comments initially will be limited to
22 five minutes a person; however, if you feel like you
23 need to make another comment, if there's sufficient
24 time after we cycle through the first round of
25 comments, you are more than welcome to make another

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ASSOCIATES Inc.
PROFESSIONAL COURT
REPORTING SERVICE

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1-800-669-9492
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 comment.

2 Let me remind you that there are a variety
3 of options available to you for completing or
4 providing comments on the program. There are
5 computer stations in the back corner there. There's
6 a kiosk of facilities for taking your comments
7 electronically. You can fax comments. The fax
8 number will be available. There's a poster that
9 describes all of the different ways that you can make
10 your comments. And there's a second court reporter
11 back there for verbal comments.

12 So there's a multitude of ways that you can
13 get your comments in the official record, besides
14 speaking here at the mike.

15 We will be first asking for comments from
16 federal elected officials, followed by state, county,
17 municipal, and tribal governments, in that order.
18 And then we will be taking your comments based on the
19 order in which you registered.

20 Based on the number of participants here
21 tonight, it looks like we will be able to allot for
22 the initial round of comments five minutes per
23 comment. So I will be giving you a little bit of a
24 heads-up at about 30 seconds towards the end of your
25 comment, and then I'll ask you to yield the mike at

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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

5

1 the conclusion of your five minutes, if you need the
2 full five minutes.

3 Again, I've mentioned the poster session.
4 Folks will continue to be available back there.

5 The focus of the hearing tonight is to
6 receive comments. That it's not to engage in debate
7 with one another. It is not to engage in debate with
8 subject matter experts. We are here to answer
9 technical questions, not to justify national policy
10 or to defend decisions that are made at higher levels
11 in the nation, either by Congress or by senior
12 administration officials.

13 So, I would ask you, if at all possible, to
14 keep your comments focused. You are certainly free
15 to make any comments you wish, but the comments that
16 are most useful for us tonight will be focused on the
17 Environmental Impact Statement for the facility, as I
18 mentioned.

19 Any discussions that go on in the back of
20 the room with the subject matter experts are not a
21 matter of the official record. The official record
22 will either involve the comments that were received
23 at the kiosk, or they are comments that were received
24 at the mike.

25 If we run out of time tonight, for any

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Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 reason, there are three other meetings scheduled.
2 There is a handout in the poster area that describes
3 the meeting locations, one in Espanola, one in
4 Santa Fe, and one in Los Alamos.

5 And the comment session -- the comment
6 period for this Supplemental Environmental Impact
7 Statement runs through June 28th. So, there is ample
8 time to make those comments.

9 As far as actually conducting our conduct
10 in the meeting tonight, a couple of ground rules,
11 please wait until I invite you to the mike. I will
12 be inviting one person and letting another person
13 know that they're next, so that they can be prepared
14 to come up, so we have minimal lag time between the
15 comments.

16 And because we're transcribing these
17 comments, it's very important that the audience
18 remain civil and quiet, so that we can get the
19 comment recorded. One comment at a time without
20 interruption, please. Please identify yourself
21 before speaking. Please abide by the time limits.
22 If we start getting close to your time, I will ask
23 you to yield the mike, and if we have time, I will --
24 we will make accommodation for you to make a second
25 statement.

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FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 And as a final reminder, please, let's
2 remember that this is a public hearing, that what
3 we're here to do is model civil dialogue. We're here
4 to model interpersonal civility and mutual respect.
5 And in that vein, let's keep our language appropriate
6 for a publicly-recorded meeting.

7 And, finally, let's make sure that our cell
8 phones and anything else that might make intrusive
9 noise while others are commenting are silenced.

10 And without further ado, I'd like to
11 introduce the document manager for the project, John
12 Tegtmeier.

13 MR. JOHN TEGTMEIER: Good evening. Welcome
14 everyone, and I appreciate everyone's attendance.
15 This is very important to us, these public hearings,
16 and the entire process for receiving comments on the
17 draft document, important role.

18 In one of the -- the two areas that is my
19 prime responsibility as document manager; number one,
20 is to manage the preparation of the document, and
21 meet all of NEPA requirements and procedural
22 requirements required by law. But I believe my most
23 important is to encourage and facilitate public
24 interaction in the process. And for that, I really
25 appreciate everyone coming this evening. And I take

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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 that second role very seriously in fulfilling my
2 duties.

3 I wanted to give just a very brief
4 background of the NEPA history, the National
5 Environmental Policy Act history on this project, and
6 then talk a little bit about what you might see in
7 the document, and then lead you to the end of the
8 comment period.

9 Back in 2003, we did an Environmental
10 Impact Statement for this facility, the CMRR
11 facility. That was issued in November of 2003.

12 In early 2004, the NNSA issued a record of
13 decision that decided upon, based on the
14 environmental assessment, environmental analysis of
15 the various alternatives, they selected a preferred
16 alternative, which is a two-building concept at
17 TA-55, and that's adjacent to the current facility.

18 So the first building is actually
19 completed. There's some information on the posters
20 back there. That's the radiological laboratory
21 facility office building, that's being outfitted
22 right now. So these people will be moving into the
23 facility very shortly. And the second building is
24 currently in design.

25 And Bruce mentioned to us the nuclear

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1 facility portions. That will be the second building.

2 Since the time that we prepared the
3 Environmental Impact Statement and the Department
4 issued the record decision, we did some additional
5 geological mapping at the site, and there's some
6 photographs on the poster down there, at the poster
7 sessions, where they basically looked at fracture
8 mapping in the exposed face of the tuff there at the
9 side.

10 They also did bore hole drilling, and they
11 determined the presence of a layer that's at some
12 depth beneath the proposed facility location.

13 In addition to that, they did an update to
14 the seismic study of the conditions at Los Alamos
15 National Laboratory, specific in there to TA55 where
16 the plutonium facility's located, and Technical Area
17 3, the main technical area of the laboratory. And
18 that resulted in an increase in the horizontal ground
19 motions and vertical ground motions associated with
20 earthquakes at various return periods.

21 So, that was new information available to
22 the designers and to the Department, and as part of
23 the NEPA process is to periodically review new
24 information that's available. And based on that, the
25 Laboratory prepared a supplement analysis and

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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 submitted that to our office, at Los Alamos Site
2 Office in the middle of the summer.

3 And, in part, based on that, the NNSA
4 decided to go ahead and prepare a Supplemental
5 Environmental Impact Statement for the project. And
6 that decision was made, like I said, in the late
7 summer.

8 So we set up a series of scoping meetings.
9 We had two scoping meetings; one in Los Alamos, one
10 in Pojoaque, in early October of last year.

11 The Notice of Intent to prepare the
12 Supplemental EIS was issued in the Federal Register
13 on October 1st. So, the comment period extended
14 through the middle of November. We got some very
15 good scoping input.

16 So, the document that is before us now, the
17 Draft Supplemental EIS, is a culmination of the work
18 since essentially October 1, and that's reflected in
19 the document.

20 Now, as part of the analysis -- we had to
21 look at some new analyses. There's some new
22 requirements to look at various things, like
23 greenhouse gas emissions from various operations,
24 both construction and operations of the facilities.
25 And we also had to do an intentional destructive act

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 analysis, potential consequences of a terrorist
2 attack, or something of that nature.

3 And also wanted to do a specific
4 transportation analysis of the demolition waste from
5 the existing chemistry-metallurgy replacement, I
6 mean, CMR research Building at Los Alamos.

7 And we also updated analyses in areas of --
8 obviously, the construction impacts, because to meet
9 the new requirements for seismic and geological
10 features at the site, we had to beef up the
11 structural strength, and do some other nuclear safety
12 type enhancements to the design.

13 We've also updated the operations impacts,
14 not only for the proposed project, but since we're
15 going to be in the CMR Building for a longer period
16 of time, we also updated the environmental impacts of
17 operations of that facility, as well as the RLUOB
18 facility, which is complete, and will be in operation
19 shortly.

20 We also updated the accident analyses for
21 both the existing CMR Building and the new proposed
22 facility.

23 And we also updated the human health
24 impacts due to operations.

25 There were some changes in the way the

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

BEAN
ASSOCIATES Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 modeling is done. And we also incorporated the stuff
2 we could, the latest census data. That isn't all in
3 yet, but we took the information most current at the
4 time.

5 Now, the alternatives that we have
6 currently in the draft EIS is to construct and
7 operate the nuclear facility portion as we selected
8 2004 record of discussion.

9 So, that's in our no-action alternative, in
10 the context of we would not change past decisions
11 made in NEPA. So that's why it's the no-action
12 alternative.

13 We also looked at the modified CMRR Nuclear
14 Facility alternative. And that was originally
15 started with just one construction option, and that
16 was the deep excavation option, which would involve
17 going down into that layer of volcanic tuff that was
18 not structurally as strong as we believed it needed
19 to be. But in the course of looking into that
20 further, we also identified a shallow excavation
21 option. It would be the same facility located on the
22 same footprint, but raised higher up in the geologic
23 strata, so as to not require the digging out and
24 refilling that additional excavation with clean
25 concrete.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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1 Then the last alternative is the continued
2 use of the CMR Building alternative, which is
3 basically a no construction option alternative. And
4 we would continue to perform the limited capabilities
5 in the existing building for as long as we could
6 without major upgrades.

7 So those are all action alternatives and
8 the no-action alternative.

9 We posted the Draft Supplemental EIS on our
10 NNSA web page on April 22nd of this year. And that
11 was followed a week later by the EPA publishing and
12 giving a Notice of Availability of the draft document
13 to give public comment on April 29.

14 And at that time, the comment period was a
15 45-day comment period. And subsequent to, that based
16 on some requests, the NNSA decided to extend that
17 comment period by 15 days, and that decision was made
18 on May 6th, and that information was posted and
19 distributed to various media, and now the public
20 comment period that Bruce mentioned, up to June 28th.
21 So I encourage all of the individuals who wish to
22 comment, to participate in the process and prepare
23 these comments by that time frame.

24 Bruce mentioned the other meetings that we
25 will have following tonight's public hearing.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@reanreport.com

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1 Although more to come on that, we will have a meeting
2 at Los Alamos tomorrow evening at the Holiday Inn
3 Express. As you're coming into town, you follow the
4 drive right off the main hill road -- off the main
5 hill road.

6 We will have a public hearing in Espanola
7 on Wednesday the 25th at the Santa Claran Hotel in
8 Espanola. And on Friday -- Thursday, I mean, we will
9 have the public hearing in Santa Fe at the community
10 college there south of town. And it will be the same
11 format, and we will have the same time. We'll start
12 at 4:45 with the doors open, poster session 5:00 to
13 5:30, and then we'll start comments at 5:35, and run
14 through 9:00 p.m., at that time.

15 And as Bruce mentioned, also, we have
16 various ways to present -- provide comments on the
17 draft documents. So I encourage any number of those
18 ways. Feel free to comment multiple times. We will
19 be taking comments through June 28th.

20 So I appreciate you-all being here, and I'd
21 like to get started with the main part of our
22 process, and ask Bruce to get started, and we'll
23 start taking your public comments.

24 Thank you very much.

25 MR. MacALLISTER: A couple of late-breaking

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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1 announcements, folks. Based on the number of people
2 that ultimately have signed up to make comments, we
3 have -- we're required to reduce our initial round to
4 comment, the time frame for that, to three minutes.

5 So, we will go through these as quickly as
6 we can, and hopefully we'll have time for additional
7 comments after that.

8 So, I'll try to be as efficient as I can
9 with that.

10 Also, I've been asked to let people know
11 that the video that's being made in the center of the
12 room right now is not being done by the Department of
13 Energy or the National Nuclear Safety Administration.

14 So, if anybody objects to having their
15 image videoed while they're making their comment,
16 kindly just bring that up with the videographer, and
17 we will work that out.

18 Without further ado, I'm going to take the
19 names in the order that I've been given them, based
20 on your registration. And I'm going to call out two
21 names; the first name will be our first speaker, the
22 second name is the person to be ready to speak next.

23 First we have Ray M. Baca. And Scott Kovac
24 will be in the chute to be speaking next.

25 And Mr. Baca, you can use this mike or that

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@rlsupport.com

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1 mike. You ready?

2 MR. RAY M. BACA: Good evening. My name is
3 Ray Baca. I am the Executive Director for the
4 New Mexico Building Trades Council.

5 In that capacity, I represent all of the
6 construction labor unions here in the state of
7 New Mexico. This includes approximately 800
8 construction and maintenance workers that are
9 currently employed there at the Laboratory. These
10 are family-sustaining well-paying jobs that
11 unfortunately otherwise would not be available
12 anywhere else in northern New Mexico. They are very
13 few and far between.

14 For those of you who are not aware, the
15 construction industry in New Mexico is in a very
16 blighted state currently, as it is in most of the
17 country. The unemployment rate for construction
18 workers has fully doubled, and in many cases triple
19 that of the average unemployed New Mexican.

20 It is not uncommon to see unemployment
21 rates of 25 to 28 percent in many of the crafts that
22 we represent.

23 Obviously, if this facility comes to be, if
24 and when it comes to be, this should be a tremendous
25 boost not only to the construction industry of

401-1

401-1

NNSA acknowledges the commenter's support for construction of the CMRR-NF. The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 New Mexico, but more importantly to the many
2 construction families in New Mexico who are in dire
3 straits.

4 We respectfully urge the Lab to begin this
5 project sooner than later. Thank you.

6 MR. MacALLISTER: Mr. Kovac, followed by
7 Robert Press.

8 MR. SCOTT KOVAC: Thank you. My name is
9 Scott Kovac with Nuclear Watch of New Mexico in
10 Santa Fe.

11 First off, I would -- I'm having a problem
12 with this format tonight. I would prefer to see a
13 presentation given along with your explanation. Very
14 complicated issue. You have the posters. Those
15 could be a PowerPoint presentation. Yes, the subject
16 matter experts, it would be nice to get them on
17 record.

18 Thank you. (Applause.)

19 Okay. On to my comments. I will -- first
20 off, I request that this EIS -- this Supplemental EIS
21 be withdrawn, and that true alternatives are
22 analyzed.

23 The alternatives we're given, two out of
24 the three are not really alternatives. To build the
25 existing -- I mean, alternative number one, the

401-1
cont'd

402-1

402-2

402-1 Comment noted.

402-2 Although many commentors expressed a preference for a No Action Alternative that would abandon the current CMR Building and not proceed with the CMRR-NF, such an alternative is not consistent with meeting NNSA's mission need nor does it reflect the status quo at LANL. The No Action Alternative in this *CMRR-NF SEIS* is based on the decision announced in the 2004 ROD for the original *CMRR EIS*. This is consistent with CEQ recommendations that, for proposed changes to an ongoing activity, "no action" can mean continuing with present plans (51 FR 15618). NNSA determined that a supplement to the 2003 *CMRR EIS* is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in design and construction of the CMRR-NF and has addressed alternatives consistent with previous analyses and decisions. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision. NNSA estimates that the total project cost of CMRR Project construction activities would be between \$3.7 billion and \$5.9 billion (DOE 2011b).

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 no-action alternative is to, you know, build the
2 2003-2004 version of the nuclear facility, which at
3 this stage cannot be done, because of the seismic
4 issues. So, that's not really an alternative.

5 The other alternative is to continue using
6 the existing -- you know, the existing CMR facility
7 without upgrading it. And that's not really an
8 alternative, either.

9 So you've eliminated two alternatives, and
10 you're down to one alternative and, you know, we're
11 not here tonight to just decide if it's a deep
12 facility or shallow facility.

13 I also think we should analyze the -- take
14 a hard look at the costs of the facility. A lot of
15 the issues -- a lot of the previous decisions were
16 based on costs back in 2003-2004, before the seismic
17 issues were known -- the increased seismic issues
18 were known.

19 It was -- at that point it was decided that
20 it would be cheaper to build a new building than to
21 upgrade the existing old building, and I'm not sure
22 that's true any more. Upgrading the existing CMR
23 building was an option in the scoping comments, and
24 for some reason it got removed, and we would like to
25 see that back as an alternative.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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19

1 Thank you. And I will submit formal
2 comments also. Thank you. (Applause.)

3 MR. MacALLISTER: Thank you. Robert Press
4 followed by Don Hancock.

5 MR. PRESS: I will be brief. Recently the
6 United States and Russia agreed to reduce the number
7 of nuclear warheads. And here we are with a proposal
8 from the Department of Energy and LANL suggesting
9 that we build a new building, build new pits for
10 nuclear weapons. Does the word hypocrisy mean
11 anything to you? It does to me.

12 What I thought about doing when I came here
13 was to set up an employment agency outside, because
14 it seems to me when we come to these hearings the
15 question is about jobs. Never mind that the jobs are
16 a threat to the citizens of the United States. Never
17 mind that the Department of Energy is supposed to be
18 a protective agency for the people of the United
19 States. But when we want to build something new and
20 create more jobs, as the gentleman earlier said, then
21 we vote for building more bombs.

22 Japan just went through a serious problem.
23 Three Mile Island was a serious problem. Russia had
24 its own serious problem. But do we pay attention to
25 any of those? No. We do not live in a democracy any

403-1

403-1

NNSA notes the commentator's opposition to pit production and nuclear weapons. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

As stated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, the purpose of the proposed CMRR-NF is to provide analytical chemistry and materials characterization capabilities in support of NNSA and LANL missions. The *CMRR-NF SEIS* presents the environmental impacts of construction and operation of the facility; one area of environmental impacts is socioeconomics, including jobs.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 more. We are controlled by corporate America, and
2 the people who work at these agencies are employed by
3 corporate America. If they want other jobs, I would
4 be happy to help them find jobs. We need other
5 scientists to look for peaceful ways of bringing
6 safety to the United States and the rest of the
7 world. But we ignore that.

8 I have been to many of these hearings. And
9 at most hearings, the majority of the people who are
10 giving evidence, are not listened to. And I am sure
11 tonight that what I have said will not be listened
12 to.

13 So, I am not going to waste my time. And I
14 hope other people will join me as I walk out.

15 Thank you. (Applause.)

16 MR. MacALLISTER: Don Hancock, followed by
17 Dave McCoy.

18 MR. DON HANCOCK: Good evening. I'm Don
19 Hancock from Southwest Research and Information
20 Center, a 40-year-old organization based in
21 Albuquerque.

22 We've looked at dozens of Environmental
23 Impact Statements over the last 40 years, and this
24 one is one of the worst, most obviously illegal ones
25 that we have ever looked at, and I've seen some

403-1
cont'd

403-2 403-2

NNSA considers every comment received by U.S. mail, email, toll-free telephone or fax line, or at the public hearings. Consistent with the purpose and intent of NEPA and the implementing regulations, public comments assist NNSA in determining the scope of the analysis to be included in a NEPA document and in improving the analysis and range of alternatives evaluated. Refer to Section 2.2, NEPA Process, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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1 pretty bad documents.

2 One of the things that's interesting,
3 though, is that this document that was referred to,
4 this is the 2003 Environmental Impact Statement on
5 this project, the preferred alternative in this
6 document and, in fact, the option that was chosen in
7 the Department of Energy Record of Decision, is now
8 rejected as being inadequate, inappropriate, because
9 it doesn't meet the seismic hazard problems.

10 Well, that's pretty amazing, the Department
11 of Energy itself has said, this Environmental Impact
12 Statement that it did is legally inadequate.

13 When you have a legally inadequate
14 document, what should you do? The Department of
15 Energy has two reasonable choices.

16 One, the preferred one, would be to say,
17 well, we guess we shouldn't build this nuclear
18 facility at all. That would be what the preferred
19 alternative would be.

20 The other alternative would be to go back
21 and start over with a legally adequate Environmental
22 Impact Statement. They've chosen not to do that,
23 either, but to take an illegal, inadequate document,
24 and say, we can supplement it. With what? With a
25 one-alternative proposal. The one alternative is to

404-1

404-1

The *CMRR EIS* was not legally inadequate. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. The *CMRR-NF SEIS* is an SEIS to specifically address changes in the design of the CMRR-NF based on additional seismic information and safety requirements. Refer to Section 2.2, NEPA Process, of this CRD for more information.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

The No Action Alternative included in the *CMRR-NF SEIS* is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR-NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, NNSA considers the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This latter, "no build" alternative, however, would not satisfy NNSA's stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building or distributing the functions assigned to the CMRR-NF among different LANL facilities. Regarding the former, NNSA has determined that extensive upgrades to the CMR Building would be only marginally effective in providing the operational risk reduction

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 826-6349

BEAN & ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litupport.com

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1 build a shiny, new nuclear bomb plant, and dig a
 2 58-foot hole to put the shiny bomb plant on top.
 3 Or the other alternative is to dig a
 4 130-foot hole in the ground, fill half of it up with
 5 cement, and put the shiny bomb plant on top of it.
 6 Those are not what are called all of the
 7 reasonable alternatives. The Council on
 8 Environmental Quality Regulations that govern these
 9 procedures say that the heart -- their word, the
 10 heart of an Environmental Impact Statement is
 11 discussion of all reasonable alternatives.
 12 So this new document has no heart. It has
 13 no heart from a legal standpoint, and it has no heart
 14 from a lot of other standpoints.
 15 What about the other reasonable
 16 alternatives? The alternative of not building it?
 17 No, that -- can't consider that, because that
 18 wouldn't fulfill our purpose and mission.
 19 What about the alternative of using the
 20 existing plutonium facility? That's rejected in one
 21 sentence, quote, "It would interfere with performing
 22 work currently being conducted there, and reduce the
 23 space available in the building that could be used to
 24 conduct future DOE and NNSA mission support work."
 25 That's not -- that one sentence is not what

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and program capabilities required to support NNSA mission assignments at LANL. Refer to Section 2.11, Alternatives Considered, of this CRD for additional information.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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23

1 you call a rigorous analysis of all of the
2 alternatives. So they haven't done that.

3 There are other alternatives that I could
4 go into, and actually Mr. Snyder encouraged me before
5 the hearing started tonight, to go into detail about
6 the other reasonable alternatives that should be
7 included, but I've now been told that I only have
8 three minutes, so that clearly, we are getting mixed
9 messages here. On the one hand we want to hear what
10 the analysis of the reasonable alternatives should
11 be. And on the other hand we're told, oh, by the
12 way, you really don't have time to do that.

13 MR. MacALLISTER: Well, actually, your time
14 is up.

15 MR. DON HANCOCK: Well, I understand, but
16 there's another thing that needs to be said about how
17 DOE can't be bothered with talking about the
18 reasonable alternatives. DOE's own regulations say
19 that they have to notice 15 days in advance.

20 MR. MacALLISTER: Sir, your time is up, I'm
21 going to have to ask you to give up the mike.

22 SPEAKER FROM THE FLOOR: Let him speak, let
23 him speak.

24 (Speakers from the Floor were talking at
25 the same time, and could not be reported.)

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 MR. DON HANCOCK: This is a good example --
2 this is a good example of the Department of Energy
3 not wanting to hear people's comments.

4 MR. MacALLISTER: My apologies. We set out
5 the ground rules. I've asked you to abide by the
6 ground rules.

7 SPEAKER FROM THE FLOOR: You set them up.
8 We didn't set them up.

9 (Speakers from the floor were talking at
10 the same time, and could not be reported.)

11 MR. MacALLISTER: We have many other people
12 waiting, and the intention is to let everybody speak.

13 SPEAKER FROM THE FLOOR: (Speaking at the
14 same time as Mr. MacAllister.) (Inaudible.) Willing
15 to give up for that?

16 OTHER SPEAKERS FROM THE FLOOR: I am.
17 I will give him my time.

18 MR. MacALLISTER: If somebody -- if the
19 next person I call chooses to yield, that will be --
20 I will give him another three minutes, that's fine,
21 but Dave McCoy is in the cue.

22 SPEAKER FROM THE FLOOR: No, everybody
23 should take their own time.

24 MR. MacALLISTER: And Dennis Holloway is
25 next.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

25

1 MR. DAVE McCOY: I agree with Mr. Hancock.
2 My name is David McCoy. I am the Director for
3 Citizen Action. I agree with Mr. Hancock about the
4 phantom alternatives that are being presented here.

5 Additionally, the use of National Security
6 protocol is being used to trump the NEPA. This is a
7 very inadequate SEIS.

8 The only reason it was issued at the time
9 it was issued is because there was a lawsuit against
10 the lack of a new EIS being in effect.

11 The SEIS fails to examine reasonable
12 alternatives to the proposed CMRR.

13 The preferred alternative of building is
14 not technically or financially feasible through the
15 completely unsafe geological location that's been
16 chosen.

17 Moving or not constructing at all must be
18 an alternative for consideration.

19 The uncertainties associated with building
20 either the shallow or the deep excavations of the
21 CMRR, as proposed in the SEIS, are insurmountable.

22 Let's take a look at some of the
23 information that's missing about this site
24 geologically.

25 There's no determination of a kappa from a

405-1

405-2

405-1 NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions issued through the 2008 *Complex Transformation SPEIS* ROD. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the *CMRR-NF SEIS* is based on the 2004 ROD for the *2003 CMRR EIS* (69 FR 6967). See Section 2.11, Alternatives Considered, of this CRD for more information.

405-2 NNSA notes the commentor's concerns and technical comments regarding seismic issues related to the Draft CMRR-NF SEIS. In addition to the following responses, refer to Section 2.2, NEPA Process, and Section 2.6, Seismic and Geologic Concerns, of this CRD for more information. Chapter 3, Section 3.5, Geology and Soils, of the CMRR-NF SEIS has been revised to improve the discussion of faulting and seismic hazards at LANL.

The comment indicates that site-specific seismic data are inadequate because studies have not been conducted. Dozens of mapping studies of the Pajarito fault system have been conducted (for example, Gardner and House 1987; Wong et al. 2005; Carter and Gardner 1995; McCalpin 1997; Lavine et al. 2003), including state-of-the-art, high-precision mapping in the vicinity of LANL. In addition, numerous paleoseismic trench investigations have been conducted at 17 sites over the past 20 years (for example, Gardner et al. 1990; Olig et al. 1996; Kelson et al. 1996; McCalpin 1998, 1999, 2007; LANL 2007). These studies clearly show that the Pajarito fault system is a series of normal slip faults that form the best studied fault system in the Rio Grande rift. Admittedly, some parts of the fault have not been as well studied as others; these tend to be those portions outside of LANL, especially where

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 network of seismometers.

2 An analysis of high potential ground
3 shaking due to amplification of seismic waves by the
4 near surface soils or at the near surface soils,
5 which is commonly referred to as site amplification,
6 is completely missing. Mapping of faults beneath
7 LANL, and the relationship to regional tectonics is
8 missing.

9 Information that should warn against the
10 use of this site is that the potential for
11 compression of the weak, soft volcanic ash beneath
12 the heavy CMRR, and the potential subsidence over the
13 long-term, the so-called raft that is supposed to
14 float, may sink.

15 The potential is there for hydro collapse
16 due to wetting. The added weight to the CMRR from
17 the use of water, supplying this water within the
18 building for fire suppression, and for cooling
19 plutonium, has not been presented.

20 The slope instability, which can cause
21 excessive movement is not really being considered.

22 The increased seismic shaking due to the
23 soft volcanic ash and building response is not really
24 set forward.

25 We can't do an adequate risk analysis,

405-2
cont'd

405-3

access issues are a problem (for example, the Santa Clara Canyon segment). Additional study of these areas would likely improve our understanding of the fault and could help reduce uncertainties in the inputs, but these studies are not a prerequisite to conducting a PSHA or determining design ground motions at LANL. The uncertainties in regards to fault geometry, rupture behavior, and sense of slip on the Pajarito fault system were fully recognized and addressed in the range of inputs to the PSHA. A range of fault dips was used ($\pm 15^\circ$), a component of oblique slip was considered in calculating slip rates, and two rupture models and various rupture scenarios were included in the analysis to address remaining uncertainties in the geometry and sense of slip of the Pajarito fault system. All of the data and analyses for the Pajarito fault system published in the Lewis et al. (2009) study were included or considered in the PSHA update.

The Kleinfelder report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]) for the Shallow Excavation Option (Kleinfelder 2007a). Under the Deep Excavation Option, the addition of 60 feet (18 meters) of low-slump concrete would increase the weight of the building by about 980 million pounds (440 million kilograms). The weight of the soil that would be removed for this deeper excavation is estimated to be about 740 million pounds (340 million kilograms). Under the Deep Excavation Option, the building would sit on rock and there are not similar concerns related to allowable bearing pressure of the soil under this option as opposed to the Shallow Excavation Option. A draft slope stability analysis has been prepared and determined that indicated that global slope stability is not an issue for the Deep Excavation Option (LANL 2011a: LANL site, 028). If the Deep Excavation Option were selected, as part of the ongoing design and evaluation process, studies would be completed to verify that all geotechnical stability issues had been addressed.

Chapter 4, Section 4.2.10.2, and 4.3.10.2, and Appendix C of the *CMRR-NF SEIS* present the accident analysis for the CMRR-NF. NNSA evaluates a range of potential accidents and their impacts. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

27

1 because they don't have the data in place to do a
2 risk analysis, and yet they're trying to tell the
3 public that this is safe. The accident that can
4 happen there, is supposedly a spill of plutonium.

5 Listen, the accident that can happen is an
6 explosion or a fire out there with plutonium, and the
7 loss of Colorado and most of Santa Fe, and most of
8 New Mexico. Let's quit kidding ourselves. This --

9 MR. MacALLISTER: Your time is up.

10 MR. McCOY: Yeah, I know.

11 This EIS talks about -- well, we are going
12 to incorporate the lessons of Fukushima. The lesson
13 of Fukushima is don't build nuclear reactors and
14 nuclear facilities in unsafe geological locations.

15 MR. MacALLISTER: Dennis Holloway, followed
16 by Joan Brown.

17 MR. DENNIS HOLLOWAY: I'm an architect in
18 the state of New Mexico. I was licensed as an
19 architect in 1970, and this is ridiculous. What's
20 going to happen to this state if this plant goes in?
21 I can tell you that all architects have to take
22 earthquake exams to be licensed in certain states
23 like California. New Mexico doesn't require that,
24 even though we have so many earthquakes.

25 But just to let you know, I have studied it

405-3
cont'd

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

3-1015

Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 carefully. It's part of my training. And I'm here
2 to tell you that this EIS, all the statements about
3 seismic issues -- baloney. And don't trust it. We
4 need to get an expert analysis of that seismic site
5 before any more nuclear facilities are built in that
6 death factory. (Applause.)

7 MR. MacALLISTER: Joan Brown, followed by
8 Marlene Perrotte.

9 SISTER JOAN BROWN: Good evening, my name
10 is Joan Brown. I'm a Franciscan sister and I work in
11 several different ecology and faith organizations
12 throughout the state. I have been to numerous of
13 these hearings. I keep coming, and nothing seems to
14 change. There's no real alternative, and I second
15 the voice that our voices are not heard. I'm not a
16 technical expert, but I am a citizen, and I work in
17 these issues all the time. I am appalled that we are
18 continuing to go forth with this without a realistic
19 EIS. I'm appalled that we are spending \$4.5 million
20 on such a facility when we have a \$14 trillion debt
21 in this nation, when we are cutting education funds,
22 we are cutting health care funds, we don't have any
23 money for true energy alternatives like solar, wind,
24 and others that we haven't even thought of. I'm
25 appalled we would even stand to continue to put up

406-1

407-1

406-1

Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

407-1

NNSA notes the commentator's concerns. CEQ and DOE NEPA regulations and implementing procedures require preparation of an SEIS if there are substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or its impacts. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations (40 CFR 1502.9(c) and 10 CFR 1021.341(a) – (b), respectively), to address the changes in construction of the CMRR-NF based on additional seismic information.

Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.2, NEPA Process, and Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

29

1 with this.

2 I think a better alternative for the
3 investigation of this would be to call some of these
4 very intelligent credible citizen experts and sit
5 down and talk with them instead of whoever the,
6 quote, experts are that have been being relied upon.

7 But ultimately, this is a deep moral and
8 spiritual issue. And I believe that we have lost and
9 are losing our soul in this nation bit by bit, more
10 and more. That we would build such a facility on a
11 vulnerable piece of land seismically that would
12 threaten our water in the state, which we already are
13 in a drought and we are in severe concerns about,
14 shows that we have no care, concern, for the current
15 populations, the people, or the future children and
16 people of not only this nation, but of other
17 countries, as well.

18 We are risking all of this and all of this
19 money, and yet we fail to consider climate change,
20 which is affecting millions, billions, of people on
21 this planet. It's truly a waste of money.

22 I do, in closing, have an alternative that
23 I would like to propose. And I propose this even
24 though some of you might think it's very simplistic,
25 and there's not enough time to explain it in great

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 depth, but my alternative is on the other side of
 2 what really is propelling this particular project,
 3 and that's the \$14.5 billion of these dollar bills,
 4 but on the other side it says, "In God we trust." I
 5 would propose that an alternative be not in a
 6 simplistic manner but in a truly deep, spiritual,
 7 moral and ethical way to look at what does it mean to
 8 really trust in God and our own creative
 9 possibilities, intelligence, as individuals and as
 10 collective people in this state, and propose other
 11 alternatives. In God we trust. And I'm giving this
 12 as my alternative for documentation.

13 MR. MacALLISTER: Thank you. Marlene,
 14 followed by Camy Condon.

15 MS. MARLENE PERROTTE: We have been asked
 16 to model civil dialogue, which means be submissive to
 17 the military, to the corporate/military/industrial
 18 complex. The greatest threat that we have, says the
 19 Pentagon, is climate change. Nuclear weapons are
 20 obsolete. How do we confront DOE and DOD with the
 21 mixture of the corporate/military money? What
 22 happened to governing power by the people, of the
 23 people, and for the people? It seems also that this
 24 process is obsolete.

25 We must understand that when we make

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SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 decisions that are going to affect millions and the
2 future of our planet, when we're talking about
3 uncertainty and we have no data on the risk, we must
4 understand we need to use the precautionary
5 principle. We must find out and we must ask, "Prove
6 to me that the Clean Water Act will not be violated.
7 Prove to me that the Clean Air Act will not be
8 violated. Prove to me that nuclear weapons should be
9 on that seismic mountain. Prove to me all the things
10 that you are saying, that this is not going to
11 happen."

12 I think we must understand that we have
13 been entrusted with the sovereign resources of this
14 world. Are we going to put our trust in this
15 bombplex when our budget is being balanced on the
16 backs of teachers, Medicare and Medicaid people and
17 people that are senior citizens in Social Security?
18 Isn't that something, to come to a point when we
19 prefer putting our trust in nuclear weapons rather
20 than the humanity of this planet and the earth
21 community. Thank you. (Applause.)

22 MR. MacALLISTER: Camy Condon, followed by
23 Bastia Miller.

24 MS. CAMY CONDON: Good afternoon. My name
25 is Camy Condon, a long-time resident of New Mexico,

408-1 408-1

As part of the NEPA Process, an EIS must consider whether actions described under its alternatives would threaten a violation of Federal, state, or local law or requirement imposed for the protection of the environment (40 CFR 1508.27) or require a permit, license, or other entitlement (40 CFR 1502.25). NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF and to conduct its operations in a manner that ensures the protection of public health, safety, and the environment through compliance with all applicable Federal and state laws, regulations, directives, and other requirements (including the Clean Water Act and Clean Air Act). Refer to Chapter 5 of the *CMRR-NF SEIS* for more information. Also, refer to Appendix C of the *SEIS* for risk analysis.

408-2 408-2

Funding decisions regarding major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.2, NEPA Process, and Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 and a lover of every part of nature here. I also
2 work a little bit in Japan, where I have published 15
3 books, was a journalist, and I'm doing volunteer work
4 with micro credit banking in northeastern Brazil
5 because I'm on Social Security and I can volunteer in
6 another place.

7 But I'm right now here to be strongly
8 against this project. I will only say one reason. I
9 agree with many other points that have been made, but
10 I want to say only one comment about the seismic
11 hazards. Right now I have my son, Michael, and my
12 granddaughter, and the mom of the family living in
13 Tokyo. My son works there as a manager for a
14 Japanese company, one of the largest, most profitable
15 telephone companies in Tokyo, Japan, and my
16 granddaughter, age 1, is now receiving low-level
17 radiation from the Fukushima plant. I speak Japanese
18 and ever since the tsunami, the earthquake, and the
19 tsunami, I been watching online all of the daily
20 reports from the NHK Broadcasting, Japanese
21 corporation reports from the beginning until now. I
22 am horrified to think that my granddaughter might
23 come back to my house in New Mexico, escaping
24 radiation in Japan, and find radiation hazards here
25 in New Mexico, more of them, even more.

409-1

409-1

NNSA notes the commentator's objection to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF of this CRD for more information.

There are fundamental differences between the functioning of a nuclear reactor (such as the Fukushima Daiichi Nuclear Power Plant) and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information. Chapter 4 of the *CMRR-NF SEIS* analyzes the radiological impacts associated with operations at the proposed CMRR-NF. The radiological hazards would be small. See Chapter 3, Section 3.4.3, regarding current radiological emissions at LANL.

409-1
cont'd

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

33

1 I know very little about the geology of the
2 Pajarito Plateau, except I do know that there are
3 faults there and that the current building is above
4 one of the faults, and that is a new building,
5 according to the gentleman who informed me earlier,
6 down the road, the plans for that down the road from
7 this seismic fault. I don't think that's down the
8 road far enough, and because of the unsafe location,
9 the reality that we will hopefully not ever need any
10 of these weapons, I don't want my own tax money used
11 for this purpose. I strongly object to this project,
12 and thank you for letting us testify.

13 MR. MacALLISTER: Thank you. Bastia
14 Miller, followed by Marcus Page.

15 MS. BASTIA MILLER: My name is Bastia
16 Miller. I'm on the board of Concerned Citizens for
17 Nuclear Safety in Santa Fe. I want to start by
18 saying how disconcerting it is to have our time for
19 speaking abruptly changed from five minutes to three
20 minutes. Some speakers are excellent extemporaneous
21 speakers, and I have my things written down, and so
22 it has really inhibited my ability to present in a
23 reasonable way, to go back through and figure out how
24 to make three minutes out of my five minutes, and I
25 think that that kind of abrupt shift in the ground

409-1
cont'd

410-1

410-1 NNSA notes the commentator's concern with the format of the Albuquerque public hearing. Public hearings were formatted to allow enough time for all commentators to be heard. Refer to Section 2.2, NEPA Process, of this CRD for more information.

Regarding the commentator's statements about climate change and earthquakes, the *CMRR-NF SEIS* has been revised to address seismic risks and the effects of climate change in the American Southwest. Seismic risks were addressed in the *Draft CMRR-NF SEIS*. However, Chapter 3, Sections 3.5 of the *CMRR-NF SEIS* has been revised to more fully describe the faulting and seismic hazards at LANL. Chapter 3, Section 3.4.4 of the *SEIS* has been revised to include a description of the types of environmental changes that could occur in the southwestern United States due to climate change. A discussion of potential impacts that could result at LANL from climate change, has been added to Chapter 4, Section 4.1.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 rules discourages the public from coming forward.

2 I want to register my observation that the
3 proposed CMRR building has a limited rationale in the
4 sense that it does not seem to have been adapted to
5 the changing circumstances of our world. First I'm
6 thinking of climate change, which means we can no
7 longer trust our risk measurements. The land is
8 responding with earthquakes. The water is responding
9 with tsunamis. The weather is going to extremes of
10 hot and cold, and tornadoes bring destruction. It's
11 hard to gain a footing under those circumstances.

12 There are other critical reasons for taking
13 a true look at possible alternatives to the proposed
14 CMRR, but the nuclear industry seems to be intent on
15 building itself up without reviewing the big picture.
16 One way is that our human institutions are flawed.
17 The profit motive has come to play a bigger and
18 bigger role in determining our goals. We move away
19 from science at its best when government institutions
20 are privatized.

21 Another flaw is that regulators are unable
22 consistently to hold themselves to the standards that
23 are separate, in terms of public interest, from the
24 people who are being regulated.

25 I have to move along, because I have this

**410-1
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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1 sense of impending abrupt termination.

2 The next point concerns nuclear waste.

3 Los Alamos has a long history of carelessness in
4 handling nuclear waste, promises for cleanup that are
5 not carried out, and of priorities that put cleanup
6 in the last place. With the recent settlement under
7 the Clean Water Act, they have another opportunity to
8 show good faith, and for that I would like to be
9 grateful, but rationally, I still hold a wait-and-see
10 attitude. I grew up in Missouri, the "Show Me"
11 state.

12 My last point has to do with the economy of
13 the surrounding communities. These communities have
14 borne heavy consequences --

15 MR. MacALLISTER: Thirty seconds. You're
16 fine.

17 MS. BASTIA MILLER: -- for being in the
18 neighborhood of Los Alamos. The health effects for
19 people who have worked at the lab are severe. People
20 have suffered the consequences of contamination
21 because of Cerro Grande fire. The traditional ways
22 of life are being curtailed and eliminated.

23 I want to conclude with this quotation from
24 Octavio Paz. He says, "The idea of a single
25 civilization for everyone implicit in the cult of

410-2

410-2 NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Chapter 2, Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

410-3

410-3 Chapter 3, Section 3.11.4, Health Effects Studies, of the *CMRR-NF SEIS* provides a summary of a number of epidemiological studies that have been conducted in the LANL area, as well as a summary of cancer incidence and mortality figures for the Los Alamos Region as derived from data from the National Cancer Institute. During the period 2003 through 2007, the annual cancer death rate for Los Alamos County was smaller than that for the state of New Mexico as a whole, and for the entire United States. The cancer incidence rates, however, of melanoma of the skin, prostate cancer, thyroid cancer, and female breast cancer were elevated in Los Alamos County with respect to state averages, while cancers of the lung, colon, and rectum occurred at rates below the state averages. Refer also to Chapter 3, Section 3.11.3, Industrial Safety, of the *CMRR-NF SEIS*.

A summary of possible public health impacts resulting from the May 2000 Cerro Grande fire is included in Chapter 4, Section 4.6.1.3, Radionuclides and Chemicals in the Environment Around Los Alamos National Laboratory, of the 2008 *LANL SWEIS* (DOE 2008a). In summary, it was concluded that no harmful exposures due to chemical or radioactive contamination detected in groundwater, surface soil, surface water and sediment, air, or biota are occurring or are expected to occur in the future as a result of the fire (ATSDR 2006).

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 progress and technique impoverishes and mutilates us.
2 Every view of the world that becomes extinct, every
3 culture that disappears diminishes a possibility of
4 life."

5 These are just some of the concerns I have.
6 I'd like to encourage the Department of Energy to
7 take a deeper look, a step back from simply
8 continuing to do more of the same. Thank you very
9 much.

10 MR. MacALLISTER: Thank you. Marcus Page,
11 followed by Benjamin Abbott.

12 MR. MARCUS PAGE: Moo. I am the cash cow.
13 I am so happy to receive all this money in
14 foolishness. But I'm not the cash cow, I was just
15 dressed as the cash cow. My name is Marcus, with
16 Trinity Nuclear Abolitionists, and I'm opposed to the
17 system of feeding the cash cow because the nuclear
18 complex was not meant to be a jobs program for
19 scientists and for the working class folks that build
20 the factories. And that's what it has become, and
21 I'm sorry about that, because I do agree with all the
22 antinuclear and nuclear abolitionist statements that
23 have been made before me tonight, so I don't want to
24 repeat it. I just want to echo it. I wish you could
25 play it back on a tape so you could hear it.

411-1 411-1

NNSA notes the commentator's opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



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201 Third NW, Suite 1630
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(505) 843-9494
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1 Thank you all for what you have said
2 tonight, especially Sister Joan Brown on the
3 spiritual level. So I'm inviting all of you to come
4 pray with Trinity Nuclear Abolitionists on Father's
5 Day, which is also Holy Trinity Sunday. It's June
6 19th, and then Monday morning, June 20th. Thanks
7 again for all the antinuclear and nuclear abolition
8 statements. They are true. And thanks for the
9 technical statements from our watchdog groups.

10 Back to cash cow mode. Feed me more money
11 to destroy the planet. Moo. I am a fool. I am
12 Los Alamos. I am the Department of Energy.
13 (Applause.)

14 MR. MacALLISTER: Benjamin Abbott, followed
15 by Janet Greenwald.

16 MR. BENJAMIN ABBOTT: I have a process
17 question. Why is it necessary for you to stand next
18 to the speakers?

19 SPEAKER FROM THE FLOOR: It's kind of
20 threatening, intimidating.

21 MR. MacALLISTER: It's for the speakers.
22 There is a yellow card that is a 30-second warning,
23 and there's a red card, so I don't have to stand here
24 unless people don't respect the process.

25 MR. BENJAMIN ABBOTT: I'm going to be

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MAIN OFFICE
201 Third NW, Suite 1630
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FAX (505) 843-9492
1-800-669-9492
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Section 3
Public Comments and NNSA Responses

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1 pretty brief. My name is Benjamin Abbott. I'm a
 2 grad student at UNM. Like Marcus, I want to thank
 3 everyone else who has spoken and echo a lot of their
 4 concerns. But what I want to emphasize is the fact
 5 that the project is not going to build anything
 6 useful. I mean, it's absolutely important to have
 7 jobs and money in northern New Mexico, in this state.
 8 I think we should just take the money and do
 9 something useful with it, because currently,
 10 plutonium pits are not going to help anyone. It
 11 would be much better for the entire species if you
 12 just paid the people to do absolutely nothing. That
 13 would be vastly superior. You pay them to party,
 14 basically. But as dangerous as a wild party is, it's
 15 not as dangerous as this facility, according to all
 16 the testimony we've had today.

17 So that's what I want to emphasize, that
 18 there's no reason for any of this. We should take
 19 the money and do something useful with it. There are
 20 so many things that need to be done, there are so
 21 many people suffering, people not having a good
 22 standard of living, there's education systems going
 23 downhill, the energy system in this country needs to
 24 be complete, and transportation needs to be
 25 completely revamped. The money can be spent on so

412-1 412-1

NNSA notes the commenter's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4919
 FAX (505) 820-6349



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 (505) 843-9494
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1 many good things, so this project should be opposed
2 for whatever reasoning, anything you can do to stop
3 it and put the money into somewhere good should be
4 done. Thank you. (Applause.)

5 MR. MacALLISTER: Janet Greenwald, followed
6 by John Lockridge.

7 MS. JANET GREENWALD: Well, I think what I
8 have to say probably relates mostly to risk. I moved
9 to New Mexico when I was in my early 20s, and bought
10 a farm downwind from Los Alamos. If I had known that
11 Los Alamos was there, I might not have done that. My
12 family lives there still. So once I found out
13 Los Alamos was there, and started to begin to
14 understand nukes and what they were all about and
15 what Los Alamos was about, I joined CARD and came
16 down to Albuquerque and worked in the office a day a
17 week. CARD paid my bus fair, I think, for a number
18 of years. And I became known as an antinuclear
19 activist in the north and around Albuquerque, and for
20 some reason people at Los Alamos, because I never
21 passed on what they said, would sometimes call me and
22 talk to me about what they were experiencing up
23 there. I would work at the office late at night, so
24 these calls would always happen late at night.

25 The first one was from a woman who had just

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201 Third NW, Suite 1630
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(505) 843-9494
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Section 3
Public Comments and NNSA Responses

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1 lost her husband at Los Alamos. She said he was a
 2 high administrator. She said that he had died from
 3 cancer. She said a lot of people she knew were dying
 4 of cancer. She told me that the little stream that
 5 ran through her backyard, her beautiful backyard, was
 6 contaminated. I asked her if she would come forward
 7 and talk about these things, and she said if she came
 8 forward, that her family at Los Alamos would be
 9 ostracized. And so no, she was not going to come
 10 forward.

11 Then some years later, I received a call
 12 from a friend of mine about our friend Tyler, who
 13 lived at Los Alamos. Tyler had discovered a brain
 14 cancer cluster up at Los Alamos, and my friend called
 15 me to tell me that his house had been burned down,
 16 and that he and his family would be moving out of
 17 New Mexico.

18 So then years later, I'm working late in my
 19 office again, and I get a call from a nuclear
 20 scientist. Well, he wasn't -- let's see how to
 21 state. His training was -- it was not a physicist.
 22 I don't want to go into it any more, but it was the
 23 night of the Cerro Grande fire, and he called me up
 24 because he said there was a bunker at Los Alamos and
 25 that there were prototypes of nuclear bombs in that

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 (505) 989-4949
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 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
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1 bunker, and he was terrified that the fire was going
2 to reach the bunker, and he said if it did, we would
3 all be gone. So he started out very upset, and then
4 I talked to him for about an hour, and he gradually
5 got less upset, and then he began to back pedal and
6 say, "No, it will be fine, it will be all right."

7 So now I no longer work late in my office.
8 I'm in my mid-60s, and if there are calls coming in
9 from people at Los Alamos who are upset by one thing
10 or another, they just get an answering machine. So
11 for me, building another bomb building at
12 Los Alamos -- it just seems like insanity, just
13 insanity. And who is the enemy? Who is the enemy?
14 Maybe it's like the poet said. Maybe we found out
15 that it was ourselves. Thank you.

16 MR. MacALLISTER: John Lockridge followed
17 by Flora Barrett.

18 MR. JOHN LOCKRIDGE: My name is John
19 Lockridge. Thank you for the opportunity to speak
20 here. I wish we would get 100 percent of our time
21 instead of 60 percent or 40 percent reduction. It
22 seems fairly extreme.

23 Anyway, to get on with it, since we don't
24 have much time, there has been a lot said about the
25 EIS itself. I think the EIS is really almost

413-1 413-1

NNSA notes the commentator's opposition to this project. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

414-1 414-1

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 secondary to the real problem of violation of a
 2 nuclear treaty that we have. We have this nuclear
 3 nonproliferation treaty that we are signatory to here
 4 in the United States, and we are supposed to honor
 5 what we sign, I believe. I don't believe that's
 6 being done in this case. A lot of people -- some of
 7 the DOE people may say -- and some others, too --
 8 that this is really just replacement of existing
 9 pits. But I don't know, and I don't know that as a
 10 citizen of New Mexico I'll ever find out unless we
 11 work for DOE. The truth of the matter, I believe
 12 there are probably going to be some enhancements to
 13 the pits, probably in the name of safety or something
 14 like that. But they won't be the same pits. They
 15 won't be just replacement pits for the ones that are
 16 already in existence. We already have thousands of
 17 bombs that are lying around the country, about 2000
 18 or more here, I believe, at Kirtland.

19 Another thing that has been mentioned
 20 before, but I think is important to restate, is that
 21 the environmental threat is extreme. At least a
 22 couple of people, I believe, have mentioned the
 23 seismic problems. But not only that, there is
 24 already contamination up at Los Alamos from poorly
 25 maintained pits. They don't have accurate records.

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414-2 414-2

A key purpose of the continued operation of LANL is to support NNSA's core missions as directed by Congress and the President, which includes ensuring a safe and reliable nuclear weapons stockpile. Work performed in the CMR Building and the proposed CMRR-NF supports this effort. This entails maintaining the existing stockpile, not adding more nuclear weapons.

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Please refer to Section 2.4, CMR Mission, of this CRD for more information.

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
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1 There's pits down here at Kirtland Air Force Base,
2 Los Alamos, I guess, actually -- or not Los Alamos.
3 But Sandia Labs. Not really the Air Force base, I
4 guess. But we've already seen how our government
5 does not maintain safety issues for us that should be
6 maintained. We are supposed to be protecting the
7 people of the country, not destroying the people of
8 the country, and I think we're just introducing more
9 and more threats to our population by allowing this
10 to happen. So I think just on the basis of the
11 treaty that it seems to me that we're violating, we
12 should not even consider having an EIS. We should
13 consider ending the project.

14 And at that, since I don't know how much
15 time more I may have, I'm just going to end it there.
16 Thank you for the time. (Applause.)

17 MR. MacALLISTER: Flora Barrett, followed
18 by number 16. I don't have a name.

19 MS. FLORA BARRETT: Yes, my name is Flora
20 Barrett, and I am speaking for myself. I heard
21 earlier a mention that nuclear weapons are obsolete.
22 That is my message. And so I'm going to say it
23 again, because I have had planned all along to say
24 nuclear weapons are obsolete. Why would we build
25 more nuclear weapons when we can't use them? Why are

414-1
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415-1 415-1

Although a number of commentators expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

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(505) 988-4949
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201 Third NW, Suite 1630
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Section 3
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1 we going to put money into something that can never
2 be used? We have said all along that we can't use
3 these weapons. So why would we build more of them?

4 So shut down that plant. Don't put any
5 money in it. Close it completely, and let's talk
6 about how we can build sustainable nuclear and --
7 sustainable energy, solar, wind, and bio uses of
8 energy. To me, it doesn't make any sense to build
9 something you're never going to use. We can't use
10 it. There's no way we can put nuclear weapons out
11 there in the world. So close down whatever is there
12 of the CMRR and do not ever open it again.

13 (Applause.)

14 MR. MacALLISTER: Thank you, ma'am. The
15 person who signed in as number 16. I don't have a
16 name. Thank you, followed by Lilly Rendt.

17 NUMBER 16: Also no pictures, and I don't
18 want the film on, so you don't have my release of
19 confidentiality and my release of information to do
20 that.

21 I'm just going to give the basics of what
22 came up for me. I was born in Los Alamos, and I know
23 the big difference between Bechtel. Bechtel's a
24 corporation. It is not the old days of University of
25 California and the quaintness of University of

415-1
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416-1 416-1

DOE and NNSA continue to provide oversight of LANL as in the past. The managing and operating contract for LANL was openly competed in 2005 for the first time in the 63-year history of the LANL site. Through 2005, the University of California had been the sole managing and operation contractor for the LANL site since its creation in 1943. The new managing and operating contractor, Los Alamos National Security, LLC, began managing LANL in June 2006. The selection of a new managing and operating contractor did not change the DOE and NNSA work performed at LANL.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 Chicago where the scientists were coming in and they
2 made \$45,000 for the year. These Bechtel guys are
3 coming in with gigantic salaries of \$100,000 and
4 above. They're not living in the little government
5 houses that are falling apart that were built in the
6 1950s. They're in the great big houses near the golf
7 course.

8 I think that because of this, we've lost
9 our ethics, we've lost our morality, and we're not
10 thinking of legacy and future generations.

11 The other thought I have, that I had, was:
12 Why risk it? Why risk it? And what I have seen in
13 the transition of how quaint Los Alamos used to be,
14 it's easy for Bechtel to come in, make big money off
15 of this and then split.

16 And then the other thing I was thinking of,
17 the downwinders were never paid off for the cancers
18 that they're still dealing with. The government made
19 promises to the downwinders, and those monies never
20 occurred for those people with thyroid and brain and
21 lung, et cetera, cancers.

22 This idea that we've got to make jobs,
23 build jobs off of nuclear, those construction
24 companies and those unions can make money off of
25 peace. They don't need a nuclear plant to have a job

**416-1
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(505) 989-4949
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1 from it.

2 And then the other thought I had was, I
3 thought I'd take it from a psychosocial point of
4 view. Why should we trust these people? I would
5 like alcohol and substance abuse testing and
6 psychological testing done of these new age
7 scientists that have come in. I want them tested.
8 (Applause.) Yeah, and when I look at the neighbors
9 that I have had in Los Alamos, I definitely want them
10 alcohol and substance abuse tested. Okay, just a
11 thought.

12 But the bottom line is: Why risk it? Why
13 risk it? (Applause.)

14 MR. MacALLISTER: Lilly Rendt, followed by
15 Susan Rodriguez.

16 MS. LILLY RENDT: I'm always amused at
17 these meetings because I go a long way back. I go
18 back to the '50s, when they were putting the Cullen
19 Foundation under New York City and underneath
20 Columbia University, and everybody was so afraid that
21 Columbia University would blow up, and they did have
22 a few accidents there. They were just starting.

23 But I was going to this gal who said we
24 ought to give them an education. Yes, here's a book
25 called "Complexity." And it talks about putting all

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 your facts into the computer before you make a
2 decision. And frankly, I think things that were put
3 into computer to decide upon in New Mexico had to be
4 very, very scarce. In other words, there weren't
5 very many factors that were considered, and when the
6 people here talk about some of the things that have
7 happened and some of the ways of our state, I don't
8 think you people know what you're doing, because this
9 is a very special state.

10 I just read a book about Alaska, about the
11 gates of Alaska, and I think that might be a good
12 place to put it. Let's make an effort to have them
13 change the whole venue up to Alaska and then the
14 Alaskans who are shooting wolves anyway might have
15 some interest in it. They want all the money, so if
16 money is the big issue, let's give it to them. I
17 mean, we've been a poor state for many, many years,
18 and I really don't mind.

19 But some people want to build things and
20 then not use them. And what would be the use of
21 nuclear energy at this point? We're trying to work
22 for world peace, not world war. And if we are, then
23 we ought to think carefully that we don't want to be
24 the center and, you know -- we don't want to be the
25 ones that are bombed.

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Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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e-mail: info@btsupport.com

417-1

417-1

NNSA notes the commentator's opposition to nuclear facilities. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons and Nuclear Technology, of this CRD for more information.

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 Let's build these things somewhere on the
 2 Nordic Sea where it can't do any harm to anyone.
 3 There's no one up there. This man walked for miles
 4 and miles with his two dogs and he didn't meet any
 5 people, and his food drop didn't come down, and he
 6 met some grizzly bears. He looked so pathetic, the
 7 grizzly bears left him alone.

8 So let's see if we can somehow, somehow --
 9 I don't know how exactly -- maybe through complexity
 10 theory, where we really put all the factors into
 11 play, or maybe -- well, all I know is, Japan made a
 12 big mistake. They built on a small island and they
 13 were hurt. And we are not a large state. Even
 14 though we do have some mountains, for heaven's sake,
 15 let's keep those nuclear facilities out of our state.
 16 (Applause.)

17 MR. MacALLISTER: Susan Rodriguez followed
 18 by Sarah Rodriguez.

19 MS. SUSAN RODRIGUEZ: I'm going to go over
 20 some of these points, because I agree with all of
 21 them, and to start with the first one I think that's
 22 important, a new nuclear facility will detract from
 23 the cleanup of the existing mess. So DOE made a
 24 commitment to clean up the legacy waste at LANL when
 25 it signed the consent order with the New Mexico

418-1 418-1

NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF.

Funding decisions regarding major Federal programs (for example, education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



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 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
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1 Environment Department on March 1, 2005. The order
2 requires cleanup of certain sites by December 31,
3 2015, including the area G dump site at Technical
4 Area 54. Construction activities for a new nuclear
5 facility will interfere with these cleanup
6 activities. DOE must devote taxpayer funds for
7 cleanup, not a new NF, which will only add to the
8 pollution.

9 Then I'll skip to another point about these
10 pits, 80 pits. DOE must conduct a capacity study to
11 determine whether the existing facilities can be used
12 instead of building the proposed NF, which would
13 increase pit manufacturing to at least 80 pits a
14 year. Now, I have the number 20 and it says here
15 existing facilities have sufficed since 1999, when
16 DOE limited plutonium pit manufacturing to 20, and I
17 thought that was a lot, but to go up to 80 is
18 absolutely crazy. Since the US treaty obligations
19 forbid both new nuclear designs and increased numbers
20 of nuclear weapons in the US arsenal, pits to be
21 manufactured are touted as stockpiled stewardship,
22 which I have heard for the past 20 years here, for
23 maintaining existing nuclear weapons through
24 replacement of old pits. There's something called
25 the Jason study, however, of aging plutonium that

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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418-2

418-2

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Regarding the commentator's request for a capacity study, the proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years.

NNSA reviewed pit lifetime studies and has concluded that degradation of plutonium in a majority of nuclear weapons will not affect warhead reliability for a minimum of 85 years. NNSA plans to continue studying plutonium aging through surveillance and scientific evaluation. NNSA will annually reassess the status of plutonium in nuclear weapons as the weapons laboratories continue to evaluate new data and observations (NNSA 2006a). It should be noted that plutonium aging is only one of the variables affecting nuclear weapon system reliability; other variables can control overall life expectancy of nuclear weapon systems.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 argues against the need for pit replacement within
2 the next 100 years.

3 The manufacturing of these pits is
4 dangerous and the pollution is a threat to the health
5 and safety of those living downwind and downstream,
6 so that's us here in Albuquerque.

7 Los Alamos National Laboratories inherited
8 the US pit manufacturing from Rocky Flats, which was
9 one of my points. Rocky Flats -- you should Google
10 that one. We inherited that one, Rocky Flats, in
11 Colorado, just north of Denver, was a place where
12 they produced these pits and they made such a mess of
13 it that the FBI had to come down and close them down
14 because they were about to poison the drinking water
15 of Denver.

16 Now, that is just news, guys. You know,
17 this is just -- and so now we have CCNS that has
18 looked into the Buckman well and they have found
19 plutonium and all the other stuff that -- I'm not a
20 nuclear person -- so it's all this stuff that you
21 don't want in your drinking water, and here in
22 Albuquerque we have not yet had -- the Albuquerque
23 Water Utility Authority has not seen fit to even try
24 to test that. You can't test for this enough because
25 it will go through. It's so small, you have to test

418-2
cont'd

418-3

418-3

There are established programs at LANL that address liquid discharges and cleanup of past contamination. Liquid discharges through permitted outfalls are sampled and analyzed to evaluate compliance with permit conditions; results are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF. A monitoring program is conducted at LANL (described in the LANL SWEIS, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, and Section 2.5, Cleanup and Waste Management, for more information on cleanup of past contamination.

In 2006, LANL collected a groundwater sample from Buckman Well #1 as part of routine quarterly sampling that is conducted by NNSA at three water-supply wells in the Buckman Well Field. This sampling is performed pursuant to a cooperative agreement with the City of Santa Fe. The samples were sent to an independent laboratory for radiochemistry analysis where it was reported that they detected plutonium-238 at a level about 3 percent of the DOE concentration guide for water ingestion. However, after recent reviews of legacy data by NNSA and further discussions with the analytical laboratory, the laboratory has confirmed that computer analyses of the results were incorrect. The laboratory concluded that plutonium-238 was *not present* in the sample from Buckman Well #1. No further detections of plutonium have occurred since 2006 (LANL 2011e).

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 for this much, and you don't even want to breathe in
2 any of that plutonium. It's deadly. The money spent
3 on unusable nuclear weapons is nuts for economic
4 growth.

5 This is the last point, but I think the
6 Republicans ought to pay attention to this. It goes
7 down the black hole of corporate pockets.
8 Los Alamos, the richest county per capita in the
9 United States, does not need US budgetary charity,
10 but it consumes the lion's share of federal funds
11 coming to New Mexico. The rest of New Mexico, one of
12 the nation's poorest states, cries out for the
13 fulfillment of real human needs. Money for
14 education, health care, green jobs, renewable energy,
15 public transportation, would all keep circulating and
16 get our money growing again -- get our economy
17 growing again. Thank you. Let's put some sanity
18 into this. (Applause.)

19 MR. MacALLISTER: Sarah Rodriguez, followed
20 by Manuel Pino.

21 MS. SARAH RODRIGUEZ: My name is Sarah. I
22 am currently a chemistry major and a dual Spanish
23 major at the University of New Mexico. I'm only 22.
24 Be these plutonium pits will hurt my generation and
25 the one after that. I have known my friends -- I

418-3
cont'd

418-4 418-4

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

419-1 419-1

NNSA notes the commentator's opposition to plutonium pits. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hissupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 have had some friends who have died of cancer who are
2 my age. I do not want anybody to have that feeling
3 of loss. Thank you. (Applause.)

4 MR. MacALLISTER: Manuel Pino, followed by
5 Joni Arends.

6 MR. MANUEL PINO: (In Navajo.) My name is
7 Manuel Pino, from Acoma Pueblo. My entire life I
8 grew up in what is known as the Grants mineral belt.
9 The Grants mineral belt is one of the largest
10 ore-producing areas in the world. This 50-year
11 legacy of the nuclear industry in our backyard has
12 caused nothing but pain and suffering for Laguna,
13 Acoma, and Navajo people in Cibola and McKinley
14 Counties, extending into the Navajo Nation in
15 Arizona.

16 It does not surprise me, standing here as
17 an indigenous man, that the United States Government
18 is again breaking another treaty, the nuclear
19 proliferation treaty. The United States Government
20 has broken over 500 to this day. In this 50-year
21 legacy, we have experienced the Jackpile Mine, the
22 largest open pit uranium mine in the world. The
23 Homestake Mill, consistently from the mid-1950s
24 through the 1980s, one of the largest mill producers
25 in the world. We have experienced the Church Rock

420-1

420-1

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 spill, 15 miles east of Gallup, considered along with
2 Three Mile Island as the worst nuclear accident in
3 the United States. Japan and Canada are currently
4 proposing a mine and mill north of our sacred
5 mountain, Mt. Taylor, which recently received a
6 traditional cultural property designation by the
7 State Historic Preservation Office of New Mexico that
8 was challenged by the mining industry and pro-nuclear
9 populations in Cibola County, and the TCP designation
10 was reversed.

11 I know that in close proximity to
12 Los Alamos we have numerous sacred sites that are
13 sacred to San Ildefonso, Santa Clara, Ohkay Owingeh,
14 Tesuque, and numerous others of our sister pueblos in
15 the north. And you know, I have learned historically
16 that many of these impacts to the pueblos were
17 after-the-fact realization. And again, I want to
18 make sure that there is full consultation of pueblo
19 people in those northern pueblos, that they have free
20 prior and informed consent in this decision-making
21 process, as we were denied that in the Grants mineral
22 belt in many of these historical contamination
23 legacies. We have cancer clusters in our community,
24 both of working and nonworking populations today.
25 You go to my people and ask them if they want any

420-2 420-2

DOE and NNSA are aware of and comply with Presidential Executive Order 13175, which requires all Federal agencies to engage in consultation and coordination with Native American tribal governments on matters of mutual concern. Chapter 5, Section 5.7.1.3, of the *CMRR-NF SEIS* has been revised to describe the specific interactions with the tribal governments in New Mexico's seven northern counties concerning the CMRR Project and the SEIS.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 form of nuclear energy.

2 You know, it's hard for us to conceive as
3 indigenous peoples, when we were studying the
4 Jackpile Mine, that of the 24 million tons of ore,
5 over 90 percent of that went to one source, the
6 Department of Defense, to make weapons of mass
7 destruction. When we tell our elders that this big
8 hole in their front yard was going for that purpose,
9 they were appalled. They were blown away.

10 We have lived with the contamination of the
11 nuclear industry not only in the Grants mineral belt,
12 but if you go to western Shoshoni land in Nevada,
13 they were the most bombed nation in the world before
14 the aboveground testing was banned. If you go to
15 northern Saskatchewan today, where Dineh and Cree
16 people live, you'll find the most intense mined and
17 milled area of North America. We are sick and tired
18 of disproportionately providing unsafe energy to this
19 country, and we want it to stop. (Applause.)

20 MR. MacALLISTER: Joan Arends, followed by
21 M. J. Mahan.

22 MS. JONI ARENDS: Good evening. My name is
23 Joni Arends. I'm with Concerned Citizens for Nuclear
24 Safety. I would like to talk about the need for a
25 public hearing exactly the same as this in the Taos

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

|| 421-1

421-1

After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

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1 community. Mayor Darren Cordova asked for a hearing.
2 He was denied, but offered a briefing. Sixty people
3 in the Taos region signed a petition in support of
4 the mayor's request. Thirty nongovernmental
5 organizations and four individuals signed a separate
6 letter asking for hearing in Taos. And one of the
7 justifications for the request was because that
8 community was in the plume of the Cerro Grande fire
9 for weeks and the plume was orange.

10 So I would like to renew that request for a
11 hearing just like this, where people could make
12 public comments, where they can hear one another, the
13 same type of hearing as here in Albuquerque, as will
14 be held in Los Alamos tomorrow night, in Espanola on
15 Wednesday night, and in Santa Fe on Thursday night.
16 There's plenty of time between now and the end of the
17 comment period on June 28th for a public hearing in
18 the Taos community. Thank you. (Applause.)

19 MR. MacALLISTER: M. J. Mahan, followed by
20 David Bacon.

21 MS. M.J. MAHAN: I'd like to yield to
22 Mr. Hancock, if he's still here.

23 MR. MacALLISTER: Thank you, ma'am. Is
24 Mr. Hancock?

25 MR. HANCOCK: I'm glad to speak. I'd like

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 to let the other people go ahead, and I'll speak at
2 the end, if necessary. If you have something to say,
3 feel free to say it.

4 MS. M.J. MAHAN: Okay. Well, I was very
5 anxious to hear some positive suggestions. I'm very
6 much against building more bombs. I have been way up
7 in the Arctic Circle, where you could look over and
8 see where the Russians were doing their atomic work
9 and their pollution, and it frightens the life out of
10 me. I went up in the Gutenhurten (phonetic) in
11 Norway. There's plenty up there.

12 More and more, it becomes obvious that we
13 are one world, and what we do in one place affects
14 everything else. I was here in New Mexico as a
15 child, long before the '50s. We moved out, got
16 transferred. My dad got transferred out in 1942. My
17 great grandmother was here. She was principal of
18 First Ward School.

19 I came back here from New Orleans. I don't
20 have much. I had a wonderful life as a teacher, and
21 I loved it in Catholic schools. But I didn't get
22 much money, and all I had was my little home in New
23 Orleans, my home for 25 years, and I thought with the
24 hurricanes coming, with the threat to one of the
25 largest ports in the United States, I thought, well,

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NNSA notes the commenter's opposition to nuclear weapons production. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 I'm going to go back home to my querencia, the land
2 where my family came from seven generations ago.

3 So I came back. Little did I know that I
4 was sitting right on top of Sandia Labs. And we know
5 that because people finally wouldn't be quiet, they
6 have finally listened to us, and they're drilling
7 more wells, and we know that the pollution is
8 spreading, spreading, spreading.

9 So it's a very sad thing. New Mexico's a
10 wonderful place. I grew up here. My mom and dad
11 would sing the song, "Oh, fair New Mexico, we love,
12 we love you so." They met at UNM in the 1920s, late
13 '20s.

14 So anyway, I do hope that a solution can be
15 found. I'm glad that people are at least letting us
16 speak. I wish they would listen. That's my hope,
17 that they will listen, and that we will get our land
18 back, our beautiful New Mexico. Thank you.

19 (Applause.)

20 MR. MacALLISTER: David Bacon.

21 MR. DAVID BACON: I come to these events to
22 talk to, you know, my fellow human beings. I was at
23 a committee that Senator Bingaman chaired three weeks
24 ago in Santa Fe. He's the head of Energy and Natural
25 Resources, and he was presented with the data on

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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A PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 what's going to happen to the Colorado and Rio Grande
 2 river basins due to climate change. And it was
 3 serious data that he had received, you know. We're
 4 just starting to crash and burn when it comes to our
 5 own river basins. River flows will diminish, snow
 6 pack will diminish, storms will get heavier but less
 7 frequent. He came out of that meeting shaken, and
 8 Paula Garcia, the head of the acequia association,
 9 said in the paper the next day she was shocked at
 10 what she heard.

11 Now, that \$6 billion that we're going to
 12 throw away or the DOE is going to throw away -- well,
 13 \$6 billion and counting that they're going to throw
 14 away -- would translate into 10,000 jobs at \$30 an
 15 hour over ten years. We know what we need to do.
 16 DOE doesn't know anything. TEPCO didn't know
 17 anything. BP didn't know anything. The Army Corps
 18 of Engineers didn't know anything. Nature always
 19 wins. It always wins. We might as well get used to
 20 that and start planning for the future that we know
 21 is coming, rather than pretending that we can build
 22 these things and that we know what will happen.

23 Fukushima. The damage occurred during the
 24 earthquake, not the tsunami. They know that now.
 25 And they know that the level of the meltdown

423-1 423-1

NNSA notes the commentor's concern about climate change and the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, environmental restoration and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Please refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Regarding the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL, there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@litsupport.com

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1 astonished those so-called experts in Fukushima.
2 What we have to do -- and it was clear in the
3 testimony to Senator Bingaman -- we have to begin
4 restoration of our watersheds. We have to begin
5 restoration of our grasslands. We have to begin the
6 massive deployment of nonwater-consumptive clean
7 energy that doesn't create any waste. We have to put
8 people to work. To do this, we have to create
9 healthy soils, we have to create healthy river
10 systems, we have to create health in our own natural
11 resources again.

12 This isn't rocket science, fortunately.
13 With just this money, we could begin a serious
14 endeavor to at least stave off what we know is going
15 to be happening to our river basins. I would hope
16 that we can begin now to focus on this, and to
17 completely pull money out of DOE and Los Alamos. We
18 should not spend another dime up there.

19 We now know how to restore -- a lot of
20 people who are outside the sort of traditional
21 scientific community know how to restore grasslands,
22 river sheds, and so forth, watersheds. We know how
23 to do it. We should be putting all our money into
24 these people, into the small communities in the rural
25 areas, into the damaged forests and the damaged

423-1
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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ASSOCIATES Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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Section 3
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 watersheds that have been damaged because we've
2 pushed our energy to the limit. We push everything
3 to the limit. We have to back off. We have to start
4 working with nature. We know that, and we ought to
5 get on with it, and I don't think we can change the
6 focus of DOE, but we can create an entirely new
7 restorative scientific and civil community and begin
8 to save the planet. Thank you. (Applause.)

9 MR. MacALLISTER: Has everybody who
10 completed a registration form had a chance to speak?
11 Has anybody not had a chance to speak who completed
12 one?

13 Okay. How many people who are still
14 present are interested in making another comment?
15 Three? Okay. We have time. And I'd also like to
16 remind you again that you have unlimited time and
17 unlimited numbers of opportunities to submit comments
18 through the other venues in the back corner, and
19 venues like the mail, phone, and fax. So tonight is
20 not by any means your only opportunity. In addition,
21 we have the other three meetings.

22 Sir, is there a question?

23 SPEAKER FROM THE FLOOR: Yes. How can your
24 calculations for the facility site be correct when
25 you can't even calculate that there was plenty of

423-1
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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1 time for five-minute presentations rather than
2 three-minute presentations? It's now 7:00, and this
3 is supposed to run until 9:00. That's two more
4 hours. You know? That's a pretty poor calculation
5 on your part, and a lot of interruption of a lot of
6 people that wanted to say something in a cohesive,
7 coherent manner. So you have insulted this audience
8 by your ineffectual and improper rule-making.

9 MR. MacALLISTER: Thank you, sir, for the
10 comment. And just for the record, two points. I
11 apologize if anybody did feel intimidated by my
12 standing here. The intention was to facilitate
13 everybody being able to turn through -- it wasn't
14 available to me at the outset how many people may
15 still be registering and coming through, so I was
16 intent on making sure that everybody had a chance to
17 at least make their comment.

18 Secondly, I can't speak to the calculation.
19 I take the number that I'm told as the facilitator.
20 So at this point, I would like to start the second
21 round, and invite people in the order that they
22 raised their hand to come and speak. Ma'am?

23 NUMBER 16: The other thing that DOE
24 doesn't get is that people don't trust you. There's
25 no trust built, and trust is earned, so that when

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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Section 3
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1 you're speaking, you know, Bechtel babble, people
2 don't trust you. You broke trust. There's no reason
3 for anybody to trust any of you.

4 MR. MacALLISTER: Okay. The comment --
5 since it wasn't on the mic, I'm not sure it was
6 picked up. But the comment was that there is no
7 reason to trust us, that the calculations broke
8 trust; is that it?

9 NUMBER 16: No, just in general. People
10 have no reason to trust you.

11 MR. MacALLISTER: Understood. Okay. So
12 other people who would like to approach the mic and
13 make a comment, please raise your hand, and I'll call
14 you in the order of your hand raised.

15 Sir, in the yellow shirt.

16 MR. DENNIS HOLLOWAY: Just one more comment
17 from an architect. You know, Fukushima is on all of
18 our minds right now. If it isn't, it should be. And
19 you should be reading online what actually is going
20 on, because there's a news blackout. Tokyo people
21 are being very, very highly radiated right now, and
22 we're not hearing it on our news. I want to say
23 that, you know, when Fukushima was built, I'm sure
24 that jobs were the big issue in those counties,
25 weren't they? They convinced the counties that

406-2

406-2

NNSA acknowledges the commenter's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF*

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 they're going to get lots of work. But you know, the
2 difference between that and what we're talking about
3 here, which is potential job creation, is that people
4 know what a nuclear reactor is and how it works. We
5 don't know what's going to be done inside that
6 building, because it's a security problem, and we're
7 not going to be told. So why should we do carte
8 blanche and say on an earthquake fault and volcanic
9 area that this kind of a very sensitive processing
10 facility should be built on a 50-foot hole with
11 concrete it in, or a 100-foot hole with concrete in
12 it?

13 I don't care. As an architect, this is
14 total psycho babble. There's no sense to it
15 structurally, and everybody in this room who I don't
16 see again -- we should talk and we should try to find
17 a way to get an analysis of that whole idea because
18 that's the weak point here. There is no structural
19 rational basis for implementing this kind of
20 sensitive process.

21 MR. MacALLISTER: Thank you, sir. Who
22 would like to speak next? Ma'am.

23 MS. M.J. MAHAN: Thank you. One of the big
24 issues I feel is the job issue. And there are so
25 many different ways to create jobs that are positive,

406-2
cont'd

422-2 422-2

SEIS was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geological Concerns, of this CRD for more information.

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, agriculture and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hissupport.com

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1 instead of putting all our money into something that
 2 is going to -- I mean, it's a war issue. I mean, why
 3 do we want to put all of our funds into something
 4 that is only a war implement? I just can't see it.
 5 I feel like if we were to put that money, like these
 6 people said, into agriculture -- although
 7 agriculture, I think we put so much housing into
 8 New Mexico now, I don't know if we can ever have
 9 agriculture again, the way we had it.

10 And this is one of the things I felt was a
 11 device. Years ago, there was so much empty land, and
 12 you could look for miles. And now when you go from
 13 here to Santa Fe, you see nothing but buildings and,
 14 you know, different structures, casinos, mister from
 15 Acoma there. You know, it has changed. And I always
 16 said we were not the largest state. I grew up in
 17 Minnesota. And there are 10,000 lakes in Minnesota.
 18 The water will never deplete there.

19 But I had a vision one time of how about
 20 transporting water to places where it's needed?
 21 California did it. And they brought plenty of water
 22 from up north down into southern California. And
 23 they have beautiful aquifers there. And this is one
 24 thing we could do. And there are all sorts of dreams
 25 that I have. But one of them is not blowing up

422-2
cont'd

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SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 things.

2 Somehow something has happened to
3 New Mexico. We never thought that way years ago. I
4 came here in 1966. My husband died in Vietnam, and I
5 had to be the full support of my three children and
6 myself. New Mexico gave me a house to live in, gave
7 me a good job, I was a teacher for 30 years here, 53
8 altogether. And you know, I count my blessings. But
9 I don't want them ruined. I do not want New Mexico
10 ruined by a nuclear explosion or anything to do with
11 it.

12 You know, frankly, I don't think you people
13 know what you're doing. I have heard not one word
14 from you people about -- or haven't seen any charts
15 like I see over at the Cesar Chavez place when
16 Kirtland gives a demonstration. You haven't given
17 one iota of information of what you really want to
18 do. You only give it in the papers and the
19 journalists mess it up anyway. They don't know what
20 they're saying. I'm sorry, but that is the truth.
21 Sometimes I look at them and, you know, I really feel
22 sorry for the mentality of the news reports on this.
23 And you know, if we had some booklets or something --
24 but you brought nothing, and yet you expect us to
25 welcome you with open arms, and I'm not sure I want

422-3

422-3

NNSA notes the comment about information on the *CMRR-NF SEIS*. In addition to the *Draft CMRR-NF SEIS*, NNSA distributed a Summary document that presents an overview of the alternatives and the impacts of each alternative. At the hearings, participants could review posters on the NEPA process and the alternatives and speak to NNSA staff and technical experts who were available to answer questions. Refer to Section 2.2, NEPA Process, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 that kind of bienvenidos aqui.

2 MR. MacALLISTER: Sir, you had your hand
3 up. Is there somebody else who would like to -- you
4 will be next, sir.

5 MR. CARRILLO RODRIGUEZ BEJERANO: One of
6 the points of -- my name is Carrillo Rodriguez
7 Bejerano, and I'm a 22-year resident of the state of
8 New Mexico, if that helps you. One of the points
9 that this particular society such as ours that we are
10 told -- developed society -- is the fact that we
11 think that we are rational in several of the things
12 that we do. Just tonight, just a simple point, we
13 were not even able to calculate how much time we
14 actually had available for comments. This is just a
15 very simple proof of -- how shall I put it -- how
16 ignorant we are of everything that we are trying to
17 do.

18 Now, to me, the question of this nuclear
19 weapons is a total -- it just has no logic
20 whatsoever. It has no logic for one particular point
21 to begin with. If we were ever going to go into a
22 war with another nation that also had nuclear
23 weapons, we would all be in real serious trouble. It
24 would be not a question of, "Oh, we're just going to
25 wait another 50 years and all this Agent Orange will

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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1 dissipate into the vegetation or whatever we bombed
2 over there in Vietnam," or, "Well, you know, we
3 didn't find weapons of mass destruction there in
4 Iraq, but they were there indeed. That's why we
5 thought they would be there," and so on and so forth.

6 But in the case of a nuclear war, we don't
7 get it. We would all reap that particular good thing
8 of having these devices that are capable of
9 destroying humanity many times over. So to me, that
10 is not logical.

11 Secondly, it is not logical either that we
12 expect all this money, billions and billions, as the
13 gentleman just said, counting on something that we
14 could not possibly use, while at the same time we are
15 arguing that senior citizens should give up some of
16 their particular hard-earned rights to having
17 Medicare and also Medicaid, although not necessarily
18 for seniors, but the Medicare and the Social Security
19 that was fought by those who came behind us, simply
20 because we don't have enough money, but we do have
21 enough money, we think we have enough money, to spend
22 billions of dollars on that particular foolish
23 enterprise in Los Alamos. Build more nuclear
24 weapons. What for? Whom are we going to attack with
25 these things? Are we going to be able to defend

424-1

424-1

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, medicare and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

BEAN
ASSOCIATES Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 ourselves if someone throws a nuclear weapon at us?
2 Of course we will. And we will throw a nuclear
3 weapon at them. To what effect? We would all
4 perish. So we could then say, "Oh, well, that place
5 was after all safe. That particular fault, well,
6 what does it matter anymore?"

7 No, it's not just putting it in somewhere
8 else. It's not just saying, "Oh, well, I don't want
9 it here in the state of New Mexico." I don't want it
10 anywhere in the world. The world is a beautiful
11 place. There's not just our state. It's the entire
12 planet, which is a beautiful place. We should simply
13 not have it. Yes, there's no foundation for this
14 thing. Structurally speaking, this is stupidity at
15 the highest degree, and it's very costly. Thank you.
16 (Applause.)

17 BOB: My name is Bob and I have been coming
18 to these hearings for about 30 years. What's that
19 definition of insanity? If you keep doing the same
20 thing over and over again and you expect different
21 results? It's not happening, you know? And I have
22 been sitting back there listening to people talk and
23 trying to figure out, what is it going to take to
24 really stop these people? And the only thing that I
25 can see that's going to stop them is the same thing

424-2

424-2

NNSA notes the commenter's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

425-1

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NNSA acknowledges that there is substantial opposition to the CMRR-NF project. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 that happened in Tunisia and the same thing that
2 happened in Egypt. People are going to have to stand
3 up to the powers that be in this country and say,
4 "We're not going to take it anymore. We're not going
5 to do it anymore. We're mad as hell, that you're
6 spending the money that we give you to kill us.
7 We're tired of it."

8 And I don't understand where all the young
9 people are, you know. All the people -- I mean, I
10 just don't understand. Do they not care? Is our
11 educational system so screwed up that they can't even
12 see what's in their own self's best interest? You
13 know? I don't understand. Are we so propagandized
14 by the TV and the media that people don't understand
15 what's at stake? I guess people aren't going to be
16 in the street until we can't drink the water anymore
17 and we can't breathe the air, but it will be too late
18 then, you know. It will be too late. (Applause.)

19 MR. MacALLISTER: Mr. Hancock, and is there
20 somebody else who wants to speak after Mr. Hancock?
21 Pam and Sarah.

22 MR. DON HANCOCK: So let's get some numbers
23 out so that we, the guinea pigs in Albuquerque, can
24 help John and Roger and the rest of the folks at the
25 forthcoming hearings.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

3-1057

Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 These hearings were noticed for public
2 comment between 5:45 and 9:00. At five minutes
3 apiece, that means 39 people can speak. Nobody needs
4 to be cut off. So tonight, the first round, there
5 were 23 people who spoke. So there was no reason at
6 all to cut off the comments.

7 Those of us who have been at many hearings
8 had said to Roger and other people in advance. "Give
9 people five minutes. Some people will take them. A
10 lot of people will not take all of the five minutes."

11 So the rule of thumb that I would argue you
12 should use for the forthcoming hearings, unless you
13 have 45 people or more signed up, give them five
14 minutes. You'll still be through on time. So that's
15 one number that you need to think about.

16 Another number that you need to think about
17 are your own regulations. The Department of Energy's
18 own regulations say that notice for any public
19 hearing has to be provided 15 days in advance.
20 Unfortunately, the Department of Energy can't count
21 to 15 in this case, because this Albuquerque hearing
22 was not noticed 15 days in advance. The card that I
23 received in the mail from John arrived to me on May
24 19th. Four days. Not 15 days. Four days before the
25 hearing. The legal Federal Register notice for this

404-2

404-2

The length of time given to commentors to speak at public hearings was estimated based on the anticipated number of commentors. At the Albuquerque meeting, in the end, less people spoke than were anticipated. Refer to Section 2.2, NEPA Process, of this CRD for more information.

DOE regulations state that "DOE shall hold at least one public hearing on DOE draft EISs. Such public hearings shall be announced at least 15 days in advance. The announcement shall identify the subject of the draft EIS and include the location, date, and time of the public hearings" (10 CFR 1021.313(b)). NNSA published a Notice of Availability for the *Draft CMRR-NF SEIS* in the *Federal Register* on April 29, 2011 (76 FR 24018). That notice stated that the public review and comment period would continue until June 13, 2011, and announced public hearings to be held in Los Alamos, Espanola, and Santa Fe on May 24, 25, and 26, respectively. On May 16, 2011, NNSA published a *Federal Register* notice (78 FR 28222) to extend the comment period 15 days and to add a hearing in Albuquerque. While the *Federal Register* notice appeared a week before the Albuquerque public hearing, a notice of the Albuquerque public hearing was published in the *Albuquerque Journal* on May 8 and 19, 2011, meeting the requirement for a 15-day advance notice.

All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 hearing was May 16th, last Monday. That's seven
2 days, not 15 days before the event.

3 So once again, this is another example, and
4 I'm going to go into a couple of more. I have
5 already mentioned the fact of how illegal the
6 document is. This particular hearing was not
7 properly noticed. That's a big problem. The
8 Department of Energy can't count, can't follow its
9 own regulations in terms of the minimal things about
10 the law.

11 Let me give another number from their own
12 document. The document says that the preferred
13 alternative building, the shiny new bomb plant at
14 Los Alamos, that's the only alternative they're
15 considering -- that plant is supposed to operate for
16 50 years. Five-zero. During that time, if it were
17 to operate, every year it creates waste, nuclear
18 waste. And so the alternative that has to be
19 considered is where is the disposal site in
20 conjunction with this facility for the low-level
21 waste and the transuranic waste that this facility is
22 going to create through the year 2070, using their
23 numbers that it starts operating about 2020, 2022,
24 and operates for 50 years? So where is the waste
25 site?

404-2
cont'd

404-3

404-3

Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12, of the *CMRR-NF* SEIS describe waste management impacts of all of the alternatives. As addressed further in Section 2.5, Cleanup and Waste Management, of this CRD, it is expected that sufficient disposal capacity will exist for all radioactive waste projected from any of the alternatives addressed in the *CMRR-NF SEIS*. Low-level radioactive waste disposal capacity currently exists at LANL at Area G within TA-54. When the disposal units at the existing Area G location are closed, plans are to transfer low-level radioactive waste disposal operations to the adjacent Zone 4 within Area G. Offsite disposal capacity also exists at both commercial and DOE locations.

Transuranic waste disposal capacity currently exists at WIPP. If waste disposal capacity at WIPP is no longer available over the operating life of CMRR-NF, then any transuranic waste generated at CMRR-NF or elsewhere at LANL would be safely stored until additional disposal capacity becomes available. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 So the alternative -- this document also
 2 has to look at the alternative of a permanent waste
 3 site at Los Alamos for all the waste that this
 4 facility is going to create. In looking at that, it
 5 needs to consider a couple of things. It needs to
 6 consider the testimony you heard from Manny Pino, and
 7 that other Department of Energy people have heard
 8 over the years from folks at San Ildefonso and Santa
 9 Clara and other pueblos about how this would be
 10 degradation of their sacred sites.

11 That is not in this document. That's why
 12 you need to do a new document, start over, and get
 13 this kind of information in. And you need to
 14 understand that the Department of Energy has no
 15 disposal site that's even on its planning going out
 16 to 2070 for these kinds of wastes. So this document
 17 needs to discuss the alternatives to do that.

18 The other thing that needs to be said is
 19 that when you can't calculate numbers like 39 times
 20 five minutes is three hours and 15 minutes, you can't
 21 count to 15, in terms of adequate notice, you can't
 22 comply with your own regulations, that does not
 23 inspire public confidence that you can operate the
 24 existing facilities at Los Alamos or any new facility
 25 like you're talking about doing in this document.

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cont'd**

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SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 You need to go back and start over and come back to
2 us when you have real reasonable alternatives and
3 real rigorous analysis that the law requires you to
4 do. (Applause.)

5 MR. MacALLISTER: Ma'am.

6 NUMBER 16: I also want to make one more
7 comment. People think that there's security in
8 Los Alamos and that people are watching. A couple
9 weekends ago, I was driving down from the Jemez and
10 there were a couple of kids with paint ball things
11 that had gotten under the fence into the lab proper.
12 There was no security there.

13 The other thing that I'm thinking of is
14 when the Cerro Grande fire happened, that was one
15 match essentially lit on a windy day, and when you
16 see the response in Los Alamos of what happened on
17 that day, nobody knew what they were doing. I mean,
18 Bandelier said that it was Santa Fe. Santa Fe said
19 Los Alamos should come in. The labs waited a long
20 time, you know, until it was right at the fence. So
21 if you can't get the Cerro Grande fire right, how are
22 they going to get something bigger correct? Right?

23 And so people have a very naive idea that
24 there's security in Los Alamos. They're asleep at
25 the wheel. If somebody wanted to go in and really

416-2

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Access to nuclear facilities at LANL is strictly limited. Access control stations (called vehicle access portals) on Pajarito Road restrict access to DOE badge holders only; at least one occupant of a motor vehicle must present a valid DOE badge. Bicyclists without a valid DOE security badge are not allowed to use Pajarito Road. Walkers, joggers, work crews, and others on foot on Pajarito Road must display a valid security badge. Buildings such as the TA-55 Plutonium Facility and the CMR Building have even stricter access restrictions. (Relocation of the CMR capabilities at TA-55 in the Pajarito Corridor would reduce security costs.)

Airspace over LANL is also restricted.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

BEAN & ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

3-1061

Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 hurt Los Alamos and the world, it would only take --
 2 they're not paying attention in the air waves up
 3 there that, you know, there's a little small airport.
 4 I mean, a little Cessna coming through Los Alamos --
 5 I mean, think on it. They haven't second-guessed
 6 what other people already know, that there's no
 7 security in Los Alamos. People aren't paying
 8 attention. It's a false sense of security up there.
 9 Again, why risk it? You know? (Applause.)

10 MR. MacALLISTER: Ma'am, I believe you were
 11 next?

12 SPEAKER FROM THE FLOOR: Thank you.
 13 Whether we are employed with the federal government
 14 or not, we know that these public hearings are mere
 15 rituals and that what we say here has little
 16 significance in what will be done because we're on a
 17 coast-to-coast federal reservation, and if we studied
 18 the dynamics of control of the individual tribal
 19 reservations at the beginning of the 1800s, we will
 20 see the same dynamics being played out coast to
 21 coast. The solution and how it should be performed
 22 remains the question, and is to remove who's at the
 23 helm, because those people at the helm have nothing
 24 to do with the people, we the people. We need to
 25 quit talking about "we" when we describe what they

416-2
cont'd

426-1 426-1

NNSA notes the commentor's concern regarding how seriously NNSA considers public comments. NNSA considers every comment received by U.S. mail, email, toll-free telephone or fax line, or at the public hearings. Refer to Section 2.2, NEPA Process, of this CRD for more information.

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 are doing. We need to make a distinction between the
2 people's will and the will of the master, and unless
3 we do that clearly and in public forums, we will not
4 be able to gain the attention of those who are
5 totally uninformed.

6 Such hearings as these, with all the
7 electronic mediums we have, should be televised and
8 broadcast in their entirety. Announcements should
9 have been made about these meetings on the electronic
10 waves, as well as in the newspapers. The fact
11 remains that there are people in control who really
12 do not want public comment. It's merely a ritual to
13 be endured. I'm reminded of a saying of Patrick
14 Henry, one of the early revolutionaries of this
15 country, after the British Empire was dethroned here,
16 and for a short time, Patrick Henry and his
17 compatriots had an idea of self-government. Well,
18 that got waylaid with the passage of the federal
19 constitution, a mere 11 years after the conclusion of
20 the Revolutionary War. This history is not really
21 highlighted in the mainstream curricula of the public
22 schools or the universities, so we don't know the
23 history. But Patrick Henry understated the case when
24 he stated, "To erect and concentrate and perpetuate a
25 large money interest must, in the course of human

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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ASSOCIATES Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 events, create one of two evils." We have both.
2 "The prostration of agriculture at the feet of
3 commerce and the change in the federal government
4 fatal to American liberty."

5 Under this private commercial jurisdiction
6 that we now live or reside under, owned by the owners
7 of the World Bank, the IMF, and the Federal Reserve
8 Bank, the cartel in this country, you know,
9 everything is prostrated to the feet of commerce.

10 But there's also a larger plan of world
11 domination. This nation is considered a potential
12 threat to the new world order, because we have that
13 history of the era of such people as Patrick Henry.
14 If we can revive that history and remember what it
15 was about and reinitiate the revival of the spirit of
16 the American Revolution, the new world order's plans
17 will be waylaid for another couple hundred years. So
18 to subdue awareness, we are piddling around with the
19 peripheral issues and not getting to the core issues:
20 Who's in control of our lives? It's not us. Does
21 talking to these people and petitioning them change
22 their course of action? I don't think so. In fact,
23 if you read the Declaration of Independence, one very
24 prominent phrase that sticks out in my mind is, "our
25 repeated petitions have been answered only by

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 repeated injury," and as Bob Hagee said when he was
2 up there, we've been doing this for 30 years, and is
3 repeating the same methods and expecting a different
4 result insanity, or are we fooling ourselves?

5 There has to be a different course of
6 action. Out here talking to each other, and mocking
7 the establishment doesn't work. We need to consider
8 how do we remove malevolent criminal syndicates from
9 the control of this country? How are we going to do
10 that? And if we don't ask ourselves that question,
11 we'll never get on the road to usurp the authority of
12 people who have no allegiance to this country. Their
13 allegiance is to a new world order. They want to
14 subdue this nation, and they're working on it with
15 many different projects, and they're doing a bad job
16 of it, and all of us will be victims of that if we
17 let them continue and institute a tyrannical
18 totalitarian regime.

19 MR. MacALLISTER: Who would like to speak
20 next?

21 MS. SUSAN RODRIGUEZ: And as some speakers
22 were talking about the danger of an accident up in
23 Los Alamos, I'm sure those of us know about 2,500.
24 Does that number ring a bell? Aren't there missiles
25 down there at Kirtland -- and they don't say whether

418-5 418-5

Activities at Kirtland AFB are beyond the scope of the CMRR-NF SEIS. NNSA notes commentator's concerns regarding accidents. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
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1-800-669-9492
e-mail: info@bhsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 it's there or not, but there were missiles in that
2 carved-out mountain, and they pulled it out and now
3 it's down at Kirtland. And the question that we
4 asked the city council is, "Well, you have these
5 missiles. What is your plan for the City of
6 Albuquerque, for us to get out of here or do
7 something?" Like, "Oh, great, I-40."

8 I remember I had to go up to Santa Fe and
9 the president came into town, and Paseo -- I live on
10 that side -- I was stuck there in traffic for half an
11 hour. I was late to that meeting, which turned out
12 to be awful. Maybe Joni remembers that. It was a
13 company that was going to say they didn't find
14 anything in the Buckman well. They were so
15 disrespectful. Here the company is getting money to
16 look at a project and had the poster right up here
17 and us sitting back there. It was the most
18 disrespectful presentation I have ever seen. And it
19 was infuriating. And when they would talk to you,
20 they were using pieces of paper on a board and
21 markers. It was really kindergarten stuff.

22 I'm not as well-educated in the sciences as
23 my daughter and my husband, who has a Ph.D. from
24 Michigan, but I do have an education, and I have some
25 self-respect. These people didn't have any

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 self-respect and didn't have any courtesy to us. And
2 a lot are that way, but for us at least to remember
3 that we still have to deal with those missiles right
4 down there at Kirtland, and we have to get answers
5 from our delegates, because I don't know what
6 Mr. Fleck knows about it, but probably he knows
7 something. I don't know whether he's gotten any
8 answers, but if that's true, that's really scary.
9 Okay, thank you.

10 MR. MacALLISTER: Joni, I believe you were
11 next. Is there somebody who would like to speak
12 after Joni?

13 MS. JONI ARENDS: My name is Joni Arends.
14 I'm with Concerned Citizens for Nuclear Safety. So
15 my comments are addressed to Steve Fong, to Roger
16 Snyder, to John Tegtmeier, to Bruce MacAllister.
17 How many groups got a little letter asking to make
18 sure that these public hearings included provisions
19 for people to be feeling comfortable? We asked that
20 we be able to, I believe, speak from the podium. I
21 guess we were supposed to speak there. That's not
22 going to work for the three other hearings.

23 I kind of feel like we're playing the same
24 game that we played with the White Rock scoping
25 meetings, that it was necessary to go in the other

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 room in order to make public comments.

2 When we went down to Pojoaque, there was
3 some accommodation made. I want to contrast again
4 the difference between when DOE headquarters does a
5 public meeting, like the recent Greater than Class C
6 Draft Environmental Impact Statement where we were
7 able to hear one another. There was a facilitator,
8 there was a court reporter. It's a very different
9 situation when either the Albuquerque Site Office or
10 Los Alamos National Laboratories is in charge of
11 holding these meetings.

12 Now, we spent time putting together an
13 e-mail to you all about what we needed for these
14 meetings, and what we found tonight is, we found the
15 facilitator standing behind the speakers in a very
16 intimidating way. That's not going to work in the
17 other three meetings, hopefully four. Hopefully
18 Roger is going to consent to a hearing in Taos
19 tonight.

20 I don't know why I need to spend my time
21 reprimanding the Department of Energy when we thought
22 that we had an agreement about the structure of these
23 hearings. I'm also very concerned about how we were
24 told originally that we would have five minutes each.
25 I felt a sigh of relief through the room, where

421-2 421-2

NNSA notes comments on the structure of the public hearings. The length of time given to commentors to speak at public hearings was predicated on the number of commentors that were anticipated to request to speak, given the total amount of time available for all speakers. Time was available after all requested commentors spoke to open the floor. In addition to other methods offered at each public hearing to comment, the floor was open to the public until the allotted time. Please refer to Section 2.2, NEPA Process, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 people thought, oh, I'm going to be able to say
2 everything that I wanted to say. And then we're cut
3 down to three minutes.

4 So either you have to decide that we're
5 having three minutes, or we're having five minutes.
6 I mean, Don already eloquently described all of this.
7 I didn't bring the memo with me or the request,
8 because I thought that this was all resolved. After
9 30 years, like Bob has said, there comes a point
10 where there's a level of respect, and I don't feel
11 that tonight. I don't feel it in this process where,
12 number one, our comments are being heard. We wrote
13 the e-mail in good faith in order to facilitate
14 public comment on this very serious matter. So we
15 can try it again tomorrow night. We'd like a podium,
16 we'd like the opportunity for everybody to hear one
17 another speak. We'd like a presentation by the
18 Department of Energy to explain this very complicated
19 material. Any other suggestions, Scott, Janet? Don?

20 You know, I don't want to get emotional,
21 but it makes me really, really sad, because I don't
22 understand if we have an agreement with John, who's
23 the document manager, or we have an agreement with
24 Elizabeth, or with Steve or with Roger, why, when we
25 travel 60 miles to be at this meeting, there isn't

421-2
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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
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Section 3
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 that understanding that we're going to get what we
2 asked for when it was agreed upon.

3 So I probably said too much, but
4 Mr. MacAllister, it's really important that tomorrow
5 night you don't stand behind speakers. It's very
6 important that you calculate the amount of time. As
7 Don said, 39 speakers. You know, it's the same kind
8 of disrespect as was shown in the White Rock hearing,
9 or scoping meeting. And then the adjustments that
10 were made at the Pojoaque scoping meeting, and I hope
11 we don't have to fight about it tomorrow night.
12 Thank you. (Applause.)

13 MR. MacALLISTER: Ma'am, you were next, and
14 there is there somebody else who would like to speak?
15 Sir? You'll be next.

16 SPEAKER FROM THE FLOOR: I have a question
17 to ask. I really support what Joni's been saying. I
18 have been part of these agreements, broken
19 agreements, I guess we could call them, and I'm
20 wondering, are you planning to stay until 9:00, since
21 it was announced that these hearings would go until
22 9:00? I mean, you know, because the people that are
23 here are done speaking does not necessarily mean that
24 someone might not come in later. So you'll be here
25 until 9:00? Okay.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 And I want to reiterate what Bob has said
2 about the 30 years of hearings, and to say that, you
3 know, one more nuclear project for New Mexico. One
4 more. And then one more. And then one more. And
5 then uranium mining. Does that have to do with the
6 fact that we're one of the poorest states? Does it
7 have to do with the fact that we are a minority
8 majority state? Does it have to do with the fact
9 that we've had corrupt leaders that don't represent
10 us? Does it have to do with the passing of money and
11 making deals in back rooms? Why are all these
12 nuclear projects coming here? Most of the people in
13 New Mexico don't want them. Money and jobs. Money
14 and jobs. We're poor. We're up against the wall.
15 We have to have the money and jobs. You know? The
16 Department of Energy, Department of Energy, dear
17 Department of Energy, we need new ideas. We need the
18 rivers taken care of. We need alternative energy.
19 We don't need more nuclear projects. For us, you
20 know, it's a matter of environmental racism, among
21 other things, that these projects keep coming here.
22 That's all.

23 ERIC: Hi. My name is Eric. In defense of
24 Bruce getting behind people, I'm a master's in
25 geology, and I've been to many conferences, and it's

427-1

427-1

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, alternative energy and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the construction and operation of the CMRR-NF.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
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1-800-669-9492
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Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 common for a moderator to get up when someone's time
 2 is getting close. You shouldn't feel threatened by
 3 it. It's happened to my advisors. Also my friends
 4 have given talks. The person stands up to let them
 5 know their time is up, and this happens at scientific
 6 conferences. This is not the man trying to threaten
 7 you. Even though you may feel that, I mean, in his
 8 defense, it does happen and it's not personal.

9 SPEAKER FROM THE FLOOR: Says you.

10 ERIC: Yeah, says me, right. I have a
 11 right to say it. Sorry. I'm probably the only one
 12 that -- I agree with many of your --

13 SPEAKER FROM THE FLOOR: This is not a
 14 geological conference we're talking about.

15 ERIC: It's a common moderation technique
 16 to let someone --

17 MR. MacALLISTER: The ground rules state
 18 that the speaker has the floor and there's not
 19 argument from the --

20 ERIC: I'm sorry, but it even happens in
 21 calm, fun environments.

22 MS. SUSAN RODRIGUEZ: We're saying we don't
 23 like it.

24 ERIC: Well, that's just the way moderation
 25 is done.

428-1

428-1

NNSA notes the commentator's support for how the public hearing was conducted.

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@litisupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 MS. SUSAN RODRIGUEZ: We don't like it.

2 MR. MacALLISTER: Excuse me, ma'am. Again
3 I'm going by the ground rules. Let the speaker
4 speak. You'll have a chance to speak if you need.

5 ERIC: In terms of the timing, it's
6 probably pretty easy to gauge how much time someone
7 should have, but I think it's important, sir, you
8 brought this issue up, and everyone understands that
9 after everyone's done talking, people that might not
10 have had something to say might be encouraged to say
11 something based on what they have heard. So I think
12 it is important to have some time after the allotted
13 time has been taken for people to come up and perhaps
14 say something that they were inspired to say while
15 hearing others. And so I think there should be some
16 time afterwards. Maybe, you know, they left too much
17 time tonight, but I do think there should be some
18 time for people that are inspired to say something.
19 (Applause.)

20 MR. MacALLISTER: Is there another person
21 who would like to speak?

22 SPEAKER FROM THE FLOOR: I just had this
23 piece that I was interested in saying before, and
24 when we were instructed about making our comments at
25 the beginning of the evening, we were told we were

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 supposed to engage in civil comments and behaviors,
2 civil manner, and represent high level of discourse.
3 Even that kind of -- that's a reprimand, as if we
4 didn't know how to speak our sentences and abide by
5 the general social rules. It sounds as if we were
6 some kind of rabble, "You just never know what
7 they're going to do."

8 Further, the moderator was not simply
9 signaling times up. He was standing behind you and
10 hovering in a way that, for people like me who don't
11 do much public speaking, is nerve-racking. I think
12 there are many ways to do moderation that are
13 congenial. I have spoken before, I have not fallen
14 apart. I find this setting, just my own personal
15 self, I find it -- not right now, but before -- very
16 difficult.

17 Anyway, this was the thing that I wanted to
18 add to the conversation, and that is sometimes we're
19 misled by phrases. There was an article on the
20 nuclear industry in The Reporter this last week,
21 nuclear industry in New Mexico, and a technician was
22 quoted as saying, quote, "The state's nuclear future
23 is bright."

24 I think the language is very misleading,
25 because we have not seen much benefit to the

429-1

429-1

NNSA notes the comment on the conduct of the public hearing. The format of the public hearings was based on previous NNSA NEPA document hearings. Please refer to Section 2.2, NEPA Process, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 communities of New Mexico from the federal funds that
2 have poured into the laboratory. It's not the
3 state's future that's bright. It's the nuclear
4 industry's future that is bright, and it's simply a
5 different kettle of fish from the state. The state
6 ought to be here for the benefit of the population,
7 and still we are suffering in our schools and our
8 social systems. I won't go into the list; everybody
9 else has done it. But I'm sure the man who was
10 quoted in this article saying the state's nuclear
11 future is bright -- I'm sure he was thinking that it
12 goes to everyone. But, in fact, it's a very, very
13 restricted benefit. That's all I have to say. Thank
14 you.

15 MR. MacALLISTER: Is there anybody else who
16 would like to speak? Sir.

17 SPEAKER FROM THE FLOOR: In law, it's
18 called violation of due process. That's what Don
19 Hancock was talking about. It's also the arrogance
20 of power. You know, I went to the court hearings on
21 the lack of an environmental impact statement. The
22 environmental impact statement from 2003 and the
23 record of decision are dead and gone. That facility
24 cannot be built because of the seismic problems.
25 Okay? And you know, when it got right down to the

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Section 3
Public Comments and NNSA Responses

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1 bottom line, Roger Snyder and his attorneys are
2 crying national security.

3 Now, I actually read some of these
4 documents that you people write and your
5 justification for not considering alternatives, and
6 when you dealt with the justification for not
7 building this facility at all, the justification was,
8 well, President Obama and Vice President Joe Biden
9 have said we got to have this.

10 Now, it's one thing to say that, and I can
11 see Roger smiling back there. But you know, it's
12 another thing when you have got Mr. Don Stosfield
13 (phonetic) pimping, pimping the federal government
14 for funds. You know? He goes to these conferences
15 and these budget hearings, and everything. He says,
16 you know, jeez, you know -- he combines with the
17 other lab directors, and they get together and they
18 say, you know, we've got to have this stuff for
19 national security to protect ourselves, you know.

20 It reminds me of a book I read years ago in
21 anthropology, and I'm not sure who wrote it, you
22 know, but it's about cannibals. And they would go
23 and grab one guy and take him back and cook him and
24 eat him, and then they'd get all paranoid, you know,
25 they'd be on the defensive, because they knew that

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 there was going to be some kind of revenge coming
2 down the road.

3 And that's where this country is with
4 national defense, you know. We're so paranoid about
5 the rest of the world. But more than that, it's a
6 monster money-maker for your people, isn't it?
7 That's what it's about, is the money. You have got
8 this project.

9 We've got -- this project's gone from
10 \$350 million and then when you discovered seismic
11 problems, it went to \$6 billion. Now you're talking
12 about 12 years out into the future, to even finish
13 this thing assuming, assuming you can overcome the
14 seismic problems, and the engineering and design
15 problems that you are faced with, but that's another
16 12 years. So, let's figure, what was the percentage
17 rate of cost escalation from 350 million to
18 \$6 billion over -- let's see, from the time period of
19 2003 to 2011, that's eight years. I don't know, I
20 don't have a calculator in my head.

21 But if you are going to continue that kind
22 of escalation of costs, what are we looking at,
23 \$20 billion, you know, and then you make these silly
24 remarks in your Supplemental EIS about, well, gee,
25 the old CMR, won't work, but we're going to hold it

430-1

430-1

Continued use of the CMR Building is one of the alternatives considered in the *CMRR-NF SEIS*; however, this alternative would not meet NNSA's purpose and need for action as stated in the SEIS. As described in Chapter 1, Section 1.3, the CMR Building's nuclear operations and capabilities are currently restricted to maintain compliance with safety requirements. Due to facility limitations, the CMR Building is not being operated to the full extent needed to meet DOE and NNSA operational requirements for the foreseeable future. These limitations do not currently support the missions that NNSA has assigned to LANL. See Section 2.11, Alternatives Considered, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 in reserve just in case that we run into financial
2 problems,

3 Well, which is it? You going to shut down
4 the CMR or not, you know.

5 Now, let's talk a little about the
6 arrogance of power, again, when it comes to
7 scientific investigation. You were supposed to
8 discover what the deep seismic status beneath TA55
9 was. You were supposed to build at least three deep
10 boreholes. You built one to 741 feet. I read the
11 Klinefelter (phonetics) report, and I read another
12 report that that was based on. And, frankly, your
13 supplemental EIS is an advertisement for such gross
14 deficiencies in your understanding of the seismic
15 situation up there, that this EIS ought to be a red
16 light to you, that we can't build this. This isn't
17 even worth considering this site as a location for
18 storing 13,200 pounds of plutonium, which is one of
19 the most explosive and dangerous substances on the
20 face of the planet.

21 You know, what are you thinking? You know,
22 is your mortgage so important to you that you are
23 willing to risk everything in the state on your
24 ignorance, your arrogance, your obstinacy?

25 You know, there were people in Fukushima,

430-1
cont'd

430-2

430-2

There has been extensive seismic characterization of TA-55 and the CMRR Project site. Chapter 3, Section 3.5.2.4 of the *Final CMRR-NF SEIS* has been revised to address the deep seismic characteristic borings referred to by the commentor. Deep geotechnical borings were drilled at TA-55 to characterize the complete geologic column down to the basement bedrock level. These borings were completed for geotechnical characterization of the subsurface and not for the purpose of identifying the presence or absence of deep faults. Three boring locations were initially identified; however, only two borings were deemed necessary to provide corroborative characterization of the deeper portions of the geologic column. The third boring was identified as an alternative and would have been drilled only if the currently planned site at TA-55 were deemed not viable. Borehole DSC-1B was drilled to a depth of 741 feet (226 meters) below ground surface, while borehole DSC-2A reached a total depth of 550 feet (168 meters) below ground surface. The geologic formations that are most relevant to TA-55 are those that would influence seismic ground response and foundation performance. Seismic ground response, as determined by these two deep seismic characterization borings, is affected by the relatively high seismic wave velocity of the basement rocks, consisting of the Cerros del Rio basalt and Tschicoma Formation dacite (both of which are relatively hard volcanic rocks), and the much lower seismic wave velocities of the overlying, softer Bandelier Tuff. From data provided by Klinefelter (2007a), DSC-1B was the only deep borehole to penetrate into the Tschicoma Formation dacite.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 they're elderly now. They're in their 80s, and they
2 said don't build, don't build this nuclear reactor
3 here. This is a dangerous site. We can have
4 tsunamis here, you know.

5 Now, you've got the public here, and
6 they're saying, don't build this thing here. This is
7 a dangerous site, you know. But you're not going to
8 listen to them. It's because of the arrogance of
9 power. Once you start making that kind of money you
10 feel like you can do anything. And you've got your
11 Joe Biden and the president on your side. So you've
12 got unlimited resources.

13 You know, that courtroom hearing that you
14 were out there, Roger, doesn't it -- there's a big
15 seal behind the judge, and it says, United States
16 District Court. It doesn't say, people's court of
17 the United States. And that's what the public is up
18 against. You know, the courts assume and give great
19 deference to the so-called experts of the government.
20 They're supposed to know.

21 So if the public walks in with an expert
22 and says, you know, that's wrong, the judge just
23 waves them aside.

24 Now you guys know in the federal government
25 that you've got that going for you. You know, you've

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 got money, you've got power, you've got the court
2 system on your side. So you can go ahead with the
3 most insane, stupid, idiotic location for building a
4 factory. You ought to be ashamed of yourselves, you
5 ought to be ashamed of yourselves. (Applause.)

6 But more than that, you ought to
7 reconsider, you should just reconsider.

8 What Anastasio needs to do, and Mr. Snyder,
9 and the rest of you guys, that have all the power, is
10 you need to go back and tell the president,
11 Mr. President, you know what? It's too dangerous to
12 build this stuff here. You need to have a moment of
13 honesty. When you really state the truth, and you
14 start thinking about something, other than your
15 mortgage, you start thinking about the safety of the
16 public, the safety of the American public, and you
17 start giving the President and Mr. Biden some real
18 information, this site is too dangerous, folks, you
19 know. Stop pimping the President, stop pimping the
20 vice president for funds. (Applause.)

21 SPEAKER FROM THE FLOOR: I just have
22 something very brief to say.

23 MR. MacALLISTER: Ma'am, in the blue, come
24 forward.

25 UNIDENTIFIED SPEAKER: And that is at the

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(505) 989-4919
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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1 last hearing that we had, we had -- there was a
2 professional facilitator, and he had a podium about
3 right there. And so the speaker -- though he was far
4 away from the speaker, the speaker could see him, and
5 he could say, well, you know, two minutes, three
6 minutes, one minute, and, you know, and the speaker
7 and the facilitator could speak to each other at
8 distance so that the speaker wasn't intimidated. I
9 just wanted to suggest that.

10 MR. MacALLISTER: Ma'am?

11 UNIDENTIFIED SPEAKER: I just have a
12 question to ask. I understood Don Hancock to say
13 that because the agreement, according to the rules
14 for holding this meeting, had not been met properly,
15 that 15 days has to be -- it has to be announced 15
16 days ahead of the meeting. And he said, if I'm
17 remembering correctly, that because of this, that you
18 need to go back and start from scratch, on this whole
19 issue, and go back to the regulations, follow the
20 regulations, and erase everything that went on that
21 was not according to those regulations, and start
22 from scratch with a whole new EIS, that you can't
23 start with what -- you can't carry on this continuing
24 process when what you have to do is start from
25 scratch.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@ttsupport.com

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DOE regulations state that "DOE shall hold at least one public hearing on DOE draft EISs. Such public hearings shall be announced at least 15 days in advance. The announcement shall identify the subject of the draft EIS and include the location, date, and time of the public hearings" (10 CFR 1021.313(b)). NNSA published a Notice of Availability for the *Draft CMRR-NF SEIS* in the *Federal Register* on April 29, 2011 (76 FR 24018). That notice stated that the public review and comment period would continue until June 13, 2011, and announced public hearings to be held in Los Alamos, Espanola, and Santa Fe on May 24, 25, and 26, respectively. On May 16, 2011, NNSA published a *Federal Register* notice (78 FR 28222) to extend the comment period 15 days and to add a hearing in Albuquerque. While the *Federal Register* notice appeared a week before the Albuquerque public hearing, a notice of the Albuquerque public hearing was published in the *Albuquerque Journal* on May 8 and 19, 2011, meeting the requirement for a 15-day advance notice.

All comments submitted to NNSA were considered in preparing the *Final CMRR-NF SEIS*.

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 So, are you going to go back and do a
2 different -- start with a new EIS and look at the
3 rules and abide by them, give 15 days' announcement
4 for the meeting, that's a public meeting, that will
5 be held, and start again with the beginning with the
6 EIS?

7 If Don is still around, if I left something
8 out or if I misunderstood what he said, I would like
9 to have that corrected, and get an answer from you.

10 MR. MacALLISTER: From me?

11 UNIDENTIFIED SPEAKER: Yeah, yeah.

12 MR. MacALLISTER: I'm sorry, ma'am, but my
13 role is simply as a facilitator to see that everybody
14 makes -- has a chance to make comments.

15 UNIDENTIFIED SPEAKER: Oh, well, if you
16 could --

17 MR. MacALLISTER: I can't speak on behalf
18 of the Department, but...

19 UNIDENTIFIED SPEAKER: Okay. Well, who
20 here can speak on behalf of the department?

21 MR. MacALLISTER: I'm not sure that this is
22 going to be the venue where that can happen.

23 (Laughter from audience.) This is comments -- this
24 is designed to receive comments, not to discuss the
25 procedures.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 UNIDENTIFIED SPEAKER: So you can't discuss
2 the procedures. (Laughing.) Well, I still want to
3 know what we have to do here, if we have to start all
4 over because you didn't give 15 days' notice, and
5 because the rest of the regulations were not carried
6 out that were part of the original agreement.

7 MR. JOHN TEGTMEIER: I can answer the
8 question for you to some extent.

9 UNIDENTIFIED SPEAKER: Okay.

10 MR. JOHN TEGTMEIER: We did publish in the
11 Albuquerque Journal in advance of 15 days notice.

12 SPEAKER FROM THE FLOOR: Can you speak up?
13 We can't hear.

14 (Speakers from the floor were talking at
15 the same time and could not be reported.)

16 SPEAKER FROM THE FLOOR: Keep in mind the
17 transcript.

18 MR. JOHN TEGTMEIER: Number one, I will
19 look at the notice and I did -- we did publish notice
20 of this meeting in the Albuquerque Journal North on
21 Sunday, more than 15 days in advance of this meeting.
22 So that --

23 UNIDENTIFIED SPEAKER: It was Sunday?

24 MR. JOHN TEGTMEIER: It was Sunday.

25 SPEAKER FROM THE FLOOR: At Albuquerque

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(505) 988-4949
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MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
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Section 3
Public Comments and NNSA Responses

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1 Journal North?

2 MR. JOHN TEGTMEIER: At North.

3 SPEAKER FROM THE FLOOR: North?

4 MR. JOHN TEGTMEIER: And also in other
5 papers. So we issued the information -- we posted
6 the information on our NNSA Website well in advance
7 of 15 days, including the decision to add this
8 meeting, but I will go back and assure that, and look
9 up when that notice was made, and I do accept the
10 comment, and I will follow up on that.

11 UNIDENTIFIED SPEAKER: I don't think we get
12 the Albuquerque Journal North in Albuquerque, I
13 think -- at least, I don't get it.

14 MR. JOHN TEGTMEIER: I will look into it,
15 yeah, but that's my recollection.

16 SPEAKER FROM THE FLOOR: I don't think that
17 was the --

18 MR. JOHN TEGTMEIER: Comments, so --

19 UNIDENTIFIED SPEAKER: But that's not
20 adequate anyway, the Albuquerque Journal is not an
21 adequate notice.

22 MR. JOHN TEGTMEIER: I will look into it.

23 MR. MacALLISTER: Comment's noted on the
24 record, so...

25 Are there other folks that would like to

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 make -- yes, sir, would you like to make a comment?

2 THE REPORTER: Could you get names? You're
3 not getting names.

4 MR. MacALLISTER: I'm sorry?

5 THE REPORTER: You're not getting the
6 names.

7 MR. MacALLISTER: And I'm being asked if
8 people are willing, to please provide their name
9 again for each comment so that our court reporter can
10 get that down for the record. But if you are --

11 UNIDENTIFIED SPEAKER: You want my name?
12 My name is (inaudible).

13 MR. MacALLISTER: And that was Floy Barrett
14 speaking.

15 MS. GREENWALD: And I'm Janet Greenwald. I
16 did say my name.

17 MR. MacALLISTER: I'm sorry.

18 UNIDENTIFIED SPEAKER: Okay. I just have a
19 few additional comments to make, because there were a
20 lot of them, second-round comments that were very
21 good, I thought.

22 To me, this project looks like it's a make
23 work project for the nuclear industry. It's
24 something that if we're really going to be working
25 for peace, why are we working for war? You know, it

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NNSA notes the commentator's opposition to the nuclear industry. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
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MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 just seems incongruous to me. And I think some of
2 the -- I'm guessing at this, so it may not be totally
3 valid. But my assumption is that some of the higher
4 priced people that will be working on this project,
5 after the project is over with, will be able to run
6 home and not worry about any pollution that might
7 occur after the project ends, if any. Let's hope
8 not, okay?

9 But the record of sites that have nuclear
10 projects going on at them around this country has not
11 in the past been very good. So I'm just -- you know,
12 my lack of confidence, I guess, is showing here.

13 Another thing that was brought up, not in
14 this particular terminology, was the idea of mutual
15 assured destruction. It seems like maybe we're
16 headed in that direction, if we continue with
17 projects like this, where all we're doing, since we
18 hope never to use the products that we are building,
19 at this high price tag that we're going to be
20 building them at, if it happens, and I hope it
21 doesn't, but we are working toward war again. We
22 talk about peace, but it seems like the whole idea of
23 this project seems to be flying in the face of what
24 we talk about on the surface, our President talks
25 about peace -- or at least in other countries, maybe

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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1 not here, I don't know.

2 But I know, mutual assured destruction has
3 been normally referred to as mutual assured
4 destruction about -- in the past cold war era of the
5 Soviet Union had an old name, firing its missiles at
6 us, and us firing our missiles at them, and
7 essentially doing in the entire world.

8 Well, there's another way for mutual
9 assured destruction to occur, and that is, by
10 polluting the world. Fukushima served -- I forgot
11 the entire full name. But the Fukushima problem in
12 Japan that just occurred recently is a good example
13 of there's releases going into the air. I don't know
14 how well we are monitoring our conditions, the
15 changes here in the U.S., and in other parts of the
16 world, but I would imagine, readings have gone up
17 since Fukushima's problem had occurred. Apparently,
18 it's right now in meltdown, from what I understand.
19 But, anyway, even if it isn't --

20 We've also had releases that have gone into
21 the ocean. Who knows how long or how intense those
22 affects might be in the future?

23 And we are at a state now with nuclear or
24 nuclear industry, that any accident that happens,
25 does not just affect the place where the accident

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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 happens. It has the potential for affecting the
2 entire planet. Forget about just the U.S., or
3 wherever an accident might happen. The results of
4 accidents by the nuclear industry can affect us all
5 around the entire world. And I don't think we should
6 accept it.

7 I'd love to see the nonnuclear nations get
8 together and say, look, we object to you guys having
9 these nuclear power plants, which is a peaceful use
10 of nuclear energy, because if another Fukushima type
11 accident happens, who knows as nuclear plants --
12 excuse me, as nuclear power plants continue to be
13 developed and produced, they may get bigger, so that
14 the potential is not only for Fukushima, but it could
15 be, maybe ten, a hundred thousand times the Fukushima
16 problem happening.

17 And, so I think we need to be real careful
18 about how we allow our nuclear industry to operate,
19 and I think that's part of the reason we're
20 questioning the DOE and other groups involved with
21 the nuclear industry. It's just essentially mutual
22 assured destruction in another form, in my mind. I
23 mean, missiles are a very bad thing, and I hope we
24 never have mutual assured destruction, called MAD.
25 It's a very good acronym to remember, it shows how

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 mad some of the ideas we have in this world are.

2 We could be using this money for increasing
3 alternative energy in this country, we could be using
4 it for many, many other things; education,
5 healthcare, lots of other things. These projects are
6 really mad.

7 I just want to end with a paraphrase, since
8 I don't remember the exact quote, but it was said by
9 one person who I think I'm attributing it to -- I
10 will attribute to them, but you can't work on peace
11 and war at the same time. And it's an old quote --
12 well, an old paraphrase, since I don't think I have
13 the words down here exactly. But you really can't
14 work on war and peace at the same time. And that was
15 a very wise -- well, I will say smart, maybe not
16 wise. I think it was wise also, probably, but that
17 was, I believe, attributed to Albert Einstein, who
18 had thought a lot about things like this, and, you
19 know, I think we need to end the madness.

20 (Applause.)

21 MR. MacALLISTER: Thank you, sir.

22 Is there anybody who hasn't made a second
23 comment that would like to comment? Sir? Would you
24 like to state your name?

25 MR. SCOTT WATSON: Yeah, my name is Scott

432-2 432-2

Funding decisions regarding major Federal programs (for example, alternative energy and education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.2, NEPA Process, and Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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Section 3
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1 Watson. I would like to thank John for taking his
2 time to do this.

3 Wow, it's a very emotional issue, I think
4 for a lot of people, and I'm always impressed by
5 these public comments, sort of both sides of the
6 issue.

7 I guess I will stand in support of the CMRR
8 project. Having been a 45-year resident of
9 Los Alamos, I'm well aware of potential for hazard to
10 my house and my livelihood and my well-being, my
11 family, my friends, my relatives, my children.

12 The issues are serious, obviously, in the
13 sense that they take careful consideration, and
14 differing views will be presented here today.

15 I want to emphasize that my position is
16 based on the professionalism, the expertise, the
17 care, general respect for professionals like John and
18 others who deal with this work, who also have family,
19 children, et cetera, in close proximity to these
20 facilities.

21 I also lived near Rocky Flats. I spent two
22 tours in Iraq. I was on the BP oil spill effort.
23 I've seen what real disasters are, and I've seen what
24 Los Alamos is. And it is not a disaster site. It is
25 not an accident waiting to happen, or any of the

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NNSA notes commentor's support for the construction of the CMRR-NF.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4919
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 things that's been characterized here.

2 So, I just want to leave those comments for
3 those that are interested, perhaps a different
4 perspective. Thank you. (Applause.)

5 My name is Scott Watson.

6 SPEAKER FROM THE FLOOR: Do you work at the
7 Labs?

8 MR. SCOTT WATSON: Yes, sir.

9 MR. MacALLISTER: Is there anybody else who
10 hasn't already spoken or already made a second
11 comment, who would like to comment? If not, we have
12 time for other comments, and I believe, Mr. Hancock,
13 you had your hand up next.

14 MR. DON HANCOCK: Just an image that I
15 would like to leave people to think about, and I'd
16 like the Department of Energy to include it in its
17 further discussions. We've talked about numbers. I
18 would hope that most, if not everybody in this room
19 has been at the state capitol building in Santa Fe.
20 The size of the nuclear facility, as being proposed
21 in this document, is 50 percent larger than the state
22 capitol.

23 So, one can cause a lot of images in terms
24 of the importance of a shiny new bomb plant versus
25 the importance of the state government, and state

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 capitol. But think about whether -- and this is a
2 new building. It doesn't talk about the size of the
3 existing facilities of Los Alamos. This is just the
4 new building. What kind of statement that makes in
5 terms of what's important in the state of New Mexico
6 in terms of size and functions of buildings,
7 actual -- the state capitol and proposed nuclear
8 facility.

9 MR. MacALLISTER: Thank you, sir. You are
10 next. If there's nobody who plans to speak after our
11 next speaker, so I can cue you up, sir. You are
12 next. Ma'am, you're on cue now, and I'm just cuing
13 up the next person.

14 UNIDENTIFIED SPEAKER: Well, I was thinking
15 as I heard this talk, and I was thinking about the
16 magma. I don't think we've ever measured the exact
17 temperature of the magma at its depth. In other
18 words, we've never been to the center of the Earth.
19 And who was it who wrote, Journey to the Center of
20 the Earth? One of our authors. And, you know, maybe
21 if we dig deep enough, we can measure it. And, you
22 know, I look -- I look at everything in a positive
23 way. I try to make jelly out of berries, you know
24 what I mean, make it a good thing. And I just can't
25 really find -- because everything about the WIPP site

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 has been so negative.

2 When I started with Carlsbad, I tried to
3 save the animals in Carlsbad. The bats -- Phil
4 Ganyon (phonetics) has given up on the bats at
5 Carlsbad Caverns because some of the streams that are
6 supposed to be underneath the WIPP site have been
7 contaminated.

8 I'm sorry, but there is proof that some of
9 the nuclear energy from the WIPP site is going into
10 Carlsbad Caverns. And I don't like to hear things
11 like that. You know, what are we going to do? How
12 are we going to make this positive? I can't see
13 anything that can make this a positive thing. Why
14 not just take -- dig a deeper hole than we ever had
15 before, or is it to try to make the biggest bomb?
16 What is the purpose of it? What exactly are we
17 really trying to do? And, you know, Russia has a
18 bomb, so we build a bomb. And the Germans had the
19 first bombs, and, you know -- I mean, this goes on
20 and on and on. Why are we competing with our fellow
21 human beings to make the biggest bomb? That is what
22 I can't see.

23 And, I'm sorry, but I'm tired of talking to
24 the preacher. The preacher knows this. We all know
25 this.

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119 East Marcy, Suite 110
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(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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e-mail: info@btsupport.com

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Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 My point is, how do we spread that
 2 information? How do we make it into something that
 3 we can really prevent? Because, you know, we can go
 4 on in the meeting here, and talking about it, and
 5 I've been to these meetings before, and they've never
 6 done any good. So why do we have them? Why do we
 7 have a U.S. Senate? Why do we have a government? If
 8 we can't -- if people can't listen to our concerns
 9 and prevent certain things that should not happen in
 10 the first place? Why don't we talk about peace? Why
 11 don't we make the biggest peace movement in the
 12 country? Now that would be something. And then
 13 spread it to Mexico, and spread it up to the
 14 Norwegians. They are pretty good at peace. And make
 15 it grow. I mean, people tried that years ago, but it
 16 didn't work. But the bomb worked. And it's money,
 17 it's money, and how to get it, and how to keep it.
 18 And I'm so against that. I'm sorry, I sometimes get
 19 kind of emotional.

20 MR. MacALLISTER: Sir, you are the next one
 21 to speak.

22 SPEAKER FROM THE FLOOR: You have to give
 23 her your name.

24 Oh.

25 UNIDENTIFIED SPEAKER: I would just like,

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
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 Albuquerque, NM 87102
 (505) 843-9494
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 to --

2 MR. MacALLISTER: Mention your name if --

3 UNIDENTIFIED SPEAKER: I don't really want
4 to.

5 MR. MacALLISTER: Okay.

6 UNIDENTIFIED SPEAKER: The gentleman back
7 there that works at Los Alamos, Scott, I want to -- I
8 think it's good that you got up here and spoke. I
9 think it's -- it kind of -- it gives us an ability to
10 speak to the people that work for the DOE. And I'm
11 sure that you're a nice guy, you know, I'm sure that
12 if I was driving around Los Alamos, you probably
13 wouldn't cut me off in traffic, you know. But, I
14 happen to know some of the engineers that do sampling
15 in Cochiti Lake. And there is plutonium
16 contamination in the sediments in Cochiti Lake. And
17 I live down the stream from Cochiti. I live in the
18 South Valley, and we irrigate our water. We have a
19 well. And so that water comes from the Rio Grande.

20 So we're downstream from the pollution that
21 the people that work at the Department of Energy
22 create.

23 I mean, it's been shown that there are
24 radioactive materials in the Rio Grande River.

25 So, I don't understand, you know, how, if

434-1

434-1

There are established programs at LANL that address liquid discharges and cleanup of past contamination. Liquid discharges through permitted outfalls are sampled and analyzed to evaluate compliance with permit conditions; results are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF. A monitoring program is conducted at LANL (described in the 2008 *LANL SWEIS*, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, including reports of contamination in Cochiti Lake and the Rio Grande, and Section 2.5, Cleanup and Waste Management, for more information on cleanup of past contamination.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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Section 3
Public Comments and NNSA Responses

Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 you won't cut me off in traffic, it's okay for you to
2 make a living polluting our water and our air.

3 You know, we're real nice to each other on
4 some surface level, but at -- and the bottom line is,
5 we don't really give a (expletive deleted) about each
6 other, you know, we're going to do whatever we can to
7 make money, and buy nice cars, and have nice houses,
8 and just live the life of luxury. You don't care who
9 it hurts. What you do for a living hurts me. And I
10 don't like that. (Applause.)

11 MR. SCOTT WATSON: If I may rebut the
12 comments made about what I do for a living.

13 MR. MacALLISTER: Would you like to come to
14 the --

15 SPEAKER FROM THE FLOOR: Isn't this a
16 conflict of interest?

17 MR. SCOTT WATSON: I have heard a lot of
18 discussion this evening about mutual respect or at
19 least respect. With all due respect to you, sir, you
20 have no idea what I do for a living. Okay? You have
21 no idea what motivates me. You have no idea what
22 motivates my neighbors. You have no idea what
23 motivates my father. You have no idea. And for you
24 to make such a comment is pretty far out there.
25 That's really what I have to say about it.

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FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
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1-800-669-9492
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 MR. MacALLISTER: Thank you, sir.

2 Are there any further comments relevant to
3 the meeting topic on the environmental impact
4 statement?

5 Okay. Thank you. Thank you very much for
6 your participation. We will be available until 9:00
7 if there were other comments. I appreciate your
8 courtesy and your civility. Thank you.

9 (There were no more speakers until close to
10 9:00.)

11 MR. MacALLISTER: May I have your
12 attention, please? We have Leona Morgan, who would
13 like to make a comment.

14 MS. LEONA MORGAN: Hi. Thank you for your
15 time and for hearing me at the very last minute of
16 the hearing tonight. My name is Leona Morgan. I'm
17 Dineh, from the Navajo Nation, and the majority of my
18 family are in the Crownpoint area.

19 Crownpoint, New Mexico, is one of the
20 communities in eastern Navajo which has been plagued
21 with a lot of contamination from the uranium mining
22 that had gone on during the mid 20th century which
23 contributed to the World War II manufacturing of all
24 those weapons of mass instruction.

25 Right now one of the issues we're really

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(505) 988-4949
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201 Third NW, Suite 1630
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Section 3
Public Comments and NNSA Responses

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1 concerned about is not only the building of a new
 2 plutonium pit factory and using a lot of money from
 3 the United States Government to continue these acts
 4 of war. We're also worried about the push for
 5 nuclear power because that uranium that supplies the
 6 nuclear power plants comes from our area, and a lot
 7 of the Navajo communities who have been working
 8 against new uranium mining are also dealing with a
 9 lot of contamination from past mining. And there's
 10 one site in Church Rock which is a Superfund site,
 11 and as I understand, the estimated costs for cleaning
 12 up just one area goes into the hundreds -- you know,
 13 over \$100 million for one little area. And that's
 14 not to count all of the abandoned uranium mines all
 15 over Navajo Nation in New Mexico and in Arizona. So
 16 the cost to clean up these contaminated areas is
 17 overwhelming.

18 So I have to just say that I as an
 19 individual am against this new LANL building which
 20 would also cause a lot more contamination. And if
 21 the United States is going to spend billions of
 22 dollars, why don't they look at spending it on
 23 something which would help out our communities by
 24 cleaning up the mess that was left from the last
 25 century, so our generation, myself and the people who

435-1 435-1

NNSA acknowledges that there is substantial opposition to the CMRR-NF project, concern regarding waste management, and concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, environmental restoration) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



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 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 have not even been born yet -- we're going to inherit
2 this problem that was created by people we've never
3 even met who will not be alive to deal with the
4 radiation that we're going to have to live with. And
5 we know that you can't clean up radiation, once the
6 water is contaminated, once the earth is
7 contaminated, the animals, our food sources, the
8 plants, everything is going to cost not only the
9 lives and the ecological systems, you know. It's
10 going to cause them all to be affected, but it's also
11 going to cost human life, a lot of human lives. And
12 when we're talking about cost of a human life you
13 can't really put a price on that.

14 So being indigenous, like I said, I'm
15 Navajo, I'm Dineh, and I'm sorry, I should have
16 introduced myself. (In Navajo.) And so speaking
17 from the indigenous perspective, when we lose human
18 life, we also lose our cultural ways, and so whenever
19 we talk about contaminating the earth more, I'm from
20 Navajo and I'm dealing, you know, with the uranium
21 mining. But I know tomorrow night you guys will be
22 in Los Alamos and you'll probably hear from several
23 of the pueblos and those constituents.

24 So I just want to leave you with a story
25 that I heard last summer from some of the native

**435-1
cont'd**

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201 Third NW, Suite 1630
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Section 3
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1 people that live around the Los Alamos National Labs.
2 They, as a sovereign nation, have gone into an
3 agreement with the United States back when this area
4 was first being constructed that is it their
5 patriotic duty to allow the U.S. Government to come
6 in and use their land and their resources to build
7 this plant to "win the war."

8 So I understand the agreement was that
9 after the war was won, that the U.S. Government would
10 then leave. And so there are plenty of people out
11 there who are waiting for this to happen, and so this
12 agreement has not been forgotten. And so I know a
13 lot of the people who you will speak with tomorrow
14 are going to speak to this. And that is, like the
15 uranium mining, an example of environmental racism.
16 So I would just like you all to know that these
17 issues need to be consulted with on a
18 government-to-government basis and so I think that's
19 one thing that needs to be done. It's not only to
20 have public hearings in Albuquerque like this, but I
21 think you also need to have public hearings in each
22 of the pueblos and all of the native communities
23 downwind from this project.

24 And that's all I would like to say, so
25 thank you. Thank you for your time.

435-2

435-2

NNSA has undertaken public outreach efforts to ensure that tribal members understand the project and its implications. NNSA meets regularly with governors and others representing the Pueblos and tribes near LANL. In addition, DOE visited the San Ildefonso Pueblo during the public comment period to discuss the *Draft CMRR-NF SEIS*.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

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1 MR. MacALLISTER: Thank you very much.
2 Again, we will be available until 9:00 to take any
3 statements that people want to make.

4 (The hearing adjourned at 9:02 p.m.)
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Comments from the Albuquerque, New Mexico Public Hearing (May 23, 2011)

1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO ss.

3
4 REPORTER'S CERTIFICATE

5 I, BEVERLY ANN SCHLEIMER, New Mexico Certified
6 Court Reporter, DO HEREBY CERTIFY that I did report
7 in stenographic shorthand the proceedings set forth
8 herein, and the foregoing is a true and correct
9 transcript of the proceedings.

10 In testimony whereof, I have hereunto set my
11 hand on this 30th day of May, 2011.

12
13
14
15 _____
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PUBLIC HEARING
DRAFT CMRR SEIS
CMRR AT TECHNICAL AREA 55 (LOS ALAMOS)
May 24, 2011
5:33 p.m.
Holiday Inn Express
60 Entrada Drive
Los Alamos, New Mexico

Bruce MacAllister, JD, Public Hearing Facilitator
Mr. John Tegtmeier, CMRR SEIS Document Manager

REPORTED BY: Sally Peters, RPR, NM CCR 57
Mary Hankins, RPR, NM CCR 20
Bean & Associates, Inc.
Professional Court Reporting Service
201 Third Street, Northwest, Suite 1630
Albuquerque, New Mexico 87102

(1125K) SP/MH

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 MR. MacALLISTER: Good evening, folks. If
2 you can take your seats. We will start the meeting.

3 Good evening and welcome to the second of
4 four LANL CMRR Nuclear Facility Draft Supplemental
5 Environmental Impact Statement public hearings.

6 My name is Bruce MacAllister. I am the
7 senior principal in a company called Business
8 Excellence Solutions. I am an organizational
9 consultant, community meeting facilitator, and a
10 conflict resolution specialist doing mediation work
11 for the courts and facilitation work around the
12 community.

13 Let me give you kind of the layout for
14 tonight's meeting. There will be a short
15 presentation of about ten minutes, followed by some
16 introductory ground rules, followed by a period for
17 speakers to come to the podium. We have hand-held
18 mikes tonight. You are not constricted to the
19 podium. If you have notes and want to work from the
20 podium, you are more than welcome to use the podium.
21 On the other hand, if you are not comfortable with
22 the podium, that's fine as well.

23 Because we have a relatively small number
24 of people signed up to make comments tonight, as
25 soon as we get a final number at the ground rules,

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FAX (505) 820-6349



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Albuquerque, NM 87102
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FAX (505) 843-9492
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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

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1 before I start that comment section, we will give
2 you the exact timeframe on that.

3 Let me go through a couple of ground rules
4 before we get started and a few reminders. Let me
5 start with emergency exits. There is an emergency
6 exit behind those curtains. That's the quickest way
7 out of the room. As you know, the entrance coming
8 in here also serves as an exit, exit out the hallway
9 and to those front doors. This doorway up here is
10 also an exit. You would exit out this hallway to
11 the front doors. The restroom facilities, if you
12 need them, are out that door to the left and your
13 immediate left. That should take care of the
14 emergency questions.

15 As you know, we have the poster session
16 going on back here with subject matter experts, who
17 will be available through the course of the meeting
18 to answer questions about the materials there. And
19 I want to outline for you the various ways that are
20 available to you, in addition to this public meeting
21 format, for making comments. There is a big poster
22 back by the table in the back in the rear corner
23 there that has this same information on it.

24 There are multiple ways that you can make
25 comments between now and June 28th, of this year.

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201 Third NW, Suite 1630
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FAX (505) 843-9492
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3-1105

Section 3
Public Comments and NNSA Responses

Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 There is a court reporter available to take your
 2 comment directly. We have recording equipment that
 3 you can record a statement directly there. Those
 4 statements are not limited in time. Of course, they
 5 have to be submitted between now and June 28th, but
 6 you don't have to worry about a time limitation for
 7 the length of your comment. You can submit written
 8 comments. There are work stations back there for
 9 submitting comments that you can enter through a
 10 computer. Of course, you can use the United States
 11 mail, fill in a comment form, use e-mail, a toll
 12 free phone, fax. And so there are multiple ways
 13 that you can get your comments in.

14 If you do want to make a comment tonight,
 15 please be sure that you complete one of the sign-in
 16 forms. The way we will take comments tonight is
 17 directly off the form in the order in which you
 18 signed up to make your comment. I will be calling
 19 people to the mike and letting the next person know
 20 that they are next so that they can be prepared.

21 And again, the overall agenda, we will
 22 have a 15 minute presentation at the outset by the
 23 document manager for the program, John Tegtmeier,
 24 and the comment session runs until 9:00. So we will
 25 be available between now and 9:00 for anyone who

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
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 Albuquerque, NM 87102
 (505) 843-9494
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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

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1 chooses to come in, in that timeframe.

2 The comment period -- let me just double
3 check. Are we still good to go? Okay. So because
4 we have a relatively small number of comments
5 tonight, we would like to give people seven minutes
6 per comment. And we will have a person, a
7 timekeeper sitting up front to keep the time for
8 your comments equivalent. We won't cut you off at
9 exactly seven minutes. You will see a yellow card
10 that will give you a 60 second warning, a minute
11 warning, so that at six minutes you know that it's
12 time to start thinking about your most compelling
13 closing statement, and at seven minutes, you will
14 get a red card. Not like in hockey or soccer. We
15 are not going to kick you out. You will see a red
16 poster, and that's your signal to quickly wrap it up
17 to enable the next person to speak.

18 After the first round of comments, I will
19 take a show of hands. We will see how many people
20 have additional comments that they would like to
21 make, and based on the show of hands, we will make a
22 determination about timeframes for that, if any.
23 Last night we were able to let people just speak for
24 an unlimited amount of time within reason, and so we
25 anticipate that that will likely be the case

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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 tonight. We will just see how that goes. Don't
2 hold me to that, pending seeing how many hands might
3 pop up or how many late arrivals may come in.

4 Other basic ground rules before I turn it
5 over to Mr. Tegtmeier, the meeting is designed
6 principally to focus on the Environmental Impact
7 Statement for the Chemical and Metallurgy Research
8 Replacement Building located at TA-55 here in Los
9 Alamos. The comments are intended to be applied to
10 an assessment of the environmental impact of the
11 construction of that facility.

12 The officials who are present tonight to
13 answer your technical questions are not available or
14 it's not within their role to answer questions about
15 the larger policies of nuclear weapons, of
16 scientific priorities, that sort of thing. So you
17 are more than welcome to make comments in that
18 regard. However, the officials here won't be in a
19 position that they will be able to respond or answer
20 those types of questions. This is a comment period,
21 so the focus will be on listening to your comments.
22 The role is not to have laboratory officials respond
23 to comments at this point.

24 If we run out of time tonight, there are
25 two other sessions, and again, the multiple avenues

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

7

1 for reporting.

2 So at this point, I will be back at the
3 mike before we start our speaking to remind you of
4 some ground rules for the speakers, but at this
5 point I would like to turn it over to John
6 Tegtmeier, who is the document manager for the
7 project.

8 MR. TEGTMEIER: Good evening. I thank
9 everyone for attending.

10 A little bit about my role in the process
11 and a little background on the NEPA process, in
12 particular to this project to date, and then what is
13 going to happen between now roughly and the end of
14 the comment period.

15 I will start off with just a little
16 background. My role as document manager is to
17 manage the development and preparation of the
18 document. Also one of the big roles I have is to
19 encourage and facilitate public involvement in the
20 process, and I believe that's my most important
21 role. Also one of my roles is to ensure the
22 technical adequacy of the document and adherence to
23 the NEPA regulations both from the Council of
24 Environmental Quality and the Department of Energy.

25 For this project we prepared an

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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 Environmental Impact Statement back in 2003, and
2 that was followed by a record of decision in
3 February 2004. And the record of decision, based on
4 the previous Environmental Impact Statement,
5 approved a two building concept to be located at
6 Technical Area 55 at Los Alamos National Laboratory.

7 The first building is complete at this
8 time, and it's the Radiological
9 Laboratory/Utility/Office Building, or RLUOB, at
10 Technical Area 55. That's largely finished
11 construction, and they are outfitting the space
12 within the facility, and we anticipate people will
13 be moving into offices and other facilities probably
14 within the next six months or so, then sometime next
15 year into the laboratory space in that facility.

16 The second building is currently in
17 design, and that's the CMRR nuclear facility, and
18 that's the main focus but not the entire focus of
19 this Environmental Impact Statement Supplement, and
20 I will get into that a little more in a second.

21 Since the 2003 EIS and the 2004 Record of
22 Decision, some new information has come to light
23 about the project and the location where it's
24 proposed to be sited at this time. Some additional
25 geological mapping was done in 2006 timeframe, and a

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(505) 843-9494
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1 lot of that is depicted on the posters, and you are
2 free to ask questions about that process. They did
3 borehole drilling, they did fracture mapping, and
4 they were looking in large part for the presence of
5 faults in the vicinity. That was one aspect of the
6 geologic mapping.

7 In addition, a new seismic study was done
8 for the Los Alamos area, primarily focused on the
9 area between Technical Area 55 and Technical Area 3,
10 and that is a required ten year update of the
11 probabilistic seismic hazard analysis. Each DOE
12 site has the requirement to do that. So that
13 document was completed in 2007, and it identified an
14 increase in the horizontal and vertical ground
15 motions associated with proposed earthquakes with
16 different return periods here at the site. So as
17 that new design information became available, that
18 was some of the information that was briefed at the
19 semi-annual project meetings that many of you have
20 attended.

21 Based on that new information, last year
22 the laboratory prepared a supplement analysis
23 which is part of the NEPA process when you have an
24 existing Environmental Impact Statement. So the
25 supplement analysis is a further look at new

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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 information to determine whether any additional NEPA
2 documentation is required, and that was submitted to
3 the Los Alamos site office last summer.

4 In between that period of time, a decision
5 was made to actually go ahead and prepare the
6 Supplemental Environmental Impact Statement for the
7 project. So we issued a Notice of Intent in the
8 Federal Register on October 1st last year, and we
9 had a 30 day period for scoping which was extended.
10 We had two public scoping meetings in White Rock and
11 Pojoaque.

12 So having that information from scoping,
13 looking at new information, and also looking at new
14 requirements for the NEPA process, some of those in
15 the Department of Energy realm, we looked at some
16 new analyses. So one of those areas of new analysis
17 that is described and analyzed in the Environmental
18 Impact Statement is greenhouse gas emissions.

19 We also looked at intentional destructive
20 acts, you know, terrorist acts, things that might
21 create scenarios that would have environmental
22 impacts, impacts to workers, the public, or the
23 environment. We also did a new analysis of the
24 transportation of demolition waste. One of the
25 Record of Decisions also was to completely demolish

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1 the CMR Building when operations were suspended, so
2 we did a transportation analysis for that demolition
3 waste.

4 The analyses we updated, including the
5 construction impacts. In order to meet the new
6 seismic requirements, the building would need to be
7 built stronger. There is more concrete, more
8 reinforcing steel, more structural steel, more
9 excavation, more disturbed areas to support the
10 activities, like lay-down areas, et cetera. Here
11 again, that information is available in any
12 questions from the subject matter experts.

13 We also looked at operations impacts, not
14 only for the new proposed facility, but also, since
15 it's fairly complete and we understand RLUOB,
16 operational impacts associated with RLUOB and the
17 existing Chemical and Metallurgy Research Building
18 at Technical Area 3. We also updated the accident
19 analysis for the CMR Building. We have a documented
20 safety analysis that the department approved last
21 summer, and we also have the latest preliminary
22 documented safety analysis for the proposed new
23 facility. So that's also reflected in the document
24 and a specific appendix.

25 We also updated some human health impacts

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Section 3
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1 from radiological emissions due to operations. Part
2 of that was due to some new changes in the modeling
3 technique, and additionally we focused on some of
4 the information available to date from the latest
5 census.

6 The alternatives that we currently have in
7 the Draft Supplemental EIS, we have a No Action
8 Alternative, which is to construct and operate the
9 nuclear facility as it was described in the Record
10 of Decision in analyzing the 2003 EIS. In that
11 sense, a No Action Alternative is not to change the
12 action or change the decision that was made at the
13 time. So that's kind of maintaining the status quo
14 in NEPA space. That's a common way to look at no
15 action.

16 We also have the modified CMRR Nuclear
17 Facility Alternative, which is to construct and
18 operate the new nuclear facility at Technical Area
19 55, certain design and construction modifications
20 that address the changes to the seismic safety and
21 geological conditions of the site.

22 We currently have two options, a deep and
23 shallow excavation option. The shallow excavation
24 option is new, since the time of the Notice of
25 Intent back in October, based on information that

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1 the continuing design efforts have shed light on, so
2 that is still under work. Here again, that's
3 described back in the posters. We also have a
4 continued use of the CMR Building alternative, which
5 is also described in the document, and that's the no
6 construction alternative, and that's not to
7 construct a replacement and maintain the limited set
8 of operations in the CMR Building as long as
9 feasible and still meet the safety requirements.

10 As far as this document process, since the
11 scoping, we posted the Draft Supplemental EIS for
12 the project on our NEPA web page, the NNSA NEPA web
13 page on April 22nd, and the Notice of Availability
14 was published by the Environmental Protection Agency
15 the following Friday on April 29th, which
16 technically started the 45 day comment period.

17 The NNSA, based on requests from the
18 general public, extended the comment period by 15
19 days, and that decision was made on May 6th of this
20 year, and now the public comment period extends to
21 June 28th, as Bruce mentioned.

22 Bruce also mentioned the public hearings.
23 I just wanted to reiterate those. In addition to
24 this evening, we have a meeting tomorrow evening at
25 the Santa Claran Hotel in Española. That same

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1 timeframe, same format, same procedures we will go
2 through, so that will happen tomorrow evening. And
3 also in Santa Fe on Thursday evening, same time,
4 same format, at the Santa Fe Community College south
5 of town.

6 Just a little bit more on the comments
7 that Bruce mentioned. There are a number of ways to
8 provide comments on the draft document. I encourage
9 everyone to participate in that. You are not
10 limited to just one set of comments. You can make
11 multiple comments over time, many mechanisms. As I
12 said, one of my main roles is to encourage and
13 facilitate that participation.

14 So we are really looking at comments on
15 what's in the draft document -- alternatives,
16 analyses, we may have done, impacts, et cetera. So
17 that's what we are hoping to get. And I just want
18 to remind you that anyone is welcome to provide
19 comments as a private citizen, no matter who your
20 employer, so we would encourage that, but as a
21 private citizen. I know there may be some interest
22 out there.

23 And with that, I would like to turn it
24 back over to Bruce, and we will start with the rest
25 of the meeting.

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1 MR. MacALLISTER: Thank you, John.

2 MR. TEGTMEIER: Thank you.

3 MR. MacALLISTER: Just a few more brief
4 comments, and then we will tie into our comment
5 session. There are a few ground rules that I want
6 to lay out for you all just to make sure that we are
7 reminded that this is an official public hearing.
8 The comments are being recorded. They will be
9 distributed to multiple sources for multiple
10 reasons.

11 And accordingly, since this is a public
12 hearing, we are required to expect appropriate
13 decorum in the meeting. So I'm going to be asking
14 you all to please wait until your scheduled time to
15 comment. And because we are transcribing the
16 comments, it's extremely important that people speak
17 one at a time. Comments from the audience make it
18 difficult for the transcribers to hear the
19 transcription, and I will be asking people, if they
20 are carrying on conversations or making comments
21 from the audience, to kindly step outside to have
22 those conversations and to please refrain from
23 making comments to the commentator as they are
24 making their comments so that we can keep the flow
25 of the meeting moving and the comments clear and

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1 concise in the record.

2 You are not absolutely required to do this
3 if you feel like it's not something you are
4 comfortable with. We do request that you identify
5 yourself at the beginning of your statement. That
6 allows the court reporter to know where the first
7 person started, the next person started, that sort
8 of thing. If you are not comfortable with that,
9 please talk to me and we will identify you by
10 speaker number.

11 Again, please keep the process civil and
12 keep your language civil and appropriate. Remember,
13 again, this is an official public hearing, and we
14 will have plenty of time for rounds of additional
15 comments. So for the first round, to ensure that
16 everybody has a chance to speak without having to
17 wait too long to make their comments, please abide
18 by the time limits that we have set, which will be a
19 seven minute timeframe with a warning at six
20 minutes. So please yield the mike to me if I
21 request it at that seven minutes. All right.

22 And just as a matter of courtesy to
23 others, please silence your cell phones and any
24 other noise-making devices that you might have on
25 your person. I hear some going off right now.

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1 And at this point, I would like to
2 recognize two public officials in the house. We
3 have Matthew Roybal, who is the constituent liaison
4 and IT administrator for Mr. Ben Ray Lujan.

5 Mr. Roybal, thank you for coming.

6 We have representative Nick Salazar of the
7 New Mexico legislature here with us. Thank you,
8 Mr. Salazar, for attending. I appreciate your
9 interest.

10 At this point, again, I will make the
11 podium available and a mike available. You are not
12 required to use the podium if you don't want to.
13 You can speak wherever you are comfortable up here,
14 so as long as the court reporter can see you and
15 basically follow what you are saying. And I will be
16 calling people by name, and I will be letting the
17 next person in line know that they are on deck, so
18 to speak, to be the next speaker.

19 So without further adieu, let me call Ray
20 M. Baca, and he will be followed by Danny Beavers.

21 Thank you, Mr. Baca, and I think this mike
22 actually works better. If it doesn't you can have
23 this one.

24 MR. RAY M. BACA: Thank you very much.

25 Again, my name is Ray Baca. I am the

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1 executive director for the New Mexico Building
 2 Trades Council. In that capacity, I represent all
 3 of the construction labor unions here in the state
 4 of New Mexico, including approximately 800
 5 construction and maintenance workers who currently
 6 work at the laboratory. These are good-paying,
 7 family-sustaining jobs that unfortunately are
 8 otherwise not available in northern New Mexico and
 9 not for a long distance.

10 Let me remind everybody that the
 11 construction industry in New Mexico is in dire
 12 straits. It is in a depressed mode like it is in
 13 much of the country. The unemployment rates for
 14 construction workers in New Mexico is fully double
 15 if not triple the rates of the average unemployed
 16 New Mexican. It is not uncommon to see unemployment
 17 rates and under employment rates of 25 to 28 percent
 18 in many of the crafts that are represented.

19 The project, the CMR project, if it ever
 20 comes to be, would employ upwards of 1,000
 21 construction workers off and on over the course of a
 22 10 to 12 year period. Obviously this would be a
 23 huge boost to the construction industry in New
 24 Mexico, but much, much importantly, it would be a
 25 huge boost to the construction families in New

501-1 501-1

NNSA acknowledges the commentor's support for construction of the CMRR-NF. The socioeconomic sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



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 201 Third NW, Suite 1630
 Albuquerque, NM 87102
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1 Mexico who are in dire need of these positions.

2 With all due respect to those people who
3 are opposed to this project and other similar
4 projects, we respectfully urge the laboratory and
5 DOE and all the other powers that be to begin this
6 project sooner than later. Thank you.

7 MR. MacALLISTER: Thank you, sir.

8 Danny Beavers followed by Robert Carman.

9 MR. DANNY BEAVERS: My name is Danny
10 Beavers. I am a business representative for
11 Plumbers and Pipefitters, Local Union 412. We
12 represent approximately 2,000 members across the
13 state of New Mexico. And I am here to speak in
14 favor of the project also, not only for the economic
15 impact to the state of New Mexico, northern New
16 Mexico, the construction industry itself, but my
17 understanding, if I remember correctly, the facility
18 that is scheduled to be replaced is probably 60
19 years old.

20 There is going to be nuclear weapons and
21 there is going to be things of that nature as long
22 as the country and the world is in the state that
23 it's in. I would just as soon have them done in a
24 brand new, state-of-the-art facility that's built to
25 the codes and the specs that it needs to be built at

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NNSA acknowledges the commentator's support for construction of the CMRR-NF. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Special designs, operations, and procedural measures to protect workers and the public would be incorporated into the design and operation of the CMRR-NF. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentators during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

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1 than in the antiquated facility that I worked in
2 when I worked up here 20 years ago and was built by
3 my father who has been a member of this union for 55
4 years. So the building is antiquated. It needs to
5 be replaced.

6 Not only will we have a safer facility.
7 TA-55 itself I worked on 34 years ago when they were
8 building it, so that shows the age of that facility.
9 So they both need to be worked on, replaced, and
10 kept up, and not to mention the thousand
11 construction jobs, the money that that would create
12 through the state, and the economic impact it would
13 have throughout northern New Mexico, so I do support
14 this project. Thank you.

15 MR. MacALLISTER: Thank you, sir.

16 Robert Carman followed by Alfred Arias.

17 MR. ROBERT CARMAN: Good evening,
18 everyone. My name is Robert Carman. I was born in
19 Los Alamos about one year after the Soviet Union
20 detonated their first atomic bomb. My father, who
21 was drafted into the army, was sent to Los Alamos
22 and helped design and build all the first atomic
23 weapons. I guess, as such I could be considered an
24 offspring of the atomic age.

25 I have an uncle who was blown to

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Albuquerque, NM 87102
(505) 843-9494
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1 smithereens up here in the '50s when a chemistry
2 experiment went terribly wrong. I have other
3 relatives who have died slow and painful deaths
4 working at the former DP plutonium sites. As a
5 teenager during the '60s, I remember reading that
6 the United States and the Soviet Union had enough
7 nuclear weapons at that time between them to blow
8 the earth up several hundred times.

9 Why stop there? Why not keep building
10 these weapons of mass destruction until we can
11 destroy the earth a million times? I only have
12 three wishes for such an event. No. 1, that I be
13 under the first one of these gadgets to be detonated
14 in order that my atoms might be scattered throughout
15 the universe in search of a sane place to rest.

16 No. 2, that all of you who design these
17 things and your loved ones survive this event,
18 temporarily safe in the underground bunkers which
19 you have undoubtedly designed and created for just
20 such an occasion.

21 No. 3, that you drive out of your bunkers
22 in your armored humvees, and as you and your loved
23 ones slowly begin to succumb to the inevitable
24 horror of your act, you have plenty of time to
25 contemplate what you have done to this earth and to

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NNSA notes the commentator's opposition to nuclear weapons and nuclear facilities. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

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FAX (505) 820-6349

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1 the miracle we have come to refer to as life.
2 Genocide is too kind a word for what you
3 are contemplating. Genocide implies the
4 indiscriminate death of humans. Your endeavors will
5 result in the death of the planet earth.

6 I do have one tidbit to offer, however,
7 and that is that the Cold War is over. Why not do
8 something nondestructive with all the resources at
9 your disposal?

10 Thank you very much. Have a nice day.

11 MR. MacALLISTER: Thank you, sir.

12 Alfred Arias followed by Michael Loya.

13 MR. ALFRED A. ARIAS: I am Alfred Arias.

14 I am a representative of Local Union 412, Plumbers
15 and Pipefitters Union.

16 We need work. We need this project to get
17 off the ground. We need it. We don't need no more
18 delays. We need it to get going.

19 The United States is a top dog of the
20 world, and they need to stay on top of everything,
21 including nuclear power. You know, as long as we
22 are the top dog of the world, you know, there is
23 people in the world that hate the United States,
24 that hate United States citizens, and if the United
25 States starts showing weaknesses and weaknesses and

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NNSA acknowledges the commenter's support for construction of the CMRR-NF. The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

23

1 starts showing that we are weak, you know, the
2 Chinese, people are going to come in and take over.

3 And, you know, the reason why there has
4 been no nuclear war in the last 60 years is because
5 we have been the top dog in the world. And also,
6 you know, what Danny Beavers said, there are a
7 thousand jobs here on the line, and the construction
8 industry is like 30, 40 percent unemployed right
9 now. And there are families that need to get fed.
10 There is little boys and girls that need to get fed.
11 We just need to proceed with this project and get it
12 going fast and get it done. Thank you.

13 MR. MacALLISTER: Thank you, sir.

14 Michael Loya followed by Reverend Holly
15 Beaumont.

16 MR. MICHAEL LOYA: My name is Michael
17 Loya, and I am happy to be here to make my comments.
18 I want to say first of all that I am a generational
19 New Mexican, and I am a history buff, and it is very
20 important that I state my comments today. I have
21 had the fortune of analyzing a lot of data on the
22 cleanup up here at Los Alamos, so this is also very
23 important and another reason why I am here to speak
24 about this.

25 What I think, too, is also that because of

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Section 3
Public Comments and NNSA Responses

Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

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1 this lab, it put an end, an early end to this war,
2 to World War II, and I think that that was very
3 important. That's a very important thing.

4 I have generational ties to New Mexico.
5 My dad's first cousin, who my grandparents raised,
6 flew with Billy Mitchell, and it was amazing that I
7 lived in a house where my dad and mom lived World
8 War II. My parents were farmers and ranchers down
9 south, and they were downwinders when they detonated
10 the first bomb there at Trinity site. I have talked
11 about this story before, but it woke my dad up and
12 he got mad and he stayed mad the rest of his life.

13 He almost lived until he was 90 years old.
14 So he was a quite a fellow. He was also one of the
15 first farmers and ranchers in New Mexico to have
16 prisoners of war on the farm. That was just a
17 wonderful thing. There is a lot of stories about
18 that. We don't believe in war, but we believe that
19 if you are going to get into the war, you need to
20 have the biggest stick there, and this is very
21 important that we have this facility here, not just
22 on account of the jobs.

23 The jobs are very important, but
24 technically this is very important. These gentlemen
25 are working in facilities that are very, very old.

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NNSA acknowledges the commentator's support for construction of the CMRR-NF. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Special designs, operations, and procedural measures to protect the workers and public would be incorporated into the design and operation of the CMRR-NF.

As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. See Section 2.7, Economic Impacts, of this CRD for more information.

Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

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1 I don't know. They are over 60 years old now, and I
2 believe it's time that these facilities are
3 upgraded, and they bring all these safety components
4 to this new facility. I think that's very
5 important.

6 I know that back when I was younger, I had
7 the opportunity of talking to a lot of New Mexico
8 gentlemen that we used to rope with on the farm, and
9 they used to talk about serving in the Pacific and
10 how they were thankful that they did have these
11 bombs to put a quick end to the war in Japan in the
12 Pacific. It was very important, because we would
13 have lost hundreds of thousands of boys out there if
14 it hadn't been for Oppenheimer and his group. I
15 think that's very important.

16 Another thing, too, is the financial
17 implications here. These gentlemen from the trade
18 unions and stuff brought up something that's very,
19 very important and it's very critical, that it's
20 time that we move forward with this project and we
21 put people to work. People need to work. People
22 want to work. And this is very important.

23 This lab has done a great service to New
24 Mexico and, yes, there has been problems with health
25 and whatever, but that's just the fallout, but they

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Section 3
Public Comments and NNSA Responses

Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 have done a lot of things now to upgrade the
2 facilities and the working environment. That's been
3 very crucial, and I find that very important. And I
4 believe this facility is going to even make the
5 working environment for the people that work in
6 these departments even safer. And I thank them and
7 I thank their bosses, and I thank the government
8 moving forward with this.

9 A lot of people have to understand about
10 the geopolitical problems that are going on right
11 now. We have some very serious things going on in
12 the Middle East. Pakistan right now is in a big
13 push. They built another facility, and they are in
14 a big push to build more weapons. So we have to be
15 ready. We have to make sure that we are armed,
16 because -- I have said this before at the last
17 comment period -- you can't take a knife to a
18 gunfight. So we have to be ready for this.

19 I had the great honor here a while back.
20 I was in west Texas, and this is when the fires were
21 going on, and we were staying in a motel. There was
22 this little gentleman, and I kept noticing him. He
23 was just a wonderful guy. He had a smile, and we
24 started talking. He was an old cowboy and he saw me
25 there with my hat, so we were starting to talk. And

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1 this gentleman was one of the sailors on the Abbot
2 Merrill. I believe that's the way you pronounce it,
3 but that was a ship tender and it was a sea plane
4 tender, and he was involved in Operation Crossroads.

5 I sat there for hours and I was listening
6 to what this gentleman had to say. He said it was
7 very important -- because he was there during World
8 War II -- he said it was very important that we had
9 these weapons to defend ourselves. Yes, there is a
10 mountain of weapons and, yes, we can destroy the
11 world multiple times, but we are going to have to be
12 ready. There's very serious things going on.

13 There's very serious implications if we are not
14 prepared, and I believe it's very important that we
15 move ahead as quickly as possible with this
16 facility. Thank you. Am I cut off?

17 MR. MacALLISTER: No, you're good. You're
18 fine.

19 MR. LOYA: Good.

20 MR. MacALLISTER: Reverend Holly Beaumont
21 followed by Johnnie Martinez.

22 REVEREND HOLLY BEAUMONT: Thank you. I am
23 the Reverend Holly Beaumont with Las Mujeres Hablan.

24 I want to begin by saying that I have deep
25 regard and respect for people who devoted their

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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 lives to the Los Alamos National Laboratory, who are
2 very proud that they helped to build it and sustain
3 it by serving it. We don't always agree with the
4 results in nuclear weapons, but that's really not
5 what we want to talk about tonight.

6 What we want to talk about is that Los
7 Alamos National Laboratory, I think in a real way,
8 does not exist anymore, because as of 2006, the Bush
9 administration turned the national laboratory over
10 to Bechtel, and that's what we want to talk about in
11 the next few minutes. One of the first things that
12 Bechtel did was throw out a \$500 million original
13 plan and start over again. So already the cost is
14 \$500 million and proceeded from there to where we
15 are today with costs continuing to escalate. So as
16 I was doing some research, I realized that Bechtel
17 has left quite a global footprint.

18 Which continent would you like to begin
19 with? Let's begin with North America. In North
20 America Bechtel is responsible for "The Big Dig."
21 This is the design of the Boston Central Artery
22 Tunnel project in which Interstate 95 passes under
23 the city. The federally funded project is the most
24 costly civil engineering undertaking in US history.
25 It was estimated at \$2.5 billion in 1985. Project

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DOE and NNSA continue to provide oversight of LANL as in the past. The managing and operating contract for LANL was openly competed in 2005 for the first time in the 63-year history of the LANL site. Through 2005, the University of California had been the sole managing and operation contractor for the LANL site since its creation in 1943. The new managing and operating contractor, Los Alamos National Security, LLC, began managing LANL in June 2006. The selection of a new managing and operating contractor did not change the DOE and NNSA work performed at LANL.

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1 expenses reached 14.6 billion in 2003. Watchdogs
2 argued that it is extremely rare for a company to
3 design, receive several construction contracts, and
4 manage a project as huge as "The Big Deal."

5 Bechtel's gross errors included the
6 complete absence of the planned Fleet Center -- they
7 just overlooked the convention center in their
8 plans -- and also an active nine foot wide pipe
9 carrying sewage and storm runoff where planners had
10 drawn a support wall and could not sustain the
11 tunnel wall. So this is one of the examples of the
12 work that Bechtel has taken on in North America.

13 We could go from there to the Bay Area
14 Rapid Transit. I won't bore you with the details.
15 This is all online. Suffice it to say that the
16 project suffered numerous delays, massive cost
17 overruns, as well as several accusations of fraud.
18 In April 2000, two BART board members said they
19 would block seismic retrofitting if Bechtel won the
20 contract due to their poor record on human rights,
21 minority contracting, cost overruns. There were
22 4 million in cost overruns and huge delays.

23 Then we can go on to the Alaska pipeline.
24 The Alyeska Pipeline Service Company awarded Bechtel
25 the role of prime management at \$8 billion. Soon

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1 afterward, Alyeska claimed that Bechtel over-staffed
 2 senior level executives to multiply the charges on
 3 the cost plus contract, over-filed for pipeline
 4 workers, and that the project was plagued with
 5 on-site thievery, feather-bedding, low productivity,
 6 and conspicuous supply problems. Furthermore,
 7 Bechtel stood accused of ordering the quality
 8 control staff to falsify thousands of x-rays and
 9 pipeline welds in order to accelerate construction.

10 In May 1975, Alyeska -- I don't know how
 11 to pronounce it -- fired Bechtel for overall
 12 mismanagement. That is North America.

13 We can go on to talk about what happened
 14 in South America with the Bolivian privatization of
 15 water that the indigenous people were dependent on.
 16 That resulted in Bechtel actually suing this
 17 impoverished nation for millions of dollars for not
 18 allowing them to complete the project.

19 We can move from South America to Asia and
 20 discuss the Basra Children's Hospital in Iraq. It's
 21 now actually listed as a completed project when, in
 22 fact, it was not completed. At the time that it was
 23 listed as completed, it was only 35 percent
 24 finished, and that's when they stopped. The
 25 original cost was estimated at 50 million, and by

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1 the next year, June 2006, the project was already 18
2 months behind timeline. And in 2007, it was awarded
3 an additional \$41.1 million. Maybe that was
4 billion.

5 So I won't take up any more time except to
6 say that this is my question, our question: How
7 much profit does Bechtel have to make before it
8 decides to abandon a project? I can't find a
9 project anywhere, anywhere that Bechtel has actually
10 completed. I wouldn't even judge it as successful
11 or not, but I am not even finding projects that they
12 have actually completed. So our question is: How
13 much time is left for Bechtel on CMRR before you
14 will be abandoning this project? How close are we
15 to that timeline? And how much do you think it will
16 ultimately cost us before you walk away from it?

17 Thank you.

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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 MR. MacALLISTER: Johnnie Martinez.
 2 MR. MARTINEZ: Good evening. My name is
 3 Johnny Martinez. I am a 61-year resident of Northern
 4 New Mexico and 36-year employee of the Los Alamos
 5 National Laboratories. I'm also a father and a
 6 grandfather who is concerned about the safety and
 7 security of his family.

8 I support the Chemistry and Metallurgy
 9 Research Replacement Project, and I have several reasons
 10 for doing so that I'd like to share with you. First
 11 regarding national security, I believe very strongly in
 12 the value of nuclear weapons as deterrence to all-out
 13 global warfare. I've had the fortune of working in the
 14 weapons program here in the laboratory, and that was a
 15 driving consideration in not only my doing so but I saw
 16 this evident in my colleagues as well.

17 As Dr. Norris Bradbury, a former director
 18 of the laboratory, so aptly stated -- and I know I'm
 19 paraphrasing -- the purpose of nuclear weapons is not to
 20 use them but to force people to find other means to
 21 solve their differences. I am proud to be part of an
 22 institution that's helped make these final words a
 23 reality.

24 I am also personally convinced that the
 25 science and technology underpinning this nation's

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NNSA acknowledges the commenter's support for construction of the CMRR-NF.

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1 nuclear deterrence capabilities must be maintained and
2 should, in fact, be strengthened to address new
3 challenges posed by terrorism and proliferation of
4 nuclear weapons and nuclear materials as well. The CMRR
5 facility is designed to address these national security
6 needs and, therefore, support construction and operation
7 as a safe and effective resource for doing so.

8 Regarding the environment, as Danny
9 mentioned earlier, the existing CMR Building is old. In
10 fact, it's almost as old as I am, and I believe
11 continued operation poses a much greater potential
12 threat to the environment than does the proposed CMRR
13 facility.

14 I've had the opportunity to attend
15 briefings and tours of the CMRR system facility, the
16 RLUOB, the Radiological Laboratory/Utility/Office
17 Building, and I've gotten to the conviction that
18 environmental safety is a key component in the plans for
19 the CMRR's facilities construction and will be a
20 fundamental element to its operation.

21 Regarding the economy -- and you've heard
22 this from other people -- Northern New Mexico was
23 selected in 1943 as the site of the Manhattan Project
24 because of its isolation. Northern New Mexico is still
25 relatively isolated, and many of us remain very

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1 dependent on LANL as an economic resource. And that's a
2 situation that I think has been -- if anything,
3 strengthened as a result of the recent global economic
4 condition.

5 The CMRR project will present employment
6 and procurement opportunities in Northern New Mexico
7 that would otherwise be difficult or nearly impossible
8 to find in today's economic environment.

9 So I thank you for the opportunity to share
10 my thoughts this evening.

11 MR. MacALLISTER: Is there anybody else who
12 completed a card that I did not call?

13 All right. We have plenty of time
14 available for additional comments. How many people
15 would like to make comments?

16 All right. What I'll do for this follow-up
17 comment session is just call as people raise their
18 hands, and I'll try to recognize people in order and try
19 to keep to that order as best as my old mind will work.
20 Okay?

21 So, sir, if you'd like to make a comment,
22 you're welcome at this time.

23 MR. MANSFIELD: Thank you.

24 My name is Charles Mansfield. I'm a lab
25 retiree, president of the Laboratory Retiree Group. And

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The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentators during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

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1 I actually operate three small businesses in the
2 community, so many would say that I have flunked
3 Retirement 101.

4 The thing that I would like to touch on is
5 a story that I have learned over the years that some
6 years -- probably 15, 20 years ago, a scientist in the
7 laboratory was messing around with an ink jet printer
8 and realized that if he put an electric charge on the --
9 across the stream of ink, he could deflect it from one
10 side to another. It turns out that lasers were really
11 getting going good at the time, and, you know, he was
12 explaining this to another colleague.

13 The colleague said, Well, if he used a
14 laser with the right wavelength and I have a droplet of
15 material which has a very small amount of impurities in
16 it and I need to get rid of the impurities, could you
17 detect the impurity? Let's try it. Turns out that they
18 could detect the impurity in a drop as small as an ink
19 jet printer drop. There was an empirically picked
20 reject bucket. If it was good stuff, you let it go into
21 the main bucket.

22 Another colleague came in and said, Well,
23 could you do this with organic molecules? The guy said,
24 I suppose we could; let's try it. Where can I find
25 organic molecules?

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(505) 989-4949
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1 What they invented then was called the
 2 Coulter Counter. That became the Human Genome Project.
 3 For the first time, the laboratory began sequencing the
 4 human genome. Was it important to the Department of
 5 Energy? Yes. The Department of Energy was concerned
 6 about radioactive material -- of changes to the DNA.
 7 Eventually, the project grew so big and so fast that the
 8 DOE said, Let's turn this over to private industry, and
 9 now you have genetic analysis being done commercially in
 10 the country; all because people, in this case, who
 11 worked in the CMR Building had the freedom to ask
 12 questions and to develop new ideas. And this is
 13 probably the main reason for continuing with this type
 14 of research. It has very little to do with weapons and
 15 research itself, but it does advance the nation's
 16 capabilities and meets the needs that the nation has.

17 Thank you.
 18 MR. MacALLISTER: Thank you, sir.
 19 Other folks who would like to comment?
 20 Anybody else?

21 Sir.
 22 MR. KOVAC: Thank you.
 23 My name is Scott Kovac with Nuclear Watch
 24 New Mexico.

25 First off, I would like to re-state my

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NNSA acknowledges the commenter's support for construction of the CMRR-NF. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Refer to Section 2.4, CMR Mission, of this CRD for more information.

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Comment noted.

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 Albuquerque, NM 87102
 (505) 843-9494
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1 request from last night, that we actually have a
2 presentation. You mentioned -- you know, give a little
3 presentation; you know, explain the posters. I find it
4 hard to -- I think it's hard sometimes for the public
5 to -- you know, until they get their feet wet and to
6 know what the right questions are to ask. And, you
7 know, there are very friendly people over at the
8 posters, but it may seem intimidating. For some people,
9 it's not the best -- it's not the best forum. I would
10 still like to see a presentation at the beginning of
11 the -- of the hearing.

12 For instance, you mentioned greenhouse
13 gases. Like how many -- like, you know, what are the
14 greenhouse gas emissions? Is there a greenhouse gas
15 poster back there? I don't know if there is. It'd be
16 nice to know what the water usage is, what the waste
17 generation is of the CMRR. It would be nice to know,
18 you know, what the electricity usage is going to be and
19 items like that.

20 And it's all in the -- it's all in the
21 SEIS, but it's just a matter of, you know, getting the
22 information out to the public.

23 I also appreciate the work that the
24 laboratory does. I know that there's many, many good
25 things that come out of the lab. And we -- but, you

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509-2 509-2

The *CMRR-NF SEIS* includes an analysis of the impacts of the proposed alternatives with respect to greenhouse gas emissions. Refer to Chapter 4, Sections 4.2.4.2, 4.3.4.2, and 4.4.4.2 of the SEIS. For all alternatives, annual greenhouse gas emissions during construction and operation would be below the draft CEQ guidance threshold that would require a more-detailed evaluation. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, and Section 2.5, Cleanup and Waste Management for more information on Waste Management.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lmsupport.com

Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 know, the Cold War is over. We won. Let's get -- let's
 2 move on. And we want jobs. The, you know, true cleanup
 3 at the lab, including the removal of the waste from Area
 4 G, would -- you know, my estimations -- and we have
 5 the -- we have some reports out. You know, removal of
 6 the waste from Area G is a thousand jobs for 20 years,
 7 you know. And so, you know, if you want jobs, let's
 8 clean up the lab. Let's spend -- let's do some
 9 nonproliferation work. Let's -- you know, let's do
 10 actual science at the lab. There are other things we
 11 can do.

12 Oh, and speaking of jobs, I also had one
 13 question about the Supplemental Environmental Impact
 14 Statement, stating that the deep excavation option will
 15 take the same amount of time to build as the shallow
 16 excavation option. Both of these -- both of these time
 17 frames are given as nine years. The deep excavation
 18 option has 225,000, 250,000 of cubic yards of concrete
 19 and a hole, which, you know, from the -- from the EIS,
 20 is approximately 200 days or, you know, for -- just to
 21 pour the concrete. I don't know. Those numbers aren't
 22 really given. But, you know -- you know, it's going to
 23 take about a year, I think, to do -- a year longer to do
 24 the deep excavation option, and that's just not -- it's
 25 not included in the SEIS, best I can tell. And it's

509-3

509-3

NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Consent Order and Waste Management, of this CRD for more information.

The CMR Building and CMRR-NF support nonproliferation activities, and LANL has a number of ongoing activities that support scientific and technology-development efforts.

509-4

509-4

As indicated in the Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS*, it is estimated that construction of the Modified CMRR-NF would take 9 years to complete under either construction option. The additional excavation and concrete pouring required for the Deep Excavation Option is not a time limiting activity for completing the project. These activities would be conducted in parallel with other site preparation and startup work required at the site regardless of the construction option selected.

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 listed as ten more employees -- ten more workers for
2 the -- for the longer -- for the longer period of time,
3 for the deep excavation.

4 Thank you.

5 MR. MacALLISTER: I'd like to call Kathy
6 Keith to the podium, please.

7 MS. KEITH: Thank you for the opportunity
8 to comment tonight. My name is Kathy Keith. I'm the
9 executive director of the Regional Development
10 Corporation, otherwise known as the RDC. The RDC is a
11 multicounty economic development organization in
12 Northern New Mexico with a position to create a
13 sustainable and diverse economy.

14 I come to speak in support of the economic
15 impasse of the proposed CMRR Project in Northern New
16 Mexico. Our economy in Northern New Mexico, much like
17 the economy of the country, has been much affected by
18 the downturn over the last three-and-a-half years. We
19 have seen unemployment spike from about three percent in
20 2008 to double digits in the counties that surround
21 Los Alamos and Northern New Mexico, and that's a
22 seven-county region.

23 We are truly, in Northern New Mexico, a
24 diverse economic region. In Los Alamos County, the
25 medium household income is over \$100,000 a year, and our

509-3
cont'd

510-1

510-1

NNSA acknowledges the commenter's support for construction of the CMRR-NF. The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for construction workers that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 surrounding six counties where poverty rates almost
2 equal to and sometimes four times greater than those in
3 Appalachia.

4 What we understand about the CMRR Project
5 is that it will produce up to 400 jobs per year over an
6 eight-year time period in Northern New Mexico and help
7 us with that unemployment rate that has spiked to
8 sometimes double digits over the last three years in the
9 region.

10 We also estimate that from those 400 jobs,
11 there will be another 2000 jobs created indirectly in
12 our economy when an investment is made over an
13 eight-year period of a multibillion dollar construction
14 project. These jobs are desperately needed in the area
15 of Northern New Mexico and especially in the
16 construction industries, where we've seen real downturn
17 over the last three years and spikes in unemployment
18 levels.

19 So I thank you for the opportunity to come
20 tonight and speak in favor of the economic impacts of
21 the proposed CMRR Project in Northern New Mexico.

22 MR. MacALLISTER: Are there other people
23 who haven't already spoken who would like to make a
24 comment?

25 Are there people who have already spoken

**510-1
cont'd**

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

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1 that would like to make a follow-up comment?

2 At this point, we will recess. We will be
3 here until 9:00, but feel free to get up and move
4 around, check out the displays. If you want to make a
5 comment through another channel, those stations will be
6 available until 9:00. And thank you for attending and
7 for your participation. We deeply appreciate it. Thank
8 you.

9 Just a reminder: We'll take any public
10 comments to be developed, afterthoughts or additional
11 thinking as you are here in the meeting room.

12 (No speakers, 6:32 p.m. to 7:29 p.m.)

13 MR. MacALLISTER: Folks, just a reminder,
14 we're taking public comment. That's just my periodic
15 reminder in case anybody arrived late. We are still
16 open for business and taking comments until 9:00.

17 (No speakers, 7:36 p.m. to 8:00 p.m.)

18 MR. MacALLISTER: Just in case you haven't
19 heard the previous announcements, if you've come in
20 late, we're still open and taking comments, and we
21 welcome more comments. Thank you.

22 (No speakers, 8:00 p.m. to 8:58 p.m.)

23 MR. MacALLISTER: This is the official
24 notice that the meeting is formally closed. Thank you.

25 (The public hearing concluded, 8:58 p.m.)

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
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Section 3
Public Comments and NNSA Responses

Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

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1 (The following is a non-public comment
2 provided to the court reporter, 7:29 p.m.
3 to 7:36 p.m.)

4 MR. STEINHAUS: My name is Kurt Steinhaus,
5 and I was born in Los Alamos. I'm a lab employee, work
6 for the Community Programs Office. And I'm a parent of
7 two children, so I'm here as a citizen of the United
8 States and a parent as well.

9 My comments will be in four categories:
10 Safety, national security, environment and economic
11 involvement.

12 My father was one of the first people to
13 move into Wing 7 of the CMR Building and spent most of
14 his career in Wing 7, in the field of physics and
15 spectroscopy. And as a child, the lab had
16 visit-your-dad day or work, and so I got to see Wing 7
17 of the CMR Building as a child. And I've recently taken
18 community leaders on tours of the CMR Building and can
19 see that the building is old. It doesn't meet modern
20 safety standards, and for that reason, I think it's
21 essential that the U.S. Government build a new facility.

22 And I had the fortune of listening to
23 briefings about the design of the new CMRR, and I
24 believe that the lab has been thoughtful and careful in
25 planning the safety requirements for the new building.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lmsupport.com

511-1

511-1

NNSA acknowledges the commentator's support for construction of the CMRR-NF. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Special designs, operations, and procedural measures to protect workers and the public would be incorporated into the design and operation of the CMRR-NF.

Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

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1 And I feel confident that it will be a safe building,
2 not only for the employees but also for the surrounding
3 citizens of Northern New Mexico. So that's safety.

4 Under national security, I believe that
5 science and technology is the fundamental and primary
6 underpinning of the lab's work in meeting our national
7 security mission, and CMRR is an essential part of the
8 science and technology that's necessary for that
9 national security -- to meet that national security.

10 Under environment, I've had the fortune of
11 reading briefings about the Environmental Impact
12 Statement and the process that was followed and the
13 process that's being followed right now, and I believe
14 that those will cover the important issues that need to
15 be addressed to make sure that CMRR is environmentally
16 sound and meets all of the federal requirements for an
17 environmentally safe building. That's environment and
18 economy.

19 I know that the economy of Northern New
20 Mexico will be impacted in a very positive way with the
21 construction of CMRR and the surrounding buildings, and
22 for that reason, I think all of us should join in
23 supporting this initiative.

24 And with that, I'd like to say thank you
25 for the opportunity to provide my comments.

**511-1
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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
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Section 3
Public Comments and NNSA Responses

Comments from the Los Alamos, New Mexico Public Hearing (May 24, 2011)

1 STATE OF NEW MEXICO
 2 COUNTY OF BERNALILLO
 3 CERTIFICATE OF COURT REPORTERS
 4 I, SALLY PETERS, New Mexico Certified Court
 5 Reporter No. 57, and Registered Professional Reporter,
 6 and I, MARY C. HANKINS, New Mexico Certified Court
 7 Reporter No. 20, and Registered Professional Reporter,
 8 do hereby certify that I reported the foregoing public
 9 hearing comments in stenographic shorthand and that the
 10 foregoing pages are a true and correct transcript of
 11 those proceedings that were reduced to printed form by
 12 me to the best of my ability.

13 I FURTHER CERTIFY that I am neither
 14 employed by nor related to any of the parties or
 15 attorneys in this case and that I have no interest in
 16 the final disposition of this case.

17
 18 _____
 19 SALLY PETERS
 20 Bean & Associates, Inc.
 21 New Mexico CCR No. 57
 22 Date of CCR Expiration: 12/31/2011

23 _____
 24 MARY C. HANKINS
 25 Bean & Associates, Inc.
 New Mexico CCR No. 20
 Date of CCR Expiration: 12/31/2011

(1125K) SP/MCH
 Date taken: May 24, 2011
 Proofread by: RP

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 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

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PUBLIC HEARING
DRAFT CMRR SEIS
CMRR AT TECHNICAL AREA 55 (LOS ALAMOS)
Santa Claran Hotel
464 N. Riverside Drive
Española, New Mexico

May 25, 2011
5:00 p.m.

REPORTED BY: Beverly Ann Schleimer, RDR NMCCR #66
Mary Abernathy Seal, RDR CRR NMCCR #69
Bean & Associates, Inc.
Professional Court Reporting Service
201 Third Street, Northwest, Suite 1630
Albuquerque, New Mexico 87102

JOB NO.: 1126K BEV/MARY

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 (5:30 p.m.)

2 Welcome, ladies and gentlemen. My name is
3 Bruce MacAllister. I will be your facilitator for
4 the meeting tonight. I work for an organization
5 called Business Excellence Solutions, which is a
6 consortium of professionals who conduct mediations,
7 community facilitations, and organizational
8 excellence consulting, and I have been facilitating
9 the last two meetings.

10 We will have a meeting again tomorrow night
11 at the Santa Fe Community College.

12 Let me start by reminding everyone who
13 wants to speak publicly, that there's a registration
14 table over right by the front door. Please complete
15 a registration card, because the way the process will
16 work, we will take comments in the order in which we
17 receive the registration cards, for the first round.

18 Let me remind you that if you don't choose
19 to speak publicly, that's fine. If you still want to
20 give a comment, there are at least nine ways you can
21 give a comment.

22 First, there's a kiosk at the back with a
23 computer workstation with a recording station back
24 there for verbal comments. There is a place to
25 receive handwritten, written comments. There's an

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
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Albuquerque, NM 87102
(505) 843-9494
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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

3

1 e-mail venue, the comments can be received by mail,
2 facsimile, or given directly to a court reporter at
3 the back of the room.

4 If you want to make a public statement, we
5 will be doing that by working off of the registration
6 cards, and we will explain that process in just a few
7 minutes.

8 The meeting will begin with a brief --
9 about a 15-minute presentation by the Document
10 Manager for the project, John Tegtmeier, who is up at
11 the front table here.

12 And following that presentation, we will
13 move directly into the comment period, and comments
14 will first be taken from elected officials, followed
15 by folks in the order that they completed their
16 cards.

17 Now, let me just check right now. Are
18 there any elected officials in the room who would
19 like to be recognized, or who intend to comment?
20 Please raise your hand if there are. All right, so
21 that eliminates that.

22 The focus of this hearing is to receive
23 comments relating to the Draft Supplemental
24 Environmental Impact Statement for the Chemistry and
25 Metallurgy Research Building, a replacement facility,

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MAIN OFFICE
201 Third NW, Suite 1630
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Section 3
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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 the nuclear portion of that, the nuclear facility
2 located near TA-55 in Los Alamos, New Mexico.

3 The meeting is not designed to be a
4 question and answer session. It's a formal comment
5 period designed to enable the public to voice their
6 opinion, and to express comments and concerns
7 relative to the construction and the environmental
8 impact for the construction of this facility.

9 Based on the number of comments we have, we
10 will be providing the standard five-minute window for
11 people to give their verbal comment.

12 We will have a person placed in the front
13 row, immediately in front of the podium, so that
14 people who are speaking will be able to see that
15 person. And at the four-minute milestone, that
16 person will hold up a yellow sheet of paper to let
17 you know that you have a minute left.

18 When you see a red card flash up, it
19 doesn't mean that you're kicked out of the soccer
20 game or out of the hockey game. What that means is
21 your five minutes is up, okay?

22 Please, help me honor everybody else in the
23 room by respecting the time limits and allowing the
24 next person to take the mike after that.

25 What I will be doing to keep the flow as

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

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1 quick as possible in the comment window, is calling
2 out the first name of the person who is up -- calling
3 out first the name of the person who is up, not just
4 their first name, followed by the person who will be
5 next, so that the speaker who is coming up next can
6 be ready to come and take the mike at the conclusion
7 of the previous speaker.

8 There are subject matter experts over in
9 the poster session area available to answer technical
10 questions about the project. They are not here or
11 authorized or working at the level where they are
12 able to comment or respond about larger issues of
13 national policy around nuclear weapons or around the
14 overall programmatic directions of the nation or the
15 laboratory. They are here to answer your technical
16 questions about the Environmental Impact Statement
17 and about the facility that is under consideration.

18 If we run out of time tonight, again, there
19 are multiple avenues to give your comments at the
20 back of the room. And in addition, there will be
21 another meeting tomorrow night at the Santa Fe
22 Community College in Santa Fe, New Mexico. So we
23 will have other avenues.

24 The comment window for giving comments runs
25 through June 28th, 2011. So there will be plenty of

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
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Section 3
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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 time to submit statements by mail, statements by
2 e-mail, fax, toll-free phone line, and so there are
3 multiple avenues to give your comment.

4 So at this time, I would like to turn the
5 floor over to the Document Manager, John Tegtmeier.
6 Following his presentation, I will review a few
7 ground rules for the next phase of that, but we will
8 get to that point at that time.

9 MR. TEGTMEIER: Thank you. Thank you,
10 Bruce.

11 First of all, I would like to welcome
12 everyone here to the hearing. I appreciate the
13 turnout. I truly am looking forward to comments on
14 this draft document. Just a little bit about me and
15 my role in this document.

16 I work for the National Nuclear Security
17 Administration, Los Alamos Site Office. And my role
18 in this project is the Document Manager. So I'm
19 responsible for a number of things; the preparation
20 of the document itself, and also I think my largest
21 role, my most important role, is to encourage and
22 facilitate public comment on the draft document. I
23 take that very seriously.

24 So, one of my other roles and
25 responsibilities is to ensure the technical adequacy

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

7

1 of the document, and is to ensure compliance with the
2 NEPA policy, National Environmental Policy Act
3 requirements, as well as the DOE implementing
4 requirements.

5 So I just wanted to start with a little
6 background of the NEPA history behind this project,
7 and then talk a little bit more about the specifics
8 of what might be in the document as far as a general
9 nature, and then also the process now between
10 June 28th.

11 We prepared an Environmental Impact
12 Statement for this project back in late 2003. It was
13 issued in November of 2003. There's a Record of
14 Decision prepared, and it was issued in February of
15 2004.

16 The decision out of that Environmental
17 Impact Analysis from 2003 approved a two-building
18 concept to Technical Area 55.

19 The first building of that proposed
20 construction project is the Radiological Laboratory
21 Utility Office Building, which is virtually complete
22 at this time. And it's being outfitted with
23 laboratory equipment and office equipment for moving
24 individuals into their offices in the facility, I
25 believe later this year, and then into laboratory

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Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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Section 3
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1 space sometime next year. So that first phase is
2 complete.

3 The second building is currently designed.
4 That's the nuclear facility portion of the project,
5 as Bruce mentioned. That's also adjacent to the
6 facility at Technical Area 55.

7 Since the time of the preparation of the
8 2003 EIS, and the issuance of the Record of Decision,
9 additional geological site mapping was done in 2006.
10 A lot of that is represented on the poster sessions
11 there, and some of you may have asked some questions
12 about some specifics.

13 And a couple of things came out of that.
14 One of them is they had looked at the site, and they
15 did fracture mapping, and they did some borehole
16 investigation of the physical site, looking for more
17 understanding of the geologic nature of the site that
18 was proposed to be built on it.

19 In addition, a new seismic study was done,
20 actually an update, in 2007. The DOE requires at
21 each facility around the complex, to do a ten-year
22 basis, a review of the potential seismic issues at
23 each site. And, so, that was completed in 2007.

24 The result of that was increased ground
25 accelerations associated with the expected earthquake

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 of a certain return period, like the earthquake would
2 come every 2,500 years, for example.

3 So as new information became available, not
4 only the geotechnical information, and seismic
5 response information, the project continued on with
6 its preliminary design, and it was identified that
7 the facility would have to be built much more
8 robustly to resist those earthquake ground motions.
9 And a Supplemental Analysis was done to look at the
10 potential changes to the assumed environmental
11 impacts and various resource areas as described in
12 2003.

13 So that Supplement Analysis was completed
14 by Los Alamos National Laboratory in the summer of
15 last year, and submitted to our office at the
16 Los Alamos Site Office for review.

17 Before a final decision was made based on
18 that SA, NNSA decided to go ahead and prepare a
19 Supplemental Environmental Impact Statement to
20 address the changes.

21 A Notice of Intent was issued on the
22 attempt to prepare the Supplemental EIS, was issued
23 on October 1st of 2010. And we had two public
24 scoping meetings in White Rock and Pojoaque.

25 We factored in that information in looking

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hissupport.com

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1 at the input and continuing of the design
2 information, and also looked at new requirements
3 since 2003, as far as the nature of things that we
4 needed to analyze or update.

5 So the new document described in some
6 detail the impacts of greenhouse gas emissions, from
7 both construction operations and operations following
8 the completion of the facility.

9 We also did an intentional destructive acts
10 analysis, basically terrorist-type activities,
11 something that might cause something in the facility
12 that could impact the environment or the public.

13 And we also did a separate update, or
14 really a fairly new analysis of the transportation of
15 the demolition waste from the current Chemistry and
16 Metallurgy Building, which is nearing 60 years old
17 right now.

18 Some of these analyses we updated, we
19 updated, as I mentioned, the construction impacts.
20 We also looked at the operations impacts, not only
21 for the proposed nuclear facility, but for the RLUB
22 facility I mentioned earlier, and the ongoing
23 operations of the Chemistry and Metallurgy Research
24 Building itself, the older facility, because per the
25 schedule and the new construction, it would be

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 required to be operated for longer than anticipated
2 in 2003. So that's in the document, as well.

3 We also updated the accident analysis for
4 the proposed new project, the nuclear facility, and
5 for the existing facility, based on very recent
6 documented safety analyses that our office approved
7 last year.

8 And we also updated the human health
9 impacts and radiological impacts. Part of that was
10 changed in modeling, and in looking at populations at
11 various distances from the facility. And, also, we
12 took advantage and used the latest census data
13 available at the time.

14 All of that information hasn't come in, but
15 as it does, we'll fold that into the final document.

16 The alternatives are, as described in the
17 supplemental, we have a No Action Alternative, which
18 is construct and operate the facility as it was
19 described in 2003, and the decision basis in 2004
20 Record of Decision. In the sense it's a No Action
21 Alternative, in that it doesn't change the past NEPA
22 decision. And so that's a way of looking at the No
23 Action Alternative.

24 We also have the modified CMRR Nuclear
25 Facility alternative, basically looked at the changes

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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Section 3
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1 in the construction and operations of the new
2 facility, which is required to be larger, albeit for
3 the same programmatic operations, to resist the
4 seismic forces we get sitting on the new geologic
5 information we have.

6 We also updated to look at the latest
7 nuclear safety requirements, because that's a key
8 part.

9 Since the scoping meeting, the project team
10 has identified, in addition in that, two options now.
11 In the Notice of Intent, that preferred alternative
12 was described as the deep excavation option. What we
13 have to do is a lot more excavation into the volcanic
14 tuff.

15 The project's identified and is working to
16 develop a shallow excavation option, and those
17 analyses of proposed options are in the document.

18 We also have continued use of the CMR
19 building alternative, and that's what you would
20 consider the no construction alternative. So that's
21 in there. So, we can update the continued use of
22 that building at a reduced capability, until the new
23 project, as proposed, should we decide to continue
24 it, and finish that building, those operations enter
25 into a little bit further into the future.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 So as far as the actual NEPA process for
2 this document today, we posted the Draft Supplemental
3 EIS on our usual NNSA web page on April 22nd, while
4 we sent out documents to those that had requested
5 them on April 21st. And the EPA published a Notice
6 of Availability of the draft document for public
7 comment on Friday, April 29. And that started the
8 original 45-day comment period.

9 We had requests to extend that period, and
10 the NNSA decided to extend that period by 15 days on
11 May 6th. And, so, now the comment period runs
12 through June 28th.

13 Bruce mentioned the public hearings. We
14 had a hearing in Albuquerque on Monday, Los Alamos
15 yesterday evening, this evening here in Española.
16 And then we have another hearing, same format, same
17 time, in Santa Fe at the community college tomorrow
18 evening.

19 And Bruce mentioned many of the ways to
20 submit comments. I just wanted to reinforce that and
21 encourage everyone that there's no limit on how many
22 times you can comment, how many ways you can comment.
23 And I just wanted to point that out. We've had
24 questions in the past.

25 I just wanted to wrap that up, and we are

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 not here to answer questions, but you can put a
2 question in a comment.

3 But with that, I would like to turn it back
4 to Bruce, and we will go ahead and get started with
5 the main part of our hearing this evening. Bruce.

6 MR. MacALLISTER: Okay. Once again, if
7 there's anybody who would like to speak publicly and
8 you haven't completed this card, please see the kind
9 folks at the front table there right by the front
10 door, and we will complete this card.

11 If I didn't mention the emergency exits and
12 facilities, the restrooms are right under that exit
13 sign over to your right. The main exit, of course,
14 is the entrance that you came in to join the meeting
15 today. There's another emergency exit over to your
16 far right, almost behind you, at the back of the room
17 there, that you can use if we need to.

18 Let me go through a couple of ground rules
19 for the rest of the night, and then we will get
20 started.

21 Let me just double-check, are there any
22 elected officials that have shown up since I asked
23 earlier?

24 Okay. I'm going to call names, as I
25 described. I will call the first person followed

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 by -- and I will tell the next person who is on deck,
2 so to speak, to be ready.

3 Because we are transcribing each person's
4 comment, and people are speaking into the mike, it is
5 imperative that we have as quiet a room as possible
6 so that the court reporter can get the one person
7 speaking, the content of their communication down.
8 So comments from the floor will not be appropriate in
9 this meeting. I will not tolerate people
10 interrupting the speakers, because the court
11 reporters will be dutifully trying to get the
12 speakers comments transcribed.

13 Please identify yourself each time you come
14 to the podium. It is likely, although not
15 guaranteed, just depending on how many people
16 register, that we will have time for follow-up
17 comments. We have in every meeting so far, and it
18 looks promising that we will be able to do that
19 tonight.

20 So each time you come to the podium, please
21 give your name so that the court reporter can keep
22 track of who is making the comments. If for any
23 reason, you're not comfortable using your name,
24 that's acceptable, but please use a speaker number
25 which, if I come to a card here that doesn't have a

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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ASSOCIATES Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 name, I will be calling you out by a number, all
2 right?

3 Again, please, honor the process by keeping
4 your comments civil. This is an official hearing.
5 This is an official document that's being generated.
6 This will be read by a number of people, so we want
7 the comments to be in an appropriate language.
8 You're certainly free, and very grateful to have you
9 here to voice your many varied opinions.

10 The time frame, again, will be five minutes
11 per comment. My cohort back here in the front of the
12 room will be holding up a yellow piece of paper,
13 which will notify you when you are at four minutes,
14 which will give you a full minute to wrap up. When
15 you see the red card, please wrap up as quickly as
16 you can reach an appropriate end. You don't have to
17 stop mid-sentence, but don't carry on into your next
18 paragraph.

19 If you have written statements that you are
20 reading from, and you would like to give those, leave
21 those to ensure that your statement is accurately
22 transcribed. You are most welcome to give those to
23 me, and I will see that they get to the court
24 reporter.

25 And just as a final note, we're all living

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 980-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

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1 in that modern age where the kids are going to be
2 calling us or what have you, please silence your cell
3 phones, and anything else that might go off, alarms
4 of any kind, so that we can keep the flow of the
5 meeting as uninterrupted as possible.

6 If anybody needs assistance getting to the
7 mike or needs other physical assistance, just kindly
8 contact me, and I will help you, you know, any way,
9 if necessary. Again, we will only be taking comments
10 from the podium tonight, with the exception, as I
11 explained before, that you are welcome to give as
12 long a comment as you want in the audio recording
13 back there, or enter one in the computer, or submit a
14 written comment. There are no time limitations on
15 those as far as the duration of the comments.

16 All comments are, however, due by
17 June 28th.

18 So without further ado, let's get started
19 with the process, and let me call the first speaker
20 to the podium and notify who the second person is.

21 Our first speaker tonight is Ray Baca, and
22 he will be followed by Danny Beavers. Thank you.

23 MR. RAY BACA: Good evening. My name is
24 Ray Baca, and I am the Executive Director for the
25 New Mexico Building Trades Council. In that

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 capacity, I represent all of the construction labor
2 unions here in the State of New Mexico. And this
3 includes approximately 800 workers, construction and
4 maintenance workers who are currently employed by the
5 Laboratory.

6 These are good-paying, family-sustaining
7 jobs. I would like to just respectfully remind
8 everybody here that the unemployment rate for
9 construction workers in New Mexico, as it is in much
10 of the country, is at least double, and in many
11 cases, triple that of the average unemployed worker.
12 It is not uncommon for us to see unemployment rates,
13 or under-employment rates of 25 to 28 percent in many
14 of our crafts that we represent.

15 This means not only unemployed workers, but
16 families that are seriously hurting in many, many,
17 spectrums -- the full spectrum of our whole society,
18 in many communities that we represent across the
19 state, and obviously across the country.

20 If this project, the CMR project comes to
21 be, and comes to fruition, it will employ upwards of
22 1,000 construction workers off and on over the course
23 of a 10- to 12-year period. Obviously, this would be
24 a huge boost to the construction industry in
25 New Mexico for overall economic development, but most

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

601-1

601-1

NNSA acknowledges the commenter's support for construction of the CMRR-NF. The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

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1 importantly, it will be a huge boost for those
2 working construction families who are currently in
3 very dire straits.

4 With all due respect to those of you who
5 are opposed to this project, we respectfully ask the
6 Laboratory and DOE, and all of the other powers that
7 be, to begin this project sooner than later.

8 Thank you. (Applause.)

9 MR. MacALLISTER: Our second speaker will
10 be Danny Beavers followed by Stuart Barger.

11 MR. DANNY BEAVERS: Good evening. My name
12 is Danny Beavers. I'm a business representative for
13 Plumbers and Pipefitters Local Union 412. I worked
14 in Los Alamos for many years prior to being a
15 business representative.

16 I'm here to tonight to speak in favor of
17 this project for some of the reasons Ray Baca spoke
18 of, the economic impact to the local communities and
19 to the state, as well as the fact that the building
20 that they are looking to replace, the CMR building,
21 has been operating since the early '60s, late '50s.

22 I -- this is, myself, I did live in
23 Española for many years, I have family that lives
24 here, and I'd rather see them have a new
25 state-of-the-art building processing, and working on

601-1
cont'd

602-1

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NNSA acknowledges the commentor's support for construction of the CMRR-NF. The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 this type of equipment and weapons, than to have a
2 building that's 60 or 70 years old.

3 And, therefore, the United Association
4 would like to stand in favor of this, and would
5 request that we continue with it.

6 Thank you.

7 MR. MacALLISTER: Our next speaker is
8 Stuart Barger, followed by Mike Gomez.

9 MR. STUART BARGER: My name is Stuart
10 Barger. I live in La Puebla. I live downwind of
11 Los Alamos. The only justification for the existence
12 of government is to protect its people. Why then is
13 our government committed to our destruction? You who
14 are here tonight promoting this project, following
15 the footsteps of J. Robert Oppenheimer, you have
16 become death, the destroyer of worlds. Since 1943,
17 you have poisoned our Earth, poisoned our water,
18 poisoned our air, poisoned our people, poisoned our
19 children, all to create weapons of mass destruction.

20 The projected cost of this facility is
21 estimated now at \$5.86 billion. Imagine what good,
22 instead of evil, could be done with this money. Use
23 it to decontaminate our land, purify our waters, cure
24 our people, save our children.

25 As now proposed, this facility will have

602-1
cont'd

603-1

603-1

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government and notes commentator's opposition to the CMRR-NF. Funding decisions regarding major Federal programs (for example, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

There is not, nor would there be, plutonium production at LANL. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. Please refer to Section 2.4, CMRR Mission, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 the capacity to produce 6,000 kilograms of plutonium.
2 That's enough for 9 million nuclear weapons,
3 9 million nuclear weapons. How many worlds do you
4 need to destroy? Why do you not include the
5 alternative to stop the production of plutonium?

6 So, how dare you come here tonight
7 promoting this abomination. How dare you come here.
8 Have you no conscience, have you no morals? Have you
9 no soul? Be gone from this place. Go home to your
10 families and tell them that today you have promoted
11 the destruction of our environment, the deaths of our
12 people. Won't they be proud? You are guilty of
13 committing crimes against humanity. The Nazi
14 concentration camps provided great employment
15 opportunities for prison guards. We have just
16 convicted the last of those.

17 Thank you. (Applause.)

18 MR. MacALLISTER: Our next speaker is Mike
19 Gomez, followed by a gentleman whose handwriting I'm
20 having -- I believe it's Charles or --

21 SPEAKER FROM THE FLOOR: Churlo.

22 MR. MacALLISTER: Churlo? Is it Churlo?

23 SPEAKER FROM THE FLOOR: I don't know. Did
24 you sign up?

25 MR. MIKE GOMEZ: Hello, I'm Mike Gomez, and

**603-1
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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 I represent the Sheet Metal Workers' Local 49.

2 I understand this project has got many
3 concerns, and many hopes in the public eyes. I would
4 like to endorse the project because of the fact that
5 Los Alamos has been there for years, and it seems
6 like the government does their best to keep
7 everything safe. I haven't seen any big nuclear
8 accidents there. I haven't heard of any big
9 contaminations. So, I'm thinking about the living
10 now, and not the potential of killing. I don't want
11 to think about that.

12 SPEAKER FROM THE FLOOR: Boy, you're making
13 a WIPP --

14 MR. MacALLISTER: Excuse me, no comments
15 from the floor. Zero tolerance.

16 MR. MIKE GOMEZ: And why be negative?
17 Let's be positive. The positive impact of this is
18 great for the economy of New Mexico. It's good for
19 our families, for their future. I know that the
20 opinions are, you know, yes and no. So my opinion
21 is, yes, because New Mexico needs this in these dark
22 economic times.

23 So, I do approve the construction of this
24 facility for the good of the people in the area, and
25 for the good of New Mexico as a whole.

604-1 604-1

NNSA acknowledges the commentator's support for construction of the CMRR-NF. The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentators during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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23

1 Thank you.

2 MR. MacALLISTER: Thank you, sir. Our next
3 speaker will be Churlo, followed by Tara Somerville.

4 Thank you.

5 CHURLO: What's your name?

6 MR. MacALLISTER: Bruce.

7 CHURLO: Bruce. My fellow Americans, let's
8 go over some terms here. America. We know that,
9 right? This is the place we live. Fear factor, what
10 our government thrives on, you know, with fear comes
11 weakness. With fear, with weakness, comes illness.
12 See, our government wants to keep us dumb and stupid,
13 and they want to do stuff like build a bomb. How
14 many do we have stockpiled there, Bruce? How much?
15 You don't know? Do we need to build more? Can we --
16 you know, can we put nuclear waste in your next
17 Rolls-Royce?

18 Anyway, sure our economic times might be
19 hard, but only for a thousand people to get a job
20 that might pay well, that might not give them cancer,
21 or growth defects, that won't contaminate water for
22 thousands of people that we have to consume because
23 the WIPP site is built on one of the largest aquifers
24 in the southwest, Bruce, yeah, yeah, yeah, Texas got
25 us, okay, that as well. Texas, how does that song go

605-1 605-1 NNSA notes the commentator's statements.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@rnsupport.com

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1 (made inaudible noise). You know, we're back in
2 Texas -- wait, New Mexico.

3 Anyway, so, I'm representing kids 10 years
4 old and under only because mommy's got a --
5 babysitting them with video game or something, TV
6 dinner, Happy Meal. But the bottom line, it's those
7 people that are going to suffer with that waste.
8 Where are we going to put that? Here we are. Where
9 do you live? Los Alamos, right there, right by the
10 trashcans.

11 Water contamination, hum. Environmental
12 racism, let's go with a question mark, because
13 Los Alamos County is one of the fifth richest
14 counties per capita in the nation. But how many
15 people live there? So just a few thousand people,
16 hum, you guys are tripping that, get another job.

17 Let's see. Where was I? Cancer's on the
18 rise. We talked about that. Birth defects.
19 Environmental risks, yeah, yeah, yeah, yeah. Top
20 shelf radiation. I know you like to drink top-shelf
21 liquor, but top-shelf radiation, okay, put this in a
22 tin can, right? You're going to put this down in
23 salt mines, okay. Not going to contaminate the
24 water, okay.

25 (Laughing.) I'm almost done. How much

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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

25

1 time do I have, timekeeper?

2 SPEAKER FROM THE FLOOR: A minute.

3 CHURLO: God. Oh, oh, yeah, you know why
4 no politicians are here today? Payoff, hush money.
5 And all of the union guys, okay, okay, my family is
6 starving, all right, go get food stamps, okay? And
7 then try to find another job, (laughing). Maybe you
8 want to be a sound engineer or something, work in the
9 television station or something. I don't know. Used
10 cars. Oh, no way. Yeah, the money contributions.
11 How much did you give to the party? Ha-ha-ha.

12 Anyways, you guys that build your bombs are
13 really -- you guys are really insecure. We don't
14 need any more. We need to destroy the ones we've
15 got. Like I told Norm over here, dad-gum them, build
16 a bomb, get your ass there and fix it, will you?
17 (Laughing.) Put your ass to work, come on, man. Fix
18 what you've got, and put it in the trunk of your car.

19 Did we learn from Hiroshima or we go to
20 El Paso, because of that explosion. The guys that
21 built it? He was so proud, he was so proud he killed
22 millions of people. He affected their lives for
23 generations to come. Ha, ha, ha, he's bad, like, you
24 know what I'm saying. (Laughing.)

25 So, like I said, change your way of

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MAIN OFFICE
201 Third NW, Suite 1630
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(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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Section 3
Public Comments and NNSA Responses

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 thinking, because when you started making this waste
2 here, everybody else is going to come here and
3 New Mexico's a victim, New Mexico's a state, a state
4 that can't talk. Only we can talk for it, its land,
5 its water, its animals, it is pristine.

6 Valles Caldera volcano, boom, you know, it
7 could go off, and I don't know, just because they did
8 that bomb there, early payoff for Los Alamos to set
9 this place up. It's all about money. Money, money,
10 money, money, money, I just got a hundred grand a
11 year. How about the new roadways? That's right.
12 What do you think of that? But my friends down the
13 road in Española where water wells are contaminated
14 already, already contaminated. They are. And people
15 live here, make a livelihood. Just a few in
16 Española, oh, a junk heap, no problem, there's a few
17 here, there's a few everywhere.

18 But the bottom line is human life. And we
19 don't have to think about -- consider about human
20 life. We don't need to think about destruction. For
21 some odd reason those two don't go together
22 hand-in-hand.

23 I've got to go. (Applause.)

24 MR. MacALLISTER: Our next speaker is Tara
25 Somerville, followed by Emmy Koponen.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 MS. TARA SOMERVILLE: Hi. I'm here to
2 voice opposition to the construction of the new
3 CMRR-NF building at Los Alamos National Labs for the
4 following reasons: One, I'm opposed to the
5 construction of new nuclear weapons, their capacity
6 for genocide and massive long-lasting environmental
7 damage, makes their use by anyone for any reason
8 morally reprehensible, and their construction, as
9 well.

10 And, also, two, the enormous amount of
11 money slated for the project could be used for the
12 betterment of our state and nation towards building
13 up green energy industries, like solar and wind power
14 and organic farm projects.

15 And, three, I've lived in Taos since 2005,
16 and have been a business owner since 2008, and
17 thought I've only been here since 2005, two friends,
18 Marilyn Hopp and Jean Green, explained that the smoke
19 from the Cerro Grande Fire in 2000, made it to Taos,
20 and the descriptions were that it was like it was
21 snowing ash. People got sick with symptoms ranging
22 from respiratory infections and headaches, to brain
23 tumors.

24 In Taos, we are downwind from Los Alamos,
25 and that fire proved it. And this also underscores

606-1

606-2

606-3

606-1 NNSA notes the commentator's opposition to the CMRR-NF project and nuclear weapons. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

606-2 Funding decisions regarding major Federal programs (for example, renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

606-3 After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

A number of studies have been conducted on the potential health impacts of the 2000 Cerro Grande fire. A summary of possible public health impacts resulting from the fire is included in Chapter 4, Section 4.6.1.3, of the 2008 *LANL SWEIS* (DOE 2008a). As indicated in this section, an independent assessment of public health risk associated with LANL area air contamination as a result of the fire was conducted by Risk Assessment Corporation at the request of NMED (RAC 2002). The study examined data on contaminants that were measured in air, on smoke particles, and in soil from the potential release sites and concluded that exposure to LANL-derived chemicals and radionuclides released to the air during the Cerro Grande fire did not result in a significant increase in health risk over the risk from the fire itself. This section of the *LANL SWEIS* also discusses the *Public Health Assessment* (ATSDR 2006), for which the Agency for Toxic Substances and Disease Registry (ATSDR) reviewed environmental monitoring data from 1980 to 2001 and concluded that no harmful exposures

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 the fact that a full public hearing should also be
2 held in Taos, because many of us had to drive many
3 miles to come here today to be here for this.
4 (Applause.) Thank you. (Applause.)

5 MR. MacALLISTER: Our next speaker is Emma
6 Koponen, followed by Paula Seaton.

7 MS. EMMA KOPONEN: I'm number 7, and I
8 would like to have number 3's comment emphasized,
9 because I don't have written comments. But if you
10 love life, if you honor the planet, you would not be
11 doing this, because it's wrong, it is immoral. You
12 get another job, please. Do something.

13 Let's have other energy. We have minds,
14 supposedly good minds at Los Alamos, please do
15 something useful with them.

16 Children, the elderly, the education, my
17 goodness, there's so many good things for
18 \$5.86 billion, that's 586,000,000, I mean, how much
19 money, and your little construction jobs, you could
20 build greenhouses. You could build root cellars, you
21 could build something for the future.

22 So, I'm not going to say much more, but I
23 do feel from a nuclear safety expert who dived off
24 the Taos Bridge not long ago, it was supposedly a
25 suicide, but his car was left running, his money is

606-3
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607-1 607-1

due to chemical or radioactive contamination detected in groundwater, surface soil, surface water and sediment, air, or biota are occurring or are expected to occur in the future. The data considered in the ATSDR assessment included at least one full year of environmental monitoring results from the period following the Cerro Grande fire.

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

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1 being left to the Animal Humane Society, and I have
2 so many doubts about honesty. Thank you.

3 (Applause.)

4 MR. MacALLISTER: Our next speaker is Paula
5 Seaton, followed by Ann Hendrie. Can I adjust this
6 mike for you?

7 MS. PAULA SEATON: Today, when I was
8 thinking about coming to the hearing, I felt like,
9 why bother, why bother coming to another hearing when
10 it takes time, energy, and money, and pretend that we
11 are being heard? And it's just psychologically
12 heartbreaking to come to these things. It takes so
13 much out of me, and I know all of you. And we drove
14 from Dixon, 35 miles from here.

15 And I am very sorry that there is not a
16 scheduled hearing in Taos. I know there's a lot of
17 people in that area that really wanted to speak out.
18 And in these financial times it's hard to travel that
19 distance.

20 We've had so many people in our community,
21 that's Dixon and Embudo area, that have died in the
22 last three to five years or have been diagnosed with
23 cancers, pulmonary diseases, and heart disease, which
24 I really believe are the outcome of living downwind
25 of LANL, and may be due to Cerro Grande Fire.

608-1 608-1

After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Section 3
Public Comments and NNSA Responses

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 I grew up in the northeastern corner of the
2 state, and my parents both had two types of cancer.
3 They both died of cancer. And we -- you know, I
4 can't help but think that where I grew up, it was
5 really right in the middle of where LANL, Pantex and
6 Rocky Flats, all kind of are surrounded by that whole
7 area.

8 I feel that we really need to spend our
9 money wisely at this point, and this is a horrible,
10 horrible waste of money.

11 I would like to thank all of the people
12 that are continually dedicating their lives to fight
13 and speak out for the truth.

14 And we live in this area, most of us can't
15 afford health insurance, but we're living downwind
16 from LANL, and I think that the government should
17 definitely be paying for all of our health insurance.

18 One more thing, I'd like to say. The other
19 night I had a dream about Sherry Kakowski, and she
20 was walking on a tightrope, and she was walking
21 across something like the Rio Grande Gorge, and it
22 was on international media, and I happened to turn on
23 the TV, and there she was, and she had a wireless
24 microphone, and she was taking each step, and she was
25 telling the world, it was international media, about

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Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

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1 what's happening here, and I feel like I'm going to
2 hate to give Sherry an idea, but it might take that.
3 Thanks. (Applause.)

4 MR. MacALLISTER: Our next speaker is Ann
5 Hendrie, followed by David Bacon.

6 MS. HENDRIE: My name is Ann Hendrie. I
7 wrote comments because I was afraid of crying.

8 First of all, I want to thank the Greg
9 Mellos of the world, the Concerned Citizens for
10 Nuclear Safety, Nuclear Watchdog, and Los Alamos
11 Study Group, and all those here who have voluntarily
12 dedicated some, if not a lot, of their energy and
13 lives to questioning the viability of our nuclear
14 present and future. This presence of conscience in
15 the face of seemingly insurmountable odds is the only
16 reassuring glimpse of sanity in this room.

17 I have two questions for the
18 representatives of the nuclear defense and energy
19 industry which I would like to resurrect from the
20 drowning of industry propaganda to which we are all
21 subjected. These two questions are: Why do we need
22 more nuclear warheads? To answer that first
23 question, we need only to look at who profits from
24 them. As for really deploying them, any one of them,
25 I believe the US has already made its point to the

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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

609-1

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NNSA notes the commentor's opposition to nuclear warheads. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Regarding the commentor's concern about managing risks in the nuclear industry, there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 world in 1945.

2 The second question is: Does the nuclear
3 industry have the incentive, much less the means, of
4 assessing the true risks and costs of nuclear? I
5 suggest that economic psychology and history might
6 provide some answers. Psychologically speaking, we
7 do a bad job in managing risks when they are so
8 enormous and unpredictable. We have little empirical
9 basis for judging rare events, so it is difficult to
10 arrive at good estimates. After Chernobyl and now
11 Japan, there's not been even the resources or means
12 to collect that data accurately. And when
13 corporations run the show, there might be few
14 incentives to think hard at all. On the contrary,
15 when others hear the cost of mistakes, the incentives
16 favor self-delusion.

17 Experts assure us that new technology all
18 but eliminates the risk of catastrophe. Events prove
19 them wrong. Not only do the risks exist, but their
20 consequences are so enormous that they easily erase
21 the supposed benefits of nuclear technology. What
22 insurance company is willing to be liable in case of
23 a nuclear catastrophe? None. Thanks to the US 1957
24 Price-Anderson Nuclear Industries Indemnity Act,
25 Bechtel in this case, passes off liability to the

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119 East Marcy, Suite 110
Santa Fe, NM 87501
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FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
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1-800-669-9492
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1 public.

2 Is the nuclear industry lobby willing to
3 rescind that Act? So we can conclude that a system
4 that socializes losses and privatizes gains is doomed
5 to mismanage risk. Compounding this self-delusion of
6 the industry is the secrecy surrounding the nuclear
7 industry which prevents the public from gaining much
8 information about risks arising from their
9 operations, much less in knowing how to protect
10 themselves in the event of a crisis. What are the
11 so-called emergency escape routes for Española
12 residents, much less for the Japanese? What escape
13 route exists when it affects the whole planet? And
14 if university professors are hindered in the research
15 programs to study the toxicological effects of
16 long-term low-level exposure to radionuclides
17 contamination, how can we adequately trace the
18 effects back to the source? And who pays and will
19 pay for the next 100-plus-thousand years for the
20 still unmanaged disposal of nuclear waste? After 50
21 years of trying, no acceptable solutions for long- --
22 and I mean long- -- term storage of nuclear waste has
23 been found. That, even by good business standards,
24 should be unacceptable. But not, as I said, if paid
25 for by the public. If the costs are hidden, who is

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 to blame?

2 So we can conclude that vested interests
3 caused the nuclear industry to compulsively
4 underestimate these costs and the risks. I do not
5 think there is any doubt left in the public mind that
6 our political institutions are too weak to stand up
7 to the nuclear lobby, in terms of safety. So who is
8 to lobby for the environment, for the uranium miners,
9 for the populations downwind, for nature? Only the
10 few Greg Mellos, Joni Arends, Jay Coghlan, et
11 cetera, and us. That's who.

12 Even though the nuclear industry has put
13 millions into propaganda to assure us that the risks
14 are all but nonexistent, there are historical facts
15 and geological uncertainties which do unquestionably
16 exist. What political institution do you consider
17 secure after our Arab Spring? After acknowledging
18 who's profiting and who's paying for nuclear? Are
19 nuclear proliferation or terrorists a part of the
20 Environmental Impact Statement? They should be,
21 because they, too, are part of the hidden costs of
22 our nuclear folly. And if the experts want to argue
23 that we need the weapons industry to supply the fuel
24 for nuclear energy to combat global warming, that
25 so-called solution would be, at best, only

609-2

609-2

Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. NNSA has prepared a classified appendix to the *CMRR-NF SEIS* that evaluates the potential impacts of malevolent, terrorist, or intentional destructive acts. Refer to Chapter 4, Section 4.2.10.3, Intentional Destructive Acts, for a summary of the classified appendix.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 transitional. The deployment of new nuclear energy
2 plants cannot be done quickly enough to mitigate
3 global warming. It takes ten years to build one, and
4 then their output would only take care of a fraction
5 of our energy demand, not to mention that the cost of
6 dealing with one meltdown is sufficient to move the
7 entire world to solar power over a 20-year period.
8 Once the transition to solar is achieved, guess what?
9 The fuel is free.

10 And while I'm on the subject, it's worth
11 noting that the nuclear industry has suppressed
12 renewable energy development for decades. In
13 addition, ironically, as these hidden costs of
14 nuclear power are rising astronomically, the cost of
15 wind and solar power is falling fast.

16 So in conclusion, it is logical that our
17 nuclear industry, so embedded with the defense and
18 energy interests of this country as they are, is deaf
19 to all our pleas for rationality and morality, as
20 their present existence depends on the continued
21 funding of this insanity. But if you, dear LANL
22 employees, are so enamored with nuclear energy that
23 you cannot grasp the scale of the disaster in Japan
24 and the ongoing threat of all our nuclear adventures
25 to the entire planet, then you lose all moral

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 credibility and any claim to rationality.

2 (Applause.)

3 MR. MacALLISTER: Thank you. David Bacon
4 followed by -- pardon me if I mispronounce your last
5 name -- Joan Logghe.

6 MR. DAVID BACON: Good job. That's a hard
7 act to follow. There's so many substories going on
8 here. There's one that all this money is going to
9 Bechtel, one of the worst, most corrupt corporations
10 in the world, as far as I can tell, and one of the
11 most incompetent. I don't know if you all have seen
12 a movie called "Why We Fight," but it showed how
13 Bechtel poisoned all of our soldiers in Iraq, just in
14 the most irresponsible and completely, you know,
15 disregarding way.

16 The other story that -- I was just standing
17 there now -- is how stupid is our federal government?
18 You know, there's 500 representatives and 100
19 senators, and one president, and the nuclear industry
20 can just take them down any road they want to. 350
21 million is what this thing started out at -- I love
22 these figures, as if they're real -- and someone told
23 Congress, "It's only going to cost \$350 million."
24 And then later they say, "No, it's going to go up to
25 like \$5.87 billion," and Congress apparently every

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(505) 989-4949
FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 time goes, "Okay. Okay. We got the money."

2 There's this sense that no one's awake at
3 the wheel in this country. One of the women in
4 Albuquerque, when she took the mike the second
5 time -- because they couldn't figure out even five
6 minutes per person or three minutes per person in
7 Albuquerque. It was beyond their math capability.
8 But one of the women who took the microphone the
9 second time just said, "You people are incompetent."

10 And it's these kinds of truths that I come
11 to these meetings for, because the intelligence in
12 this room is at such a higher level than the
13 intelligence of our federal congressional delegation,
14 it's really quite nice to be around.

15 It looks like with Fukushima, Fukushima is
16 in a serious, serious situation right now. It is not
17 in any way done. The level of radioactivity coming
18 off Fukushima is still incredibly high. They are
19 admitting that a lot of the major accidents happened
20 during the earthquake, not the tsunami. It looks
21 like we might see Germany and Japan get completely
22 off nuclear. That's quite a possibility right now.
23 You're going to see two of the major technological
24 countries in the world start going down another
25 route, and that is an exciting thing. As usual,

610-1 610-1

NNSA acknowledges the commentor's concern that an accident similar to the one that occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 we'll be lagging behind, because of the power of the
2 nuclear industry.

3 The thing that really scares me about this
4 is, they're going to have six metric tons of
5 plutonium in this building, and we know that that's
6 going to be a disaster. We don't know how big, but I
7 don't see how it could be anything but. It's time
8 that we stop accepting the colonization of New Mexico
9 as a nuclear colony. That's not going to be easy,
10 but we have to do it. There's no future in being a
11 nuclear colony, especially now. We know what the
12 future is. It's a future of death, destruction, and
13 high, high amounts of poisoning.

14 We, with this money -- I did the math. I
15 went to Bingaman's Senate Subcommittee -- or Senate
16 Committee Panel on Global Climate Change, Colorado
17 River Basin, Rio Grande River Basin. He was told by
18 three guys that we are in bad trouble. We're in
19 trouble with decreased snow pack, decreased river
20 flow, storms will get bigger but less frequent. We
21 need to pay attention now to our entire ecosystem.
22 The six billion would put 12,000 people to work at
23 \$30 an hour for ten years. That's how much that
24 would cover. They could then be looking at watershed
25 restoration, forest restoration, grassland

610-2 610-2

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

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1 restoration, local agriculture, and an intelligent
2 energy system. We have millions of acres of forests
3 in northern New Mexico that are in dire need of
4 thinning, and the Forest Service itself doesn't even
5 have the money to do that. So we could put -- we
6 could -- and I feel like we really have to begin to
7 insist now and put pressure on our congressional
8 delegations to put no more money down a nuclear rat
9 hole and start putting it into the communities in
10 northern New Mexico, hire people to go to work at
11 good wages, and to begin to restore our ecosystems
12 and stop poisoning them. Thank you. (Applause.)

13 MR. MacALLISTER: One request. I
14 appreciate the applause. I understand why you're
15 going to want to applaud speakers. If you can hold
16 your applause until the end of the speaker's talk,
17 that will allow our court reporters to catch
18 everything that they say. If you applaud, the court
19 reporters may miss something in the middle of the
20 statement. So I appreciate your help with that.

21 Joan Logghe. Pardon me if I'm
22 mispronouncing that. That's right? Followed by
23 Melissa Larson.

24 MS. JOAN LOGGHE: Hi. David Bacon, before
25 this started, was saying that there are different

610-2
cont'd

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 kinds of truths, and maybe mine speaks from a more
 2 emotional level. I'm the mother of three,
 3 grandmother of three, and have lived in the valley
 4 for 38 years. I remember going to bed at night and
 5 just praying that we'd be okay living by Los Alamos.
 6 You know, many of us grew up in the Cold War era. We
 7 didn't know a life that didn't have the bomb.

8 And I'm part -- when they say Environmental
 9 Impact Statement, they mention the communities. I'm
 10 part of the environment that is impacted by this. I
 11 have never seen data on what's going on in my
 12 community in terms of the radiation. This doesn't
 13 seem to be available, and yet this is a community of
 14 scientists. There's a pollen count on the news every
 15 night in the spring. We talk about our allergies.
 16 We don't want there to have to be a radiation count,
 17 but I think that would be appropriate. Just like
 18 they have, elm, mulberry, plutonium. I don't know.
 19 I'm not a scientist. A count. Accountability.

20 I feel like some of you aren't -- I feel
 21 like the people in Los Alamos have good hearts and
 22 they want for their families and they -- I really
 23 believe this. And they're scientists, and for one
 24 reason or another, this is the path that their life
 25 has led them to take. But I feel like we all have

611-1

611-1

NNSA notes the commenter's concerns about emissions from LANL. Results from environmental monitoring of air and water emissions at LANL are reported annually in the reports available at <http://www.lanl.gov/environment/all/esr.shtml>.

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 988-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@litisupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

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1 good hearts and that the more we separate ourselves
2 from that, the less likely we are to hear one
3 another.

4 Maybe it's because I'm a poet, and I feel
5 like the way we can get to truth is by accessing each
6 other's hearts and intelligence in that way. But I'm
7 really against nuclear proliferation, both bombs and
8 power. I have been saying for years, can't we take
9 all these brilliant minds and turn them to the good
10 that we know we can create? We're humans. We're so
11 imaginative. We've invented pizza and sonnets and
12 Swahili and Little Debbie cakes, and all kinds of
13 amazing things. You know, we can do this if we
14 access each other's intelligent hearts.

15 When there was the big Cerro Grande Fire,
16 my husband was up there. He was working at the
17 County at the time. In La Puebla, where I live, I
18 was driving to Santa Fe to work. I teach poetry.
19 It's a very high-paying job. And all over my house,
20 there was an orange -- all over La Puebla, it was
21 orange. And then I drove to Santa Fe and people were
22 having lattes, and I was like, don't they know the
23 world is coming to an end, in a way? And then I
24 drove back that night, and we watched Los Alamos
25 burn, and our hearts were all broken for that. And I

611-2 611-2

NNSA notes the commentator's opposition to nuclear proliferation. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 thought, we have so much compassion, and we went and
2 worked at the Red Cross, we have compassion for this
3 community. I think this is an opportunity for change
4 for hearts and minds to change.

5 And then Japan. I mean, things are built,
6 and then these unimaginable situations happen. Oh,
7 we never imagined this could happen. And yet it
8 keeps happening in the most unimaginable way. So
9 even though we're beefing up, we don't know how
10 things can shake down.

11 Does that make senses?

12 I'm going to read you a poem. I wrote this
13 in 1990. I'm a poet. And I'm speaking for myself.
14 Even though I am the poet laureate in Santa Fe, I'm
15 speaking for myself.

16 Answer me this.

17 Peace isn't a placebo.

18 Haven't we swallowed the threat of war?

19 And don't men want to make peace with women

20 And aren't women full of peace

21 As they fill with babies

22 And aren't babies made of molecules of

23 peace

24 And aren't babies fools who babble on in

25 peace

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 Through guns and bombs? And wouldn't you
2 try
3 And wage peace and didn't your grandmother?
4 And wasn't she Hungarian, and knew too much
5 of war?
6 Isn't adobe made of mud and straw
7 And isn't my heart? And isn't a fire made
8 of wood
9 And light and don't walks eventually turn
10 Into flight and isn't it grand the way
11 peace trickles
12 From my hands? And isn't recycling a word
13 For pop cans and yesterday's news and not
14 For the element Plutonium. And isn't
15 Plutonium
16 Named after Pluto, god of the Underworld:
17 That place you turn when there is no way
18 up?
19 And couldn't Los Alamos finally turn
20 The way cottonwoods do in fall
21 To the using of sun for heat and ways
22 To make fuel out of music? And do you want
23 Your children downwind of peace or downwind
24 Of preparations for war? And isn't peace a
25 reason

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 For churches and don't you want to be
 2 downwind
 3 Of God and aren't you already?
 4 I want to go on record saying Place me
 5 Downwind of peace. How does it feel
 6 Downwind? No difference in the scent
 7 Of lilacs, no change in the wind after
 8 rain.
 9 Don't you really want to plant gardens
 10 And isn't the economy less fragile
 11 Than the earth and why is it money always?
 12 I implore the crystalline minds of science
 13 To turn to the joy of salvation,
 14 A New World Series, Super Bowl of Peace.
 15 (Applause.)
 16 MR. MacALLISTER: Our next speaker will be
 17 Melissa Larson, followed by Jay Coghlan.
 18 MS. MELISSA LARSON: What you can see,
 19 clean air, clean water, life. No CMRR. Everybody
 20 here has been speaking really beautifully and I'm
 21 happy to be here, too, even though originally we
 22 weren't supposed to be here because this is a sham
 23 hearing, and actually, they're already planning to
 24 build this building that's 125 feet deep with tons of
 25 concrete and steel and everything, and we don't

612-1

NNSA notes the commentator's opposition to the CMRR-NF project. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

Plutonium metal and oxide used at the existing CMR Building, and that would be used in the proposed CMRR-NF, cannot produce a nuclear reaction by themselves and do not produce large amounts of decay heat that are associated with nuclear reactors that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of the CRD for more information.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 really want the building, that everybody's noticed,
2 and we definitely are ready to be done with
3 plutonium, too. Plutonium is an obsolete enterprise
4 now. We've had our play with it, and everybody has
5 seen that there is more pollution on the earth than
6 anybody knows what to do with, and it's real
7 expensive to clean that up. And so if anything, that
8 money that you're planning to invest into this
9 building ought to be used to clean up the mess you
10 have already made up there. And we do want to have
11 our clean water, and there's no way that you can put
12 the amount of concrete -- where do you get the water
13 to build that thing? And then what do you use to
14 cool off that plutonium? It's just an obsolete thing
15 at this point, you know what?

16 I have been reading about -- there's an
17 element called thorium that like India and China are
18 now using to generate electricity and stuff. It's
19 also slightly radioactive, but they compare it to
20 like what unleaded fuel is to leaded fuel. It's a
21 little bit safer. It's not the best solution, but at
22 least it's something to move on to, and then it
23 doesn't create nuclear weapons, and there's no
24 byproducts that you use to blow people up and stuff.

25 So if people really need to work on power,

**612-1
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

3-1191

Section 3
Public Comments and NNSA Responses

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 I think, you know, for one thing, solar energy is
 2 great, you know. One thing I heard is that that
 3 Cassini mission that went out to outer space, it was
 4 carrying 72 pounds of plutonium on board, and
 5 somebody said that if that thing didn't make it and
 6 came down, it was going to kill like 30 to 40 million
 7 people, and that's only 73 pounds of plutonium. So
 8 you can imagine what 6 metric tons of it is going to
 9 do.

10 And there's a lot of plutonium on the earth
 11 right now. Actually, it's a real problem for the
 12 scientists, I understand, because they have created
 13 so much of it, and with the nuclear power and stuff
 14 that they're trying to promote also, even though
 15 Fukushima has proved that, everybody with any brains
 16 at all wants to look at the future, they're already
 17 thinking we've got to find some other power source,
 18 you know.

19 So I think solar energy is great. In fact,
 20 I heard like those missions to outer space, they're
 21 always saying oh, plutonium, that's like a space
 22 battery and stuff. But actually, solar energy works
 23 really good for space missions and everything, too.

24 So you know, the scientists know that
 25 there's lots of other ways to do it. It's not that

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SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 988-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@hlsupport.com

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1 it's so hard to come up with these new ideas. It's
2 just that the old ideas are kind of -- they're still
3 making the money. Somehow, like this, I guess, I
4 don't know who's got invested in it that much,
5 because obviously none of the people -- the only ones
6 who really want to see this thing go up are the ones
7 who have got jobs there, and are going to be building
8 it, or something. But otherwise, all the people in
9 New Mexico want their clean land, their clean water,
10 their clean air. That's the only thing that's going
11 to keep the life here going.

12 And we love this land, you know, and we
13 love all the living things here, so we don't want to
14 see it all go down into some plutonium thing and
15 everyone get evacuated and have to move far away and
16 leave the land to waste, you know.

17 So we've already seen that happening in
18 Fukushima today, and I noticed in the SEIS about this
19 plan that they only had like one small paragraph
20 about the Fukushima thing, and it didn't really go
21 into any detail at all, and I suppose you need to
22 have a nice security clearance in order to get the
23 information that they're not telling us, but I think
24 that really just common sense would have anybody
25 know, and everybody here that's talking against it

612-2

612-2

NNSA acknowledges the commentator's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. As discussed in the response to Comment 612-1, the plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

BEAN
ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@baisupport.com

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1 seems to understand that it's just something that we
2 don't need and that there's a better use for the
3 money and there's better uses for the scientists'
4 minds.

5 And you know, plutonium was a cute little
6 experiment back in 1940, and maybe a lot of guys got
7 real turned on about it or something, but I think
8 that it's an old thing now, kind of like those, you
9 know, videocassette things that they used to have,
10 and stuff like that. Once it becomes an obsolete
11 thing, you just have to go out and do something else.
12 You can't just keep using the same old thing. That's
13 proved that it's not working, and that it's only
14 going to wreck the earth.

15 So anyway, basically, these hearings are a
16 sham because they have already decided that the
17 building is what they're going to do. And they're
18 just trying to say they're considering these
19 alternatives, but there's no alternative they're
20 considering.

21 And so I came here, just for the record, to
22 let you know that I don't think it's a good
23 alternative, and, you know, go through the process
24 with you, but make the motions, you know. But
25 obviously, there's no way to stop it. You know,

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**612-1
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 there's no way to stop it, no, there's no way to stop
2 it. Can't stop it even if you try. (Applause.)

3 MR. MacALLISTER: Our next speaker will be
4 Jay Coghlan, followed by Julie Sutherland.

5 MR. JAY COGHLAN: I'm Jay Coghlan, with the
6 Nuclear Watch New Mexico. I'm going to respectfully
7 disagree with the previous speaker. We can still
8 stop this thing, you know, and we're going to work
9 hard towards that end.

10 I'm a self-confessed wonk at times. I'm
11 going to speak wonk-speak in an attempt to, I don't
12 know, impede this process. But these hearings, of
13 course, are happening pursuant to a federal law,
14 specifically the National Environmental Policy Act.
15 And I basically want to discuss what I see as two
16 broad vulnerabilities to this Draft Supplemental EIS.

17 The first is that it makes no attempt and,
18 in fact, rejects revisiting the purpose and need in
19 what the mission should be for the nuclear facility.
20 It rejects that kind of consideration out of hand,
21 and basically just tries to confine the study
22 essentially to seismic issues and the construction
23 methods used to mitigate those concerns, et cetera,
24 et cetera.

25 But I would like to suggest -- and the NNSA

612-3
cont'd

613-1

613-1

NNSA notes the commentator's concerns regarding the purpose and need for the CMRR-NF project. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, and Section 2.11, Alternatives Considered, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 folks may want to think about this -- that you
 2 possibly make this process legally vulnerable by not
 3 going back and reexamining mission and need. And the
 4 SEIS explicitly states that nothing has changed since
 5 the 2003 EIS. And juxtaposed against that, I found
 6 it ironic that just a couple of days ago, NNSA
 7 released a fiscal year 2012 strategic plan and the
 8 first thing it says is that so much has changed since
 9 we last released a strategic plan in 2004.

10 The first thing that this NNSA strategic
 11 plan points to is President Obama's April 2009 speech
 12 in Prague in which he enunciated a future world free
 13 of nuclear weapons to be a national security goal.
 14 And I bring that up, that that is a double-edged
 15 sword, but I will reemphasize the fact that, to me,
 16 it clearly contradicts the assertion that NNSA makes
 17 in the Supplemental EIS that nothing has changed.

18 Now, for me to cite Obama's Prague speech
 19 is, again, double-edged because out of one side of
 20 his mouth, Obama, you know, has his lofty goal of a
 21 future world free of nuclear weapons. And basically
 22 in his next paragraph, he goes, "In the interim, we
 23 of course are going to maintain a strong nuclear
 24 deterrence."

25 So it's two sides of a coin, and it's tough

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SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 988-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
1-800-669-9492
 e-mail: info@litisupport.com

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1 to deal with in that Obama, the administration,
2 subsequently came out with a high-level policy
3 document called the Nuclear Posture Review, and that
4 review specifically endorsed construction of the CMRR
5 project and the nuclear facility. But the one key
6 thing that that review did not do -- and this gets
7 to, I believe, the heart of the argument either for
8 or against the nuclear facility -- that review did
9 not raise the level of plutonium pit production.

10 The laboratory is very fond of saying that
11 the nuclear facility will not be a facility for pit
12 production, and that's true in a narrow sense, but
13 it's misleading, if not downright disingenuous, to be
14 saying, because what the nuclear facility really is,
15 it is the keystone to an expanded plutonium
16 production complex, that Technical Area 55. And this
17 huge new facility will be linked via underground
18 tunnel to the existing pit production facility.

19 So to my mind, this is just a semantic
20 argument that I think the laboratory should drop.
21 Just because you have two different facilities under
22 two different roofs, you're making the claim that
23 production doesn't actually take place in this new \$6
24 billion facility at issue here.

25 That's deceptive. You know, quit saying

613-2

613-2

As stated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA needs to act to provide the physical means for accommodating the continuation of mission-critical analytical chemistry and materials characterization capabilities at LANL beyond the present time in a safe, secure, and environmentally sound manner. Concurrently, NNSA proposes to take advantage of the opportunity to consolidate analytical chemistry and materials characterization activities for the purpose of increasing operational efficiency and enhancing security. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As described in Chapter 1, Section 1.2, of the *CMRR-NF SEIS*, NNSA's ability to perform these capabilities has been curtailed because of safety restrictions at the existing CMR Building; some types of materials characterization work have been suspended because of these limitations. Refer to Section 2.4, CMR Mission, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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1 that. You are setting out again to create this
2 expanded production complex for plutonium pits.

3 Now, other things that have occurred since
4 the Environmental Impact Statement for the CMRR, we
5 had a prestigious panel of independent experts come
6 out with a study that Nuke Watch initiated, by the
7 way, but a study that concluded that plutonium pits
8 have reliable lifetimes of basically a century. And
9 again, this gets to, I believe, the heart of the need
10 or, better put, the lack of need. Just because
11 plutonium pits last on the order of a century, where
12 is the need for new production at which the nuclear
13 facility is going to play a key part?

14 And I can see I'm only going to get halfway
15 through my comments, so I look forward to the next
16 round, and I'll get to the lack of alternatives
17 that's being considered in the site Environmental
18 Impact Statement.

19 But in an attempt to close now, there is no
20 real mission need for this nuclear facility. It is
21 provocative to be building it. I've raised a family.
22 I had to have a job. I'm very sympathetic to the
23 notion that, you know, the population clearly needs
24 jobs. Just try to imagine the jobs that we could
25 create if we put that \$6 billion into something else

613-2
cont'd

613-3 613-3

NNSA reviewed pit lifetime studies and has concluded that degradation of plutonium in a majority of nuclear weapons will not affect warhead reliability for a minimum of 85 years. NNSA plans to continue studying plutonium aging through surveillance and scientific evaluation. NNSA will annually reassess the status of plutonium in nuclear weapons as the weapons laboratories continue to evaluate new data and observations (NNSA 2006a). It should be noted that plutonium aging is only one of the variables affecting nuclear weapon system reliability; other variables can control overall life expectancy of nuclear weapon systems.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 besides this expansive plutonium facility that is,
2 hopefully, for a shrinking business of nuclear
3 weapons production. (Applause.)

4 MR. MacALLISTER: Our next speaker is Julie
5 Sutherland, and she will be followed by Marilyn Hoff.

6 MS. JULIE SUTHERLAND: Hello. I'm a farm
7 worker, and I live off the grid in northern
8 New Mexico. And I love it here. I will need my
9 comment.

10 A new EIS is needed. As the old one of
11 2004 is obsolete and inapplicable. The scope of the
12 project has changed dramatically and the price tag
13 has increased from 600 million to 6 billion. We do
14 not need more nuclear weapons. Instead, clean up of
15 legacy waste has to happen, and a return to sanity.

16 Our children deserve a future free from the
17 terrorist threat that Los Alamos National Lab
18 proposes.

19 We want our health back. Think of
20 life-affirming alternatives to this technological
21 destruction. Wind and solar energy are the
22 harbingers of the future and sustainable, to boot.

23 Don't pollute. Reduce, reject this SEIS,
24 and rejoice with peace and love. (Applause.)

25 MR. MacALLISTER: Our next speaker is

613-3
cont'd

614-1 614-1

As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. This *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements.

NNSA notes the commentator's statements about additional nuclear weapons and legacy waste. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for a discussion of the nuclear weapons mission. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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1 Marilyn Hoff, and she will be followed Jeanne Green.

2 MS. MARILYN HOFF: Thank you for the
3 opportunity to speak. I am Marilyn Hoff. I'm from
4 the northern part of the state. As an aside, I want
5 to say that the Mayor of Taos has offered a room. He
6 is a leader of a band, so he will probably offer a
7 sound system. There's really no reason why these
8 hearings cannot be held in Taos.

9 This Supplemental Environmental Impact
10 Statement or SEIS, for the proposed Chemical and
11 Metallurgical Research Replacement Nuclear Facility,
12 intended for the processing of plutonium, with which
13 to make plutonium pits, with which to make nuclear
14 bombs, amongst the pages and pages of inelegant prose
15 have failed to tell the whole story.

16 This supplemental also fails to achieve the
17 thoroughness of a complete EIS. The EIS pretends to
18 supplement, address the building design that is no
19 longer on the drawing board.

20 So, now, we find more costly and
21 complicated still evolving designs, yet the final
22 cursory plans from a mere supplemental.

23 This site is complied by a hardly neutral
24 defense contractor. It is notable for what it does
25 not contain.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

615-1

615-2

615-1 After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

615-2 The *CMRR-NF SEIS* is an SEIS to specifically address changes in the design of the CMRR-NF based on additional seismic information and safety requirements. The design has matured since the 2003 *CMRR SEIS* and more information is available about construction and operations impacts. The description of the Modified CMRR-NF Alternative in Chapter 2, Section 2.6.2, of the *CMRR-NF SEIS* presents information about the two construction options, the Deep Excavation Option and the Shallow Excavation Option.

All proposed new DOE facilities are required to be designed, constructed, and operated in compliance with applicable DOE orders, requirements, and governing standards, established to protect public and worker health and the environment. DOE Order 420.1B, "Facility Safety," requires that nuclear or nonnuclear facilities be designed, constructed, and operated so that the public, the workers, and the environment are protected from the adverse impacts of natural phenomena hazards, including earthquakes. The order stipulates the natural phenomena hazards mitigation requirements for DOE facilities. DOE Standard 1020-2002, *Natural Phenomena Hazards Design and Evaluation Criteria for Department of Energy Facilities* (DOE 2002a), implements DOE Order 420.1B and provides criteria for the design of new structures, systems, and components to ensure that DOE facilities can safely withstand the effects of natural phenomena hazards.

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1 First, the CMRR-NF is not emphasized. How
2 could it be? Its design is incomplete. Billions
3 have been added to its price tag. The costs of
4 grappling with the building's projected location in
5 earthquake country, and in grappling, too, with the
6 dangerous potential for the plutonium to burst into
7 flame.

8 Will the sky-high cost of making this
9 building resistant to earthquake, inspire the
10 designer to cut costs on fire suppressants? The SEIS
11 does not say. What if an earthquake cracks the CMRR
12 building wide open, and plutonium ignites as it often
13 does, and the cost-cutting fire suppressant system
14 fails and plutonium oxide billows forth into our
15 surroundings? Nobody will learn what happens next
16 from this SEIS.

17 So, the SEIS is not really about the
18 CMRR-NF. The SEIS is about jumping through National
19 Environmental Policy Act or NEPA hoops just high
20 enough to give LANL's corporate contractors a
21 windfall of money from Congress.

22 Also, not in the SEIS are any meaningful
23 opportunities to building this CMRR-NF. The No
24 Action Alternative to the SEIS consists of building
25 the CMRR-NF according to its original design, which

615-2
cont'd

615-3

As described in Chapter 2, Section 2.6 of the *CMRR-NF SEIS*, the CMRR-NF would be constructed in accordance with DOE requirements for nuclear facilities, protection, site seismic design, and security. The building design includes safety-class fire suppression equipment. Fire suppression water storage tanks would be located on the lowest building floor or level. The dedicated water source for fire protection within the building and backup generators would ensure fire protection in the case of a power outage. Regarding the commentator's statement about plutonium releases, the dangers of plutonium have been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives, including the impacts of potential accidents.

The *CMRR-NF SEIS* addresses changes in the design of the CMRR-NF based on requirements related to additional seismic information. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years.

The CMRR-NF SEIS contains three alternatives: Although many commentators expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the *CMRR-NF SEIS*). The No Action Alternative included in the CMRR-NF SEIS is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967). See Section 2.11, Alternatives Considered, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@ttsupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 did not take into account the recently upgraded
2 danger of earthquakes. Thus the SEIS redefines, no
3 action to mean totally stupid action.

4 The only other alternative involving
5 Los Alamos, \$6 billion CMRR-NF contained in the SEIS,
6 is to continue with that plutonium in the old CMR,
7 without refurbishing that building or cleaning up the
8 polluted radioactive mess it has become. The SEIS
9 has redefined this alternative to mean totally
10 stupid, same old, same old.

11 With nothing but totally stupid
12 alternatives to choose from, we're left with the
13 blurry CMRR-NF, which the SEIS cannot bring into
14 focus.

15 The SEIS does not contain the No Action
16 Alternative that would truly result in no action.
17 And hence no billions in appropriations.

18 The SEIS does not contain any of the
19 discussion of the need for a CMRR-NF. Such a
20 discussion will be required in a full-fledged
21 Environmental Impact Statement, but the SEIS falls
22 short of the studies, the considerations that an EIS
23 would require. Thus, the SEIS can refuse to consider
24 refurbishing the old CMR building, or building the
25 new CMRR-NF in a different, safer, cheaper location,

615-3
cont'd

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hissupport.com

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1 on less shaky ground, or discontinuing the
2 manufacture of plutonium pits/nuclear weapons, or
3 changing the mission of LANL to something more
4 productive.

5 The SEIS can dismiss such alternatives, and
6 it's inconsistent with the CMRR-NF mission, while
7 venturing no discussion of the pros and cons, or even
8 the purpose of this alleged mission.

9 Ostensibly we're here to talk about and
10 critique the SEIS, but what this SEIS is not, far
11 outweighs what it is. What it is is a lacking job
12 done with appearances to contend with the NEPA law
13 that requires it. It does the least that could be
14 done to satisfy this law. Its makers may well get
15 away with stretching the NEPA law to give us a mere
16 supplement to cover how the whole process is all
17 about something that is incomplete.

18 This SEIS professes to assess a not yet
19 fully realized building to be built at extraordinary
20 costs for an extremely dangerous purpose, in an
21 unsafe location, that will bring enormous financial
22 windfalls to unnamed corporations. And the SEIS
23 won't tell us who those beneficiaries are.

24 The SEIS does not ask who needs any more
25 nuclear weapons per year. The SEIS does not examine

615-3
cont'd

615-4

615-4

NNSA acknowledges the commentator's statements about nuclear weapons and the nuclear arms reduction treaty. Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed in the proposed CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.9, Treaty Compliance, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

3-1203

Section 3
Public Comments and NNSA Responses

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 how come the U.S. should increase its potential
2 output of nuclear weapons, while at the same time
3 signing on to nuclear arms reduction treaty. The
4 SEIS ignores whether making more -- I have only one
5 more paragraph, okay?

6 MR. MacALLISTER: I won't take the
7 microphone, wrap it up, though.

8 MS. HOPF: I don't have much left. All
9 right.

10 The SEIS ignores whether making more
11 nuclear weapons could contribute to nuclear
12 proliferation and to the desire of nonnuclear states
13 and tariffs, to acquire the nuclear weapons for
14 themselves.

15 The SEIS does not say how making more
16 nuclear weapons of mass destruction can prevent war,
17 while our so-called nuclear deterrents, and see our
18 country engaged in a war without end.

19 The SEIS disregards whatever possible
20 purpose this useless increase and useless weapons
21 that must never be used, will serve.

22 SPEAKER FROM THE FLOOR: You can have my
23 time.

24 OTHER SPEAKERS FROM THE FLOOR: (Could not
25 be recorded, because everybody was speaking at the

615-4
cont'd

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

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1 same time.)

2 MS. HOFF: Okay. One more paragraph.

3 Okay. The SEIS passes over the possible deadly
4 plutonium and the use of a bomb factory, like Rocky
5 Flats before it, might bestow on those living
6 downwind or downstream.

7 The SEIS avoids the issue of environmental
8 racism, while the Native Americans and Hispanic
9 Americans receive the brunt of LANL's eliminations.

10 The SEIS does not consider whether the
11 billions estimated to be spent on the CMRR-NF might
12 more productively be spent on green jobs, renewable
13 energy, crumbling infrastructure, environmental
14 needs, and environmental cleanup, especially cleanup
15 on the blight on the land of enchantment known as Los
16 Alamos National Laboratory. (Applause.)

17 One more. I have one more sentence, one
18 more sentence.

19 MR. MacALLISTER: You're going to have to
20 abide by the time period. There are lots of people
21 waiting.

22 SPEAKER FROM THE FLOOR: Let her give the
23 last sentence.

24 OTHER SPEAKERS FROM THE FLOOR: (Could not
25 be reported, as everybody was speaking at the same

615-5 615-5

Chapter 4, Sections 4.2.11, 4.3.11, and 4.4.11, describes the environmental justice analyses for the three alternatives and concludes that there would not be any disproportionately high and adverse impacts on minority or low-income populations under any of the alternatives. Funding decisions regarding major Federal programs (for example, defense, education, healthcare and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

3-1205

Section 3
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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 time.)

2 MS. HOFF: (First part inaudible because
3 people were talking from the audience at the same
4 time.) A complete EIS, the so-called supplement is
5 not the appropriate thing, the appropriate thing that
6 it might be good for is toilet paper. (Shouting and
7 applause.)

8 MR. MacALLISTER: There are a number of
9 people waiting. Please abide by the time frame,
10 because I don't want to have to take the mike from
11 people. If there's a possibility and we have time
12 left, and we have so far in the other meetings, we
13 will have a second round. But I am going to be
14 cutting people off at their time, because it's part
15 of mutual respect for everybody in the room. Thank
16 you.

17 The next speaker will be Jeanne Green
18 followed by Margarita Denevan.

19 It's Jeanne Green. It looks like Jeanne.

20 MR. MacALLISTER: Thank you.

21 MS. JEANNE GREEN: First of all, we want a
22 hearing in Taos. Our mayor has requested it, and
23 thus far has been refused a real hearing. We can
24 have a performance, but not a real hearing. And I
25 have these 62 signatures here I want to submit for

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

616-1

616-1

After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

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1 the record in support of our mayor's request.

2 That wasn't part of my speech. And I'm
3 going to have to skip through.

4 But LANL's SEIS does not meet NEPA
5 requirements, because it does not offer a true No
6 Action Alternative. The supposed No Action
7 Alternative is to construct the planned 2004 CMRR-NF,
8 which does not meet current seismic standards, and
9 quote, "The No Action Alternative does not meet
10 NNSA's purpose and need, and thus would not be
11 implemented," unquote. Page S-9. If it has already
12 been determined that this option is not viable, then
13 it's not a No Action Alternative. To not build the
14 currently planned modified CMRR-NF would be a viable
15 option to consider.

16 Option 3, continued use of the CMR building
17 without extensive upgrades is not an alternative
18 either. Quote, "A portion of the CMR building is
19 located over a fault that could severely damage or
20 destroy the building in the event of an earthquake,"
21 unquote.

22 This is not a true alternative, either, and
23 extensive upgrades to the CMR was an alternative
24 considered and dismissed because, quote, "The cost
25 for geotechnical investigation, structural and

616-1
cont'd

616-2

The *CMRR-NF SEIS* addresses three alternatives. The No Action Alternative included in the *CMRR-NF SEIS* is to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD. Based on new information learned since 2004, however, the 2004 CMRR-NF would not meet the standards for a PC-3 structure as required to safely conduct the full suite of NNSA analytical chemistry and materials chemistry mission work. In addition, as described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, NNSA considers the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated, and the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This latter "no build" alternative, however, would not satisfy NNSA's stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. These include possible alternatives such as extensive upgrades to the existing CMR Building, distributing the functions assigned to the CMRR-NF among different LANL facilities, or considering other possible locations outside of LANL for the activities that would be accomplished in the CMRR-NF. Upgrading existing facilities at LANL to accomplish the CMR mission was considered in the original *CMRR EIS* and the current *CMRR-NF SEIS* (see Chapter 2, Section 2.7). The existing CMR Building operates at a reduced level due to seismic and security concerns associated with this 60-year-old building. The renovations needed to upgrade the existing CMR Building would be extensive. This alternative was considered in the *CMRR-NF SEIS*, but was determined to not be a reasonable alternative for a number of technical and programmatic reasons as discussed in the section referenced above. Section 2.7 of the SEIS has been expanded to include additional information on why it is not technically feasible to upgrade the Existing CMR Building. Also see Section 2.11, Alternatives Considered, of this CRD for additional information.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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Section 3
Public Comments and NNSA Responses

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 security upgrades, et cetera, would be substantial,
2 although not likely to approach those associated with
3 the modified CMRR-NF alternative," unquote, page
4 2-27.

5 So the upgrade of the CMR, which is
6 currently being used, and currently could be
7 destroyed in an earthquake was considered and
8 dismissed because it would not be as expensive as
9 building a new CMRR-NF. Hmm.

10 By the way, the upgrade option was included
11 in the scoping Notice of Intent, but is not in this
12 supplement.

13 Furthermore, no cost analysis is included
14 in this document, which is supplementing the EIS 2004
15 figures.

16 So, I go on here about -- so, really, we
17 only have one option being considered, and that is to
18 build the, to be determined, but somewhere around
19 \$6 billion building for expansion of plutonium pit
20 production, i.e., analytical chemistry and materials
21 characterization, AC and MC, for nuclear bomb
22 triggers. Oh, no, the SEIS says, quote, "Pit
23 production does not take place at the CMR and would
24 not take place at the CMRR facility," unquote.

25 This statement is disingenuous, if not an

**616-2
cont'd**

616-3 616-3

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, and is not a required part of an EIS or SEIS. However, cost will be one aspect that NNSA takes into consideration when making its decision.

616-4

616-4

The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.4, CMR Mission, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 outright lie. Expanded special nuclear material, AC
2 and MC, will directly support the expanded pit
3 production capabilities of up to 80 pits a year, as
4 stated in your 2008 document. Besides, why do you
5 need six metric tons of plutonium on-site if you are
6 not manufacturing nuclear bomb triggers of one kind
7 or another?

8 So, I'm going to have to skip some of this,
9 but I'll go down to this. This is not how the NEPA
10 process is supposed to work. Besides the lack of any
11 alternatives to the new CMRR-NF there are serious
12 lapses of logic and consideration of fact in this
13 document.

14 We need a new and comprehensive
15 Environmental Impact Statement to address the many
16 flaws and omissions in this SEIS produced primarily
17 by SAIC, Science Applications International
18 Corporation. SAIC is a Fortune 500 technology
19 company worth \$8 billion that partners with Boeing on
20 defense projects, and sells products to the
21 Department of Defense, the Army and Navy, and the
22 Department of Homeland Security. There's an obvious
23 conflict of interest here.

24 SAIC has produced a document that
25 absolutely excludes the very highly possible offsite

616-4
cont'd

616-5

616-6

616-5 Before DOE awards a contract to prepare an EIS, or in this case an SEIS, it reviews the contractor's proposal and makes a determination that there is no conflict of interest. The simple fact that SAIC does work for agencies or companies involved in defense work does not constitute a conflict of interest.

616-6 Chapter 4, Section 4.2.10, presents the accident analysis for the 2004 CMRR-NF. Accidents involving this facility would be expected to result in very large, unmitigated releases of radioactive materials.

NNSA acknowledges the commentator's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

NNSA has prepared a classified appendix to the *CMRR-NF SEIS* that evaluates the potential impacts of malevolent, terrorist, or intentional destructive acts. Substantive details of terrorist attack scenarios, security countermeasures, and potential impacts are not released to the public because disclosure of this information could be exploited by terrorists to plan attacks. Chapter 4, Section 4.2.10.3, presents information about the classified appendix.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 consequence of possible accidents like Fukushima,
2 terrorists -- that's classified -- earthquakes. The
3 area sits on five fault zones. Spills, without
4 immediate mitigation, and contamination of our air,
5 land and water.

6 To say that the chances of a facility
7 accident for the preferred alternative is one chance
8 in 11 million per year, page S-31, is farcical. I
9 would like to see your statistical models for an
10 accident at Fukushima, or how about 9/11? One chance
11 in how many million? I could find no real mention of
12 terrorism in this document.

13 The statistical computer modeling you used
14 has no relationship to reality. Quote, "Operation of
15 the modified CMRR-NF and RLUB, would have no impact
16 on surface water or groundwater quality," unquote.
17 We are supposed to believe that when there's already
18 contamination with radionuclides of our surface water
19 all the way down to Elephant Butte Lake.

20 Here's another. Under normal operations,
21 quote, "The average annual -- I'm almost to the last
22 paragraph here, okay?"

23 SPEAKER FROM THE FLOOR: You can have my
24 time.

25 MS. GREEN: Under normal operations, quote,

616-6
cont'd

616-7

616-8

616-7

There are established programs at LANL that address liquid discharges and cleanup of past contamination. Liquid discharges through permitted outfalls are sampled and analyzed to evaluate compliance with permit conditions; results are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). A monitoring program is conducted at LANL (described in the *LANL SWEIS*, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, including reports of contamination in Cochiti Lake and the Rio Grande. NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF.

616-8

The *CMRR-NF SEIS* addresses public health and safety of the local communities, including impacts on water supply. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, and Appendix C of the SEIS.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 "The average annual individual risk of developing a
2 latent cancer fatality is one chance in 500 million,"
3 unquote, page S-30. We don't have 500 million people
4 in New Mexico, but we have more than one cancer
5 fatality from radiological contamination by the Lab
6 in our air, water, soil, and food.

7 To conclude, the SEIS -- I'm wrapping up --
8 is totally insufficient and illegal, we need a new
9 EIS, and in it consider this alternative, do not
10 build the CMR-NF. We do not need more nuclear bombs
11 just to line the pockets of Bechtel. Decontaminate
12 and decommission the current dangerous CMR, sitting
13 on an active fault system.

14 SPEAKER FROM THE FLOOR: Bring in the
15 Mexican guy.

16 MS. GREEN: Temporarily consolidate current
17 missions at the Rad Lab and PF-4, until it all can be
18 decommissioned. And reallocate the 65 percent of
19 your budget that goes for unneeded nuclear weapons,
20 instead to nonproliferation in accordance with NNSA's
21 mission. Clean up the tons and tons of radioactive
22 waste that is migrating to our life sources of
23 direct -- our drinking water, air to breathe, and
24 soil to grow food, in accordance with the consent
25 order.

616-8
cont'd

616-9

NNSA acknowledges the commentor's support for a new EIS. Based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. Please refer to Section 2.2, NEPA Process, of this CRD for more information.

616-9

As noted in the response to comment 616-2, the *CMRR-NF SEIS* addresses three alternatives: (1) a No Action Alternative, to construct and operate a new CMRR-NF at TA-55, adjacent to RLUOB, as analyzed in the 2003 *CMRR EIS* and selected in the associated 2004 ROD and the 2008 *Complex Transformation SPEIS* ROD; (2) the Modified CMRR-NF Alternative in which a Modified CMRR-NF would be constructed and operated; and (3) the Continued Use of the CMR Building Alternative in which CMRR-NF would not be constructed and the existing CMR Building in TA-3 would continue to be used for SNM operations until it was no longer considered safe to do so. This third, "no build" alternative, however, would not satisfy NNSA's stated purpose and need to carry out analytical chemistry and materials characterization operations at a level satisfying the entire range of DOE and NNSA mission support functions. Furthermore, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* addresses alternatives that were considered but dismissed from further analysis in the *CMRR-NF SEIS*. The *CMRR-NF SEIS* does address the possible impacts from decontaminating and decommissioning the existing CMR Building in Chapter 4, Section 4.5.

616-10

616-10

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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1 MR. MacALLISTER: Please, just wrap up,
2 okay?

3 MS. GREEN: These are our tax dollars, not
4 Bechtel's, and their cohorts, SAIC, and there is no
5 justification for building more nuclear bombs,
6 including the profit motive. (Applause.)

7 MR. MacALLISTER: If the pattern of running
8 well over the time continues, I will have to start
9 taking the mike, because we still have a large number
10 of comments left. If we run out of time, these
11 people are denied their right to comment.

12 SPEAKER FROM THE FLOOR: Who decides how
13 long the meeting goes on? Why do you get to make
14 these rules up?

15 MR. MacALLISTER: Because the rules are the
16 rules --

17 SPEAKER FROM THE FLOOR: Oh, no, that's
18 (expletive deleted).

19 MR. MacALLISTER: Sir, I will have you
20 removed from the meeting if you make another outburst
21 like that. Your language is inappropriate, your
22 decorum is inappropriate. One more outburst like
23 that, you will be removed. I have security here
24 ready to do that. I'm sorry. I won't tolerate that.

25 (Noise made by several audience members.)

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 MR. MacALLISTER: The next speaker is
2 Margarita Denevan, and she is followed by J.R.
3 Trujillo.

4 SPEAKER FROM THE FLOOR: It's the only
5 chance we have to talk. It's horrible.

6 OTHER SPEAKERS FROM THE FLOOR: Yeah, we
7 all need to speak.

8 OTHER SPEAKERS FROM THE FLOOR: Take all
9 the time you want, guys.

10 MS. DENEVAN: Well, so many of the people
11 who have preceded me have said a lot of the things
12 that I think and feel.

13 But what I wanted to say is that when we
14 talk about CMRR-NF, what we're really talking about
15 is national security, the budget, jobs, and then I
16 realized, welfare.

17 National security -- now, I'd like to know,
18 how secure can we feel when we know they're building
19 this building over a seismic area that recent reports
20 say could have the potential of what happened in
21 Japan? So how secure are we when we know they are
22 building this? And then how secure are we when we
23 know that in the building of the facility itself,
24 there's all of this green gas, greenhouse gas
25 emissions. So how secure can we feel when we know we

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

617-1

617-1

NNSA acknowledges the commentator's concern that an accident similar to the one that occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Construction and operation of the CMRR-NF is expected to add very little to LANL's overall greenhouse gas emissions (refer to Chapter 4, Sections 4.2.4.2 and 4.3.4.2).

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1 are breathing this stuff that's poisoning us?
 2 And think about all of the water that's
 3 necessary. Somebody brought that up. We all know,
 4 we are -- we need water. We are at a water shortage.
 5 How much water is used for the production of these
 6 pits that they say they are not building, yet I've
 7 heard the term over and over that they want to build
 8 80 a year. And we've heard the shelf life of every
 9 pit is a hundred years. And I recently read that
 10 there's as many as 14,000 of these pits that are at
 11 our disposal right now. So why do we need more?
 12 Somebody asked that the -- whatever the
 13 strategic plan, never takes into consideration what
 14 is the purpose of this building? And what is the
 15 need? We don't need it. When this is said, it's
 16 obsolete. Nuclear weapons were obsolete the minute
 17 they were produced. We don't need them. 9/11
 18 happened, the whole world knows -- knew at that time,
 19 that the United States had the largest nuclear
 20 weapons, supplies stockpiled. It didn't stop 9/11.
 21 So we need this for national security, oh, dear, dear
 22 me. I don't believe it.
 23 Then what about the nuclear waste? We
 24 don't know what to do with the nuclear waste we have,
 25 and yet our government is proposing to take

617-2

617-3

617-4

617-2 NNSA notes commentor's concern with water usage in construction and operation of the CMRR-NF. Water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

617-3 A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not occur in the CMR Building and would not occur in the CMRR-NF. See Section 2.4, CMR Mission, of this CRD for more information.

617-3 Although a number of commentors expressed the opinion that nuclear weapons are obsolete, the President and Congress have assigned NNSA the mission of ensuring the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

617-4 Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12, of the *CMRR-NF SEIS* describe waste management impacts of all of the alternatives. As addressed further in Section 2.5, Cleanup and Waste Management, of this CRD, it is expected that sufficient disposal capacity would exist for all radioactive waste projected from any of the alternatives addressed in the *CMRR-NF SEIS*. Low-level radioactive waste disposal capacity currently exists at LANL at Area G within TA-54. When the disposal units at the existing Area G location are closed, plans are to transfer low-level radioactive waste disposal operations to the adjacent Zone 4 within

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 988-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@lit-support.com

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1 \$6 billion of our tax money to produce more nuclear
2 waste. And it makes no sense to me at all.

3 And, then, just think, national security.
4 How secure are we when we know that they are
5 proposing to bring even more nuclear waste to
6 New Mexico? Because we are empty, I guess.

7 Okay. There's \$6 billion, tax dollars,
8 that are going to be spent to build something we
9 don't need, and we can't possibly use. Just think, a
10 nuclear war where the countries are firing these
11 things at each other, who's going to survive it? We
12 don't need these pits. Oh, dear me.

13 Then, the budget. All of that money went
14 at a time when -- just think, how many times have we
15 heard that a democracy depends on an educated
16 citizenry, and what happened today in New Mexico?
17 Well, no, I come from Taos. Actually, I live north
18 of Taos. In our school district, they're laying off
19 23 teachers. That means there are going to be more
20 kids per class, and how many times have we heard the
21 smaller the class, the greater the learning?

22 And if a democracy depends on educated
23 citizenry, does that -- what's that mean for our
24 democracy? So we need that money to save our
25 democracy.

617-4
cont'd

617-5

Area G. Offsite disposal capacity also exists at both commercial and DOE locations.

Transuranic waste disposal capacity currently exists at WIPP. If waste disposal capacity at WIPP is no longer available over the operating life of CMRR-NF, then any transuranic waste generated at CMRR-NF or elsewhere at LANL would be safely stored until additional disposal capacity becomes available. Please refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

617-5

Funding decisions regarding major Federal programs (for example, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

BEAN
ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 And then the people who came up and said,
 2 from the building industries, okay, what I would like
 3 to know, is if we can build this building to produce
 4 plutonium pits, why can't we build that building to
 5 produce renewable energy? We have scientists and
 6 engineers who are working there. Why can't they take
 7 their knowledge and use it to produce renewable
 8 energy? We have asked people whose jobs have been
 9 outsourced. I'm sorry. They have been -- their jobs
 10 have been outsourced. We've asked them to retrain.
 11 I would like to say, why can't scientists and
 12 engineers be retrained to produce renewable energy?

13 Thank you so much.

14 MR. MacALLISTER: Our next speaker is J.R.
 15 Trujillo, and he will be followed by Jean Nichols.

16 MR. J.R. TRUJILLO: Hi. My name is J.R.
 17 Trujillo, and I looked in the room and I wished I
 18 knew more of you. I am happy, though, to see that
 19 there are so many people here that care about our
 20 community. But, you know, Española has a lot of
 21 difficulties, and one of the difficulties that we
 22 face is a lack of opportunity, a lack of economic
 23 growth, and as a family man, I have a wife and
 24 children, and as a businessman, as a past City
 25 Councilor here in the City of Española, we really

617-5
cont'd

618-1

618-1

NNSA acknowledges the commenter's support for construction of the CMRR-NF. The socioeconomic sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 988-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@itsupport.com

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1 hope that this project moves forward. We hope it
2 provides an economic engine that can help our
3 children obtain jobs and education. We hope it will
4 help take some of these people off of their path to
5 drug abuse. We hope that we will see a brighter
6 future for this part of the country, because I will
7 tell you, there's very little for our people to do,
8 very little for our people to have. And it's
9 becoming dire.

10 Our mayor, Mayor Lucero, has asked me to
11 come here tonight to voice that we were in favor of
12 this project. We hope that these hurdles can be
13 cleared. We hope that the project starts quickly.

14 I'm also one of the board members for the
15 Regional Development Corporation. We are in favor of
16 this project. We hope it moves ahead quickly.

17 And, again, as the Chairman of the Small
18 Business Advisory Committee for the City of Española,
19 the small businesses hope that this project moves
20 ahead swiftly.

21 We have, of course, asked that the
22 contractors up on the hill, as in the past, utilize
23 our small businesses, utilize our workforce, to help
24 with this great effort.

25 And if we can give any assistance to you,

**618-1
cont'd**

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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Section 3
Public Comments and NNSA Responses

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1 please call on us to do so. Thank you.

2 MR. MacALLISTER: Our next speaker is Jean
3 Nichols, followed by Joni Arends.

4 MS. JEAN NICHOLS: I really feel for the
5 people who are concerned with getting jobs and
6 everything, but like other people said, there's many
7 other ways to have jobs and, you know, there could be
8 a lot of other ones. We have to really talk to --
9 well, I don't know, who do we talk to? We've been
10 talking for 35 years.

11 You know, I didn't prepare anything tonight
12 because I wasn't even going to come. It's such a
13 sham. We need a new EIS on this. This is an illegal
14 and immoral process. You know, whatever -- I thank
15 so much all the people who came with all of their
16 prepared statements.

17 And I want to remind you that some people
18 only spoke for a minute, or something, so I bet if
19 you averaged it out, the people that went over a
20 little, it was okay.

21 I live in Peñasco, and we're 40 miles
22 downwind of the Lab, and during the Cerro Grande
23 Fire, we got the smoke predominantly most of the
24 time, and we're the agricultural kind of cradle of
25 the area up there.

619-1 619-1

NNSA notes the commentor's statements regarding the need for a new EIS. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 In 2006, the dust in my house was
2 determined to be too high with strontium-90, and the
3 plum trees on La Yegua were too high with americium,
4 and the people who tested it, told the people living
5 there, do not feed these to your grandchildren. I
6 mean, this is real. You know, I have test results
7 from this.

8 This is, you know, one thing to get the
9 jobs, but, you know, we say, okay, let's have a
10 bright future. It could be a bright future that goes
11 up in a flash.

12 You know, my next door neighbor, he's got
13 black lung disease from, you know, his job that he
14 had, you know, working in the mines. It's insanity
15 what we are doing here. And I know that it's the
16 political will, and so it's not the people here, it's
17 not people at the Lab who can do it. It's Congress.

18 As I pulled into the parking lot today, I
19 was listening to the news, and they were saying, you
20 know, Congress's biggest problem right now is the
21 budget deficit, and yet we're going to spend
22 \$6 billion to make nuclear -- more nuclear weapons.

23 You know, it makes you want to cry.
24 There's a nuclear numbness going on. That's why
25 there isn't, you know, more people here speaking out,

619-2 619-2

Current air sampling programs at LANL include ambient nonradiological air monitoring programs, a radiological ambient air sampling network, and stack sampling for radionuclides. All LANL operations, regardless of when they began, currently comply with state (New Mexico Air Quality Control Act) and Federal (Clean Air Act, Toxic Substances Control Act, DOE, and EPA) regulations and have valid permits. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF.

The question about contaminated fruit was addressed in an issue response in the CRD for the 2008 *LANL SWEIS*. In May 2006, the New Mexico Environment Department reported detecting americium in a single fruit sample collected in Dixon, New Mexico, one of the sites where LANL collects regional samples. LANL scientists evaluated New Mexico Environment Department data and concluded that this was likely a "false positive." Americium is a heavy radioactive element that is found as a contaminant in the plutonium used for research and pit fabrication and is one of the radionuclides for which LANL routinely monitors. Low concentrations of americium are found throughout the environment, mainly as a result of past releases to the atmosphere from aboveground nuclear weapons tests.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 because people just do not want to think about it.
2 We are expected every day to accept unacceptable
3 information, and unacceptable things.

4 You know, the fact that the EIS in 2003 or
5 2004, it's totally changed its scope. That's why we
6 needed a brand-new EIS. And what with the whole
7 global weirding that is going on, and just the
8 tornadoes -- I mean, there's going to be more of that
9 stuff happening all the time. There should be jobs
10 for everybody just going to help with those
11 disasters.

12 You know, it's time for the world community
13 to get together and take care of the world. I know
14 you don't care at Los Alamos about the people and our
15 health, but, you know, there's so many people with
16 brain tumors, cancers. I was diagnosed with the
17 cancer last year. You know, could it be that I have
18 strontium-90 in my dust? I mean, I don't know. But
19 it's just unreal. The lack of heart and the lack of
20 common sense and, I mean, it's just insane.

21 Okay. I will give my last few minutes to
22 the next person who's prepared.

23 MR. MacALLISTER: Our next speaker is Joni
24 Arends, followed by Bonnie Bonneau.

25 SPEAKER FROM THE FLOOR: I love you, Joni.

619-1
cont'd

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hissupport.com

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1 OTHER SPEAKER FROM THE FLOOR: I love you,
2 too.

3 MS. JONI ARENDS: Good evening. My name is
4 Joni Arends. I'm with Concerned Citizens for Nuclear
5 Safety.

6 So Bruce, I said a couple of times in the
7 back of the room that I would yield some of my time
8 to other speakers, and I want to find out how much
9 time I have right now.

10 MR. MacALLISTER: You have the full five
11 minutes, unless you want to yield to somebody else
12 right now.

13 MS. JONI ARENDS: The previous speaker
14 yielded the remainder of her time to the next
15 speaker. So, seven minutes?

16 MR. MacALLISTER: You have five minutes per
17 speaker.

18 MS. JONI ARENDS: So I want to thank Bruce
19 and John for making changes to the format this
20 evening, so that it's actually more civil than it was
21 in Albuquerque and more civil than it was last night
22 in Los Alamos. So thank you.

23 And I want to thank the folks who traveled
24 long distances to be here, because the National
25 Nuclear Security Administration could not figure out

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 whether they could have a hearing in Taos. We know
2 the request was made almost a month ago. So, I want
3 to appreciate everybody who spent energy and gasoline
4 and money to get here.

5 So for the gentleman who spoke earlier who
6 didn't feel any effects from LANL, I just want to
7 reiterate some of the points that have been made over
8 the times that LANL has released contamination into
9 the air, into the soil, and into the water.

10 And one example of the contamination into
11 the air was from the early operations, where
12 emissions from one facility at the Lab, in the late
13 '40s, early '50s was more than all of the releases of
14 plutonium from Savannah River, from the Hanford
15 Production Facility, and from Rocky Flats, another
16 production facility.

17 That contamination is documented in the
18 Los Alamos Historical Document Retrieval and
19 Assessment Project.

20 With respect to contamination in the soil,
21 there's over 21 million cubic feet of waste buried
22 contamination is migrating to groundwater, to surface
23 water. Some evidence of buried waste is that in one
24 site in particular, there were PCBs at 38,000 times
25 the human health standards. That site has now been

620-1

620-2

620-1

After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Chapter 2, Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

620-2

The commentator is referring to a dose reconstruction project initiated by the Centers for Disease Control and Prevention to estimate the possible exposures of populations from releases of radioactive and chemical materials from LANL during its historical operations. A final report addressing the first phase of the project – the Los Alamos Historical Document Retrieval and Assessment project – has been published (ChemRisk et al. 2010). This report addresses past operations at LANL and is not representative of current processes.

Current air sampling programs at LANL include ambient nonradiological air monitoring programs, a radiological ambient air sampling network, and stack sampling for radionuclides. All LANL operations, regardless of when they began, currently comply with state (New Mexico Air Quality Control Act) and Federal (Clean Air Act, Toxic Substances Control Act, DOE, and EPA) regulations and have valid permits. NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF.

Regarding the comment about contaminant migration, there are established programs at LANL that address liquid discharges and cleanup of past contamination. Liquid discharges through permitted outfalls are sampled and analyzed to evaluate compliance with permit conditions; results are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). A monitoring program is

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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1 cleaned up, but they wanted to ship that waste
2 through Antonito in polyethylene sacks with zippers.

3 And with respect to contamination in the
4 water, contamination has been found in the Buckman
5 Wells, contamination has been found in the Rio
6 Grande, contamination has been found in the canyons
7 that flow from the lab to the river.

8 And speaking of water, the EIS says in
9 table 4-52 that the modified nuclear facility
10 alternative will use 16 million gallons of water per
11 year. That's about 49 acre-feet. That's a lot of
12 irrigation water. That's a lot of water that could
13 be used for -- as David was talking about --
14 watershed restoration, adjusting to climate change,
15 49 acre-feet per year for nuclear weapons
16 manufacturing, nuclear weapons plutonium complex at
17 the laboratory.

18 It's also important to know that Los Alamos
19 County has 1,200 acre-feet of San Juan/Chama water
20 that they haven't diverted, and they have presented a
21 proposal to the Buckman Diversion Board to divert
22 that water at the Buckman and pipe it across the
23 river and lift it 1,000 feet to the White Rock water
24 treatment facility.

25 So I just want to put everybody on notice

620-1
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620-3

conducted at LANL (described in the *LANL SWEIS*, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, and Section 2.5, Cleanup and Waste Management, for more information on cleanup of past contamination.

All shipments of radioactive and chemical waste are conducted in accordance with Federal and state requirements.

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 that like right now, the river is running about 350
2 cubic feet per second. And that's pretty low right
3 now in this drought condition. And Eldorado, south
4 of Santa Fe, is now in class 1 or area 1 water
5 restrictions. And Las Vegas is, too. But the flow
6 in the river right now doesn't include the fact that
7 the County has 1,200 acre-feet a year to be able to
8 divert.

9 Now, the County and the lab have a
10 relationship, so it's unclear how much of that 1,200
11 acre-feet per year would be allocated to laboratory
12 operations. So I just want to put that out there,
13 that this is another piece to this whole plutonium
14 complex.

15 I want to talk more about the seismic
16 issues, so I'm going to stop right now and hopefully
17 there will be another opportunity to speak. And we
18 have some more of these signs in the back if anybody
19 wants any of them. (Applause.)

20 MR. MacALLISTER: Our next speaker is
21 Bonnie Bonneau, followed by Pat Vigil.

22 MS. BONNIE BONNEAU: I'm Bonnie Bonneau.
23 I'm from the Taos area. And I have been to a lot of
24 these public hearings over the years, and you know,
25 you call them public hearings, but it really implies

620-2
cont'd

621-1

621-1

NNSA notes the commentor's concerns. NNSA considers every comment received by U.S. mail, email, toll-free telephone or fax line, or at the public hearings. NNSA has prepared a classified appendix to the *CMRR-NF SEIS* that evaluates the potential impacts of malevolent, terrorist, or intentional destructive acts. Refer to Chapter 4, Section 4.2.10.3, Intentional Destructive Acts, for a summary of the classified appendix.

Please refer to Section 2.2, NEPA Process, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

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1 that somebody's listening and that we're being heard,
2 and so often we feel like we're just talking to the
3 wind and nobody really gives a poop what we're saying
4 anyway. And I really hope you guys will like open up
5 your minds and listen with your hearts and really pay
6 attention, because it's very important. It's not
7 just, you know, dollars and cents. It's life and
8 death.

9 The lab is endangering New Mexicans in so
10 many ways. They create health hazards and poison our
11 air and our earth, and the more and the bigger and
12 the more complex Los Alamos becomes, the huger a
13 terrorist target it becomes with the biological labs
14 up there. And TA-55 alone -- I mean, the whole
15 process has been flawed from the beginning. To
16 begin, you know, your environmental studies after you
17 have dug a giant \$200 million hole is really a very
18 defective way to do an Environmental Impact Study.

19 It seems like you never really considered
20 any alternatives. I mean, it's absolutely insane to
21 put bomb factories on top of a humongous volcano.
22 It's the biggest volcano on the continent and who
23 wants to build bombs on a volcano? This is a totally
24 insane alternative, that you didn't find any place in
25 the state, you know, that doesn't have a giant rift

**621-1
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 980-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 or a fault going the whole way across the state and
2 volcanic activity, and venting steam through hot
3 springs all around it, you know. I just can't
4 imagine people up there have any brains at all
5 sometimes.

6 All the alternatives are insane and there
7 hasn't -- not one reasonable one was suggested for,
8 you know, if you really feel like you have to behave
9 like this and build bombs and plan to murder people
10 as your hobby or your way of making a living. But
11 maybe you should have considered like that salt flats
12 or someplace in Idaho or someplace on solid ground.

13 TA-55 is extremely old and it really needs
14 to be decommissioned and decontaminated itself. I
15 bet you anything it's a Superfund site. I bet if you
16 had the Geological Service or the Army Corps of
17 Engineers go through and do an honest analysis of
18 TA-55, you'd find it was just ready for
19 decontamination as, you know, a CMR building, and you
20 know, you should not be adding on to it. Those
21 tunnels they mentioned, you know, nonspecific --
22 TA-55 has got to be in a real Environmental Impact
23 Statement and not, you know, just tagged onto some
24 EIS supplement at the TA-55. The Environmental
25 Impact Statement will be the only first step if you

621-1
cont'd

621-2

621-2

NNSA acknowledges the commentator's support for a new EIS. Based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. Please refer to Section 2.2, NEPA Process, of this CRD for more information.

The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

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1 really seriously wanted to pursue building bombs at
2 Los Alamos, which is not a very good idea for
3 anybody, either to build bombs or -- that's about as
4 dumb a place as you can build them, and making a
5 mockery of the NEPA process. And you should like
6 shut down the project right now and sort it out in a
7 more intelligent way, please. (Applause.)

8 MR. MacALLISTER: Our next speaker is Pat
9 Vigil, followed by Beata Tsosie. Pat Vigil?

10 I think he left.

11 All right, I'll come back to him. Maybe he
12 stepped out. Beata Tsosie?

13 MS. BEATA TSOSIE: (In Navajo.) My name is
14 Beata Tsosie Peña. I'm against the CMRR-NF, an
15 acronym for insanity. It is not wanted or needed
16 here. It is not needed in a world struggling for
17 peace, for healing, reprieve from violence.

18 I'm in solidarity with my respected
19 sovereign government. The Tribal Council of Santa
20 Clara Pueblo, Kha'p'oo Owinge, passed Resolution
21 Number 08-16 opposing the expansion of the current
22 CMR facility and any activity that would increase pit
23 production and make the facility permanent.
24 (Applause.)

25 It is of vital importance for

621-2
cont'd

622-1

622-1 NNSA notes the commentator's opposition to the CMRR-NF, pit production, and the existence of nuclear weapons. The CMR Building provides, and the proposed CMRR-NF would provide, capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. As indicated in Chapter 2, Section 2.4, of the *CMRR-NF SEIS*, pit production does not take place in the CMR Building and would not take place in the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

NNSA has undertaken public outreach efforts to ensure that tribal members understand the project and its implications. NNSA meets regularly with governors and others representing the Pueblos and tribes near LANL.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 government-to-government relations to be respected,
2 that our tribe is not subordinated by not being
3 heard. Like other tribal leaders, I am concerned for
4 our well-being and health, our cultural preservation,
5 our rights as indigenous peoples. Whether the US
6 recognizes these rights or not is irrelevant. They
7 exist, we exist.

8 I am afraid because of the numerous safety
9 implications that come with the instability of the
10 geological strata beneath this facility, which are
11 not addressed adequately in the current EIS, that
12 increased seismic hazards are not addressed in this
13 Environmental Impact Statement. The problem of
14 forest fires is not addressed, either. The
15 desecration of our sacred sites, the preservation of
16 my people and all people, future generations, the
17 plant people, the animal people, the insect people,
18 the water beings, the cloud beings, are not addressed
19 in this EIS. A new EIS must be created. This
20 process of public comment is not meaningful except
21 for this moment, all of us here together, which I'm
22 grateful for and I appreciate.

23 It is not relevant. We are going through
24 motions that are severely flawed. We deserve real
25 communication and dialogue. I demand, as a mother,

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@itsupport.com

622-1
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622-2

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622-2

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive

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1 as a citizen, that this project is frozen, halted,
2 stopped. I demand that someone involved in the final
3 decision-making process talk to me and my pueblo, the
4 surrounding communities, and sit down and listen to
5 us, explain to us why we are an expendable
6 population, why the label "national sacrifice zone"
7 has never been retracted, why our health care is
8 administered by the military. Why there has never
9 been cleanup in accordance with the 2005 New Mexico
10 Environmental Department consent order, why no health
11 studies -- if this nuclear complex is so great for
12 our economy, then why has our county remained the
13 poorest in the nation and Los Alamos the richest?

14 My heart goes out to workers who are being
15 split in two, and I resent our community workers who
16 are being put in the predicament of having to choose
17 between a livelihood that supports their families and
18 life. We need to heal from the split in our spirits
19 this contradiction against our life ways of being
20 land-based people, yet trying to survive in an
21 imposed culture of violence.

22 The jobs created by this facility are not
23 permanent, not sustainable. The billions that would
24 be spent making billionaires richer and our
25 communities poorer on so many levels -- spend it

622-1
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622-3

622-4

materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources). Also, refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

Impacts on all resource areas are included in Chapter 4 of the SEIS. NNSA does not agree that a new EIS is required.

622-3

NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

As summarized in Chapter 3, Section 3.11.4, of the *CMRR-NF SEIS*, a number of health effects studies have been completed or are underway for LANL. Chapter 4, Section 4.6.1, of the 2008 *LANL SWEIS* provides additional detail on these studies. See the Centers for Disease Control and Prevention (CDC) website (http://www.cdc.gov/nceh/radiation/brochure/profile_los_alamos.htm) for more information on the status of the LAHDRA study.

622-4

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government and economic impacts. Funding decisions regarding major Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

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1 instead on our schools, health care, health studies,
2 cleanup of legacy waste, true sustainable energy and
3 preservation of our forests and historical and
4 cultural sites. Thank you. (Applause.)

5 MR. MacALLISTER: Our next speaker will be
6 Marian Naranjo, followed by Lisa Putkey.

7 MS. MARIAN NARANJO: My name is Marian
8 Naranjo. I'm a member of Kha'p'oo Owinge, known as
9 Santa Clara Pueblo. I'm a mother of four children,
10 and a grandmother of six. I reside at Kha'p'oo
11 Owinge. I'm a lifetime potter and also the founder
12 and director of a community-based organization at
13 Kha'p'oo Owinge called Honor Our Pueblo Existence, or
14 HOPE.

15 I would like to thank the NNSA for this
16 opportunity to make comments on the Draft
17 Environmental Impact Statement for the construction
18 and operation of the proposed CMRR project and also
19 for the opportunity to speak my truth.

20 I would like to begin by making it clear
21 the geological function and what this place means to
22 me and to many pueblo people. This area, our Jemez
23 Mountains, is a dormant volcano with many layers and
24 many types of earth. The volcanic flow formed the
25 finger-like mesas presently known as the Pajarito

622-4
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 Plateau. This system was naturally designed so that
2 the cloud blossoms could make and bless us with rain
3 and snow that is naturally stored and filtered
4 through the rocks so that the springs throughout the
5 area could provide living things with pure water.
6 This is known as the Pajarito fault system. This
7 place breathes and moves. This place is the
8 aboriginal homelands of the pueblo people. This
9 place has sustained our people since time immemorial.
10 These ancient mountains are a place that continues to
11 nurture our life ways as they have throughout
12 millennia.

13 The peoples of this area have always
14 understood their responsibility in a relational
15 coexistence as the caretakers of this place, because
16 we are this place. As land-based people, in the
17 short 65-plus years since the Manhattan Project, we
18 have witnessed how the modernized world through
19 industry and technology has changed our present and
20 future relationship to the land.

21 When the United States Government and the
22 military began its operations at LANL in 1943, the
23 land was seized under a set of values that separated
24 the peoples from the land. The purpose was to create
25 weapons of mass destruction. It was an unnatural

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 occurrence that changed life as we know it. The
 2 culture of violence was forcibly incorporated into
 3 our story. It is truth to say that all people,
 4 everyone in this room, are inherently interconnected
 5 with the land. Our ecosystems must be respected and
 6 cared for so that our communities are healthy now and
 7 into the future. This is the true national security.
 8 If we don't take care of the land, air, and water, it
 9 will not take care of us.

10 On March 1, 2005, a consent order was
 11 signed with the New Mexico Environment Department as
 12 a Department of Energy commitment that requires
 13 cleanup of Area G, the nuclear dump site at Los
 14 Alamos National Laboratory. From what I understand,
 15 tons of uncharacterized wastes from nuclear weapons
 16 research and manufacturing is stored in unlined
 17 trenches, pits, and shafts. It's evident that the
 18 proposed CMRR will only add to contamination and the
 19 waste, especially when it plans to store six metric
 20 tons of plutonium.

21 This does not make sense to me, especially
 22 when looking at the amount of nuclear waste there is,
 23 and no plan in place on where or what to do with it.
 24 It also makes no sense to me why DOE/NNSA wants to
 25 build this nuclear facility in a place that is

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 988-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@lit-support.com

623-1

623-1

The Consent Order referred to by the commentor includes Material Disposal Area G among the specific sites to be addressed in accordance its requirements. Note however, that there is a difference between the waste that has been disposed at Material Disposal Area G and the six metric tons of plutonium mentioned in the comment. The plutonium is not waste and would be stored within a vault within the proposed CMRR-NF. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

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1 unstable geologically and, furthermore, changes the
2 plans, after the fact of the seismic hazards
3 analysis, to excavate 220,000 cubic yards of earth
4 under the facility and fill the hole with concrete.

5 It's bad enough that DOE/NNSA wants to
6 continue destroying and desecrating this sensitive
7 natural earth system, much less spending taxpayers'
8 money on mistakes and taking chances with Mother
9 Nature. If you want to take chances, go to our
10 casino.

11 I don't mean to be disrespectful, but I
12 hope you can see where I'm coming from. Do you know
13 what \$4.5 billion could do to clean up the
14 environmental impacts that still have not been
15 adequately addressed and restore this sacred place?

16 I also don't understand why building this
17 facility and sending out an Environmental Impact
18 Statement is part of the NNSA mission. I understand
19 the NNSA's mission's responsibility is for the
20 management and security of the nation's nuclear
21 weapons and nuclear nonproliferation, not building a
22 nuclear facility with capabilities to make more than
23 it's allowed presently.

24 I thought nuclear nonproliferation meant to
25 stop the spreading of nuclear weapons. Was I

623-1
cont'd

623-2 623-2

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government and purpose and need to construct the CMRR-NF. Funding decisions regarding major Federal programs (for example, environmental restoration) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

NNSA is charged with managing the Nation's nuclear weapons complex and, in this role, prepares environmental impact statements for proposals affecting the complex.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES, Inc.
PROFESSIONAL COURT
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MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 dreaming that there's a START treaty and that the
2 president called for a nuclear-free world?

3 I understand that it's now recognized that
4 the old CMR was built on two faults. Is this not a
5 sign or warning to rethink this portion of the
6 DOE/NNSA/LANL Complex Transformation operation in
7 this place?

8 For the past several years, there have been
9 government ads, programs, and training on prevention
10 of all types of things in order to be healthier. It
11 would be good for NNSA to consider taking their
12 constituents' advice on prevention. It would be
13 terrible if NNSA had to respond to a nuclear or
14 radiological emergency at its own safe facility
15 because of a natural disaster, such as seismic
16 activity, and this is also part of the NNSA mission
17 responding to nuclear and radiological emergencies in
18 the United States and abroad. At this time, I know
19 of no emergency evacuation plan for surrounding
20 communities. Does that mean in case of an accident
21 or radiological release, we shelter in place? Are we
22 then or are we already stamped as collateral damage,
23 even though the risks of building this nuclear
24 facility --

25 MR. MacALLISTER: I need to get you away.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

623-3 623-3

Chapter 3, Section 3.11.6, Emergency Preparedness and Security, of the *CMRR-NF SEIS* addresses emergency response preparedness. Emergency response facilities and equipment, trained staff, and effective interface and integration with offsite emergency response authorities and organizations support NNSA's emergency management system at LANL. LANL personnel maintain the necessary apparatus, equipment, and a state-of-the-art Emergency Operations Center to respond effectively to virtually any type of emergency, not only at LANL, but throughout the local community as well. Additional information on the Emergency Operations Center can be found in the 2008 *LANL SWEIS*.

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1 SPEAKER FROM THE FLOOR: She can have my
2 time.

3 SPEAKER FROM THE FLOOR: We want to hear
4 her now.

5 MS. MARIAN NARANJO: It's just a little.

6 SPEAKER FROM THE FLOOR: I can give her a
7 little bit of my time.

8 MR. MacALLISTER: Do it quickly, because we
9 have lots of people. Hopefully we'll have time for a
10 second round.

11 MS. MARIAN NARANJO: Are there agreements
12 for compensation and health care for generations to
13 come?

14 This proposed action by the NNSA is not a
15 pleasant thought for me or for other native and
16 indigenous people. We are not blind to the actions
17 taking place globally to other native and indigenous
18 people in the name of profit. History has already
19 been written of the manners of this government to the
20 seizing of native lands and natural resources for
21 profit for a few. As a member to an Accord Tribe, I
22 respect the government-to-government relationship
23 Santa Clara has with DOE, although I have seen actual
24 proof of consultation in other EISs such as the
25 Greater-Than-Class-C Draft EIS, but I did not see

623-4 623-4

Chapter 5, Section 5.7, Consultations with Agencies and Federally Recognized American Indian Nations, of the *Final CMRR-NF SEIS* has been revised to include more information regarding government-to-government interactions with the Pueblos that are specific to the SEIS.

A section has been added to Chapter 5, Section 5.7.1, to describe how NNSA carries out consultation requirements with federally recognized American Indian Nations.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hissupport.com

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1 this in the CMRR EIS or the CMRR SEIS.

2 I'm not finished, but --

3 MR. MacALLISTER: Thank you. Our next
4 speaker will be Lisa Putkey, followed by Reverend
5 Holly Beaumont.

6 MS. LISA PUTKEY: Yo. Hey. I'd like to
7 remind people that there are some lovely snacks over
8 in the corner provided by Donea and myself to help
9 you guys. You know, when I get depressed and anxious
10 and stressed about the death of my community through
11 radioactive contamination, it helps to eat something
12 good.

13 My name -- sorry. I'm sick today. My name
14 is Lisa Putkey. I moved here to Chimayo a year ago.
15 Chimayo, New Mexico. I love it. Sadly, I wish that
16 I could say that this is the place that I would love
17 to raise my family, but whenever I think about having
18 children here and having children, with all the
19 releases that have already been in the area and all
20 that are going to come, it scares -- it scares me.
21 It scares the (expletive deleted) out of me.

22 I work with an organization called Think
23 Outside the Bomb. We came -- I came here and moved
24 here from Washington, D.C., where I was working on a
25 national level to kill the CMRR project along with

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hissupport.com

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1 two other facilities that make -- together with Oak
2 Ridge, Tennessee, here in Los Alamos, and in Kansas
3 City, Missouri, these three facilities make all the
4 parts of a nuclear weapon, and all three of them
5 happen to be being rebuilt with four times the
6 capacity to make new bomb parts.

7 That's real funny, especially when we're
8 saying we're going to disarm and we already have
9 10,000 nuclear weapons, just about, and 2,000 that
10 are on hair-trigger alert, well, between us and
11 Russia, just floating around, floating around the
12 world ready to be unleashed to obliterate the
13 populations.

14 I want to talk a little bit about
15 plutonium, six-metric-ton vaults of plutonium.
16 Plutonium, as it's been described to me, is the most
17 carcinogenic substance known to exist. Carcinogenic,
18 I mean cancer. One little invisible speck about ten
19 sizes smaller than the width of a human hair can
20 cause cancer, if inhaled. I'm just going to repeat
21 what Joni said earlier. Joni says --

22 Whoa. Was I too loud? I'm sorry. You
23 don't need to turn me off.

24 As Joni says -- can you raise it? I mean,
25 I have a really sore throat right now. Okay, thank

624-1

624-1

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. The *CMRR-NF SEIS* addresses public health and safety of the local communities, including impacts on water supply. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, and Appendix C of the SEIS.

Chapter 3, Section 3.11.4, Health Effects Studies, of the *CMRR-NF SEIS* includes a summary of a number of epidemiological studies that have been conducted in the LANL area, as well as a summary of cancer incidence and mortality figures for the Los Alamos region as derived from data from the National Cancer Institute. During the period 2003 through 2007, the annual cancer death rate for Los Alamos County was smaller than that for the state of New Mexico as a whole, and for the entire United States. The cancer incidence rates, however, of melanoma of the skin, prostate cancer, thyroid cancer, and female breast cancer were elevated in Los Alamos County with respect to state averages, while cancers of the lung, colon, and rectum occurred at rates below the state averages.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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Section 3
Public Comments and NNSA Responses

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 you. I'll try. I get excited.

2 So I'm talking about plutonium and a
3 six-metric-ton vault, so a molecule ten sizes smaller
4 than a human hair can cause cancer, in a
5 six-metric-ton vault up on a fault line in Los Alamos
6 that we are downwind of. Interesting.

7 Joni talked earlier about the years between
8 1948 and 1955, that the Los Alamos Historical
9 Document Retrieval Assessment Project showed that in
10 that amount of time, from that one facility, there
11 were 12 instances where plutonium was let out into
12 the air. This area is more contaminated than Rocky
13 Flats, which was closed. It was closed because of
14 the contamination of the community. More
15 contaminated than Rocky Flats, Savannah River site,
16 and Hanford, in just that small window. We are most
17 contaminated site of plutonium in this country, and
18 they want to bring six metric tons. That's tripling
19 our current capacity.

20 Why? Why do we have to continue to bear
21 the same burden when we've already suffered? I have
22 been living here a year, and already I have noticed
23 that there are so many health problems. So many
24 people have diabetes. So many people have cancer.
25 And rare types of cancer that you don't see

624-2

624-2

There are established programs at address the monitoring of air, water, and soil contamination in the area surrounding LANL. The results of these surveillance efforts are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). An element of this monitoring program is conducted to detect contamination that has resulted from past practices (described in the 2008 LANL SWEIS, Chapter 4, Section 4.3.1.5). To address contamination from past practices, NNSA intends to continue activities to implement the Consent Order, which addresses environmental restoration of past contamination and disposal sites, such as Material Disposal Area G. NNSA does not consider environmental restoration to be optional and progress on implementing those efforts is not linked to decisions on construction of the proposed CMRR-NF; however, environmental restoration activities are beyond the scope of the CMRR-NF SEIS. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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1 everywhere. So many people have deformities. So
2 many people that have had miscarriages. And it
3 continues and continues to go on, and there have not
4 been health studies.

5 Can you please give us some health studies,
6 so we can at least know what you're doing to us, to
7 ourselves? We don't even have baselines, but we'd
8 like to start.

9 So yeah, environmental justice. Not
10 happening here. Area G. It boggles my mind that
11 we're spending 6 billion dollars on this new project
12 to make new ways and new nuclear weapons when we
13 already have tons -- we have all this waste
14 contamination up there, waiting to be cleaned. Still
15 waiting to be cleaned. Area G, like Joni mentioned,
16 and Marian -- I was very honored to get a tour over
17 around the area, Area G, went down a couple miles,
18 and oh, there's all these baseball fields where
19 everyone comes in the summer and does their
20 tournaments right nearby.

21 Area G is leaking. Even the labs have
22 document footage of the plumes that are spreading
23 radioactive contaminants. What else is in that area?
24 And under the ground? Santa Clara's watershed. How
25 long are we -- do you know what their current plans,

624-1
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624-2
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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 their number one plan, for cleaning up Area G is? To
2 put a tarp over it, basically. It's a special
3 evapotrans-something tarp. But basically, what they
4 need to do is evacuate, and they should spend those
5 billions of dollars on evacuating all this stuff that
6 has been left in unlined pits. Unlined. Just buried
7 in there. But no, the Department of Energy is
8 looking at bringing more radioactive waste in.

9 I just want to -- I'm going to wrap up a
10 little. How is my time?

11 MR. MacALLISTER: You're out, but --

12 MS. LISA PUTKEY: Okay, I'm bringing it to
13 a closing. I have been working here with you, and
14 someone said that we need to think about the future
15 of our youth and how this could be good and positive.

16 I have been living in Chimayo. I have been
17 working with youth. I know about the drugs and the
18 violence and the gangs and the 60 percent dropout at
19 Española High School. It's horrible. And the answer
20 to that is not investing in the military. The answer
21 to that is investing in our communities, investing in
22 our youth. And I'm sorry, but after 65 years of
23 operation, the highest millionaires per capita are up
24 in Los Alamos, and the Appalachia of the west --
25 we're one of the poorest counties, Rio Arriba County.

624-2
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 I'm sorry, but if we're still just blue collar
2 workers, I don't see much progress. Thank you. Oh,
3 wait. One more. Never mind.

4 MR. MacALLISTER: Let me remind speakers,
5 if they want to add to their time and they run out of
6 time up here, they can continue their entry. Using
7 the microphones that are recording the statements in
8 the back is one option, just as one alternative.

9 Our next speaker is Reverend Holly
10 Beaumont, and she will be followed by Teresa Chavez.

11 REV. HOLLY BEAUMONT: Good evening. I'm
12 the Reverend Holly Beaumont with Las Mujeres Hablan.
13 I want to preface my statements this evening by
14 reminding us that one of the time-tested strategies
15 of empire as a way of controlling the people that
16 they have conquered and seek to oppress is by turning
17 them against each other. It's worked in India,
18 Ireland, former Yugoslavia, Rwanda, Iraq, and it
19 could be happening here. So I want us to be really
20 sensitive to the fact that we will not succeed in
21 this unless we broaden the base of opposition to the
22 CMRR. And that means that we have to be really
23 sensitive, all of us, as we are related to this
24 industry which has controlled and in many ways
25 oppressed us now for generations. We have to find

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 ways to be coming together around this, rather than
2 allowing empire to polarize us.

3 I want to shift my focus again this evening
4 from the project to those who are in charge. You
5 probably all know this. But I'm just learning, and
6 it's been very interesting.

7 I think that 2006 was a pivotal moment for
8 Los Alamos National Laboratories. I know that there
9 are many here who have been studying the lab for
10 decades, but I think something important happened in
11 2006 when the national laboratory became a for-profit
12 industry and was turned over to, of all corporations
13 on the face of the planet, Bechtel --

14 So this is what I know about Bechtel, that
15 I'm learning, and I do want to apologize for a
16 misstatement I made last night when I was listing
17 some of Bechtel's projects, which are Bechtel is at
18 work on every continent on the globe except for
19 Antarctica. Last night I said that I could not find
20 any evidence of any project that they have ever
21 successfully completed. And I apologize, that's
22 incorrect. They were responsible for building Hoover
23 Dam.

24 So very quickly, Basra Children's Hospital
25 in Iraq. It was abandoned only 35 percent complete,

625-1 625-1

DOE and NNSA continue to provide oversight of LANL as in the past. The managing and operating contract for LANL was openly competed in 2005 for the first time in the 63-year history of the LANL site. Through 2005, the University of California had been the sole managing and operation contractor for the LANL site since its creation in 1943. The new managing and operating contractor, Los Alamos National Security, LLC, began managing LANL in June 2006. The selection of a new managing and operating contractor did not change the DOE and NNSA work performed at LANL.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 although it is listed as complete. Many delays.
2 Within a year they were already 18 months behind
3 time. I don't know how you -- somebody else do the
4 math on that. Doubling the cost.

5 There's the Boston Central Artery Tunnel
6 Project for I-93, which was designed to pass under
7 the city, and it reached a \$14.6 billion price tag
8 with a number of significant gross errors, including
9 the fact that Bechtel overlooked plans for the Fleet
10 Center, which is a 19,600-seat arena. In their plans
11 to build this, they just failed to note that there
12 was this Fleet Center planned right in their path.
13 Active nine-foot-wide pipe carrying sewage and storm
14 runoff where planners had drawn a support wall. It
15 was not enough to support the tunnel walls.

16 Then there's the Alaska pipeline project
17 awarded to Bechtel in 1974. By May of 1975 -- this
18 is probably, you know, a world record -- Bechtel had
19 already been fired for overall mismanagement,
20 including duplicating charges, overstaffing, plagued
21 with site thievery, feather-bedding, low
22 productivity, conspicuous supply problems.
23 Furthermore, Bechtel was accused of ordering the
24 quality control staff to falsify thousands of x-rays
25 of pipeline weldings in order to accelerate

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

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Section 3
Public Comments and NNSA Responses

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1 construction.

2 So tonight I thought, because we're in the
3 Española Valley, it would be interesting to look at
4 Bechtel's infamous water wars in Bolivia, since water
5 is such an issue for all of us and since, like
6 Bolivia, this land historically belongs to indigenous
7 people.

8 In November of 2001, Bechtel sued the
9 country of Bolivia for \$50 million for cancelling a
10 contract to run the water system in the third-largest
11 city in the country after local people took to the
12 streets to protest massive price hikes for water.
13 The price hikes triggered the water war, and claims
14 made by Bechtel that they did not increase the water
15 rates by any more than 10 percent have been proven to
16 be false; that, in fact, they were doubled and, in
17 some cases, even more, on people who were in crushing
18 poverty. The price hikes that triggered the water
19 were driven by -- Bechtel then took a suit to the
20 World Bank and sued Bolivia for \$50 million based on
21 the fact that they were, of course, losing their
22 profits but also they had been required to pay off a
23 \$30 million debt owed by the previous public water
24 company. The debt works out that -- this \$30 million
25 works out to be roughly Bechtel's revenues for

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 one-half of one day. Obviously, they were extremely
2 put out by that, and in Bolivia \$30 million is the
3 annual cost for hiring 3,000 rural doctors, 12,000
4 public school teachers, hooking up 125,000 families
5 who don't have access to the public water system.

6 So the poorest people in Bolivia -- rates
7 went up, Bechtel claimed, barely 10 percent when we
8 know now that it was far more.

9 But then I want to conclude with a positive
10 note because I am a clergy person and I always have
11 to close with hope. Bechtel took this suit to the
12 World Bank and it attracted so much attention
13 worldwide from indigenous peoples and other advocacy
14 groups around the world that the World Bank actually
15 denied Bechtel's suit against Bolivia, and according
16 to what I read, this is an unprecedented decision.

17 So let me just say this as a word of hope.
18 Bechtel has been defeated before, and we can do it
19 again. Good night. (Applause.)

20 MR. MacALLISTER: Our next speaker is
21 Teresa Chavez, and she will be followed by Sheila
22 Cooper.

23 MS. TERESA CHAVEZ: My name is Teresa
24 Chavez, and I would like to identify myself as an
25 individual who is not profiting from the war

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 industrial complex. I have lived in northern
2 New Mexico the majority of my life, and I have become
3 more aware in the last few years of the negative
4 consequences of waste and contamination from LANL's
5 operations.

6 I pose a question. You started off this
7 meeting talking about benefits, so I pose a question.
8 Do the benefits of the CMRR outweigh the costs? So
9 the benefit is obvious: Money. Let's talk about
10 jobs for local people. They fall on the low end of
11 the salary scale. They'll be temporary. So does it
12 really, in the long-term, benefit local communities,
13 you know? Higher-salary jobs will not benefit local
14 communities. At one of the meetings, it was
15 indicated that this beautiful building was going to
16 try and employ and attract the brightest and the
17 best, but I have a feeling that's not going to get --
18 we're not looking for the brightest and the best in
19 these communities. They're from nationwide people
20 that aren't going to be from here. Corporate
21 profits. That's the majority of what's going --
22 what's the focus of all of this, and why this
23 continues and they will benefit, but that does not
24 benefit local communities, and guess what?
25 Corporations do not have to pay taxes, so that's

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The socioeconomics sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentators during the public comment period. See Section 2.7, Economic Impacts, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 another thing that will not benefit our communities.

2 So the consequences are health care, and
3 the health care cost of workers whose health will be
4 impacted. The health care and the health costs of
5 members of the community. As a person that works
6 with young children, for the last ten years, I have
7 known of many children with neurological and medical
8 conditions and high incidence of cancer, and one of
9 the parents that I know of was posed the question
10 from a UNM doctor specialist, "What's in the water up
11 there up north?" They have seen a high incidence of
12 illnesses that are not seen in other communities,
13 neurological disorders that are just skyrocketing,
14 and this is impacting children's learning, their
15 well-being.

16 Another unforeseeable cost is if an
17 accident occurs, and also the impact of the
18 environment in cleaning up the environment. Those
19 costs -- those are huge costs. Corporations may have
20 an equation that places a number value on the cost of
21 a life versus profit to be made, but life to our
22 communities can't be measured. The cost of the CMRR
23 are enormous and the benefits minimal.

24 I am adamantly opposed to the CMRR and
25 would like to challenge the government to do the

626-2

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626-4

626-2 Chapter 3, Section 3.11.4, Health Effects Studies, of the *CMRR-NF SEIS* shows the cancer rates for the counties surrounding LANL and the Agency for Toxic Substances and Disease Registry issued a study of the health effects of LANL operations in 2006, and concluded that, "Overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities. In some time periods, some cancers will occur more frequently and others less frequently than seen in reference populations. Often, the elevated rates are not statistically significant" (ASTDR 2006).

626-3 It is understood that if a severe accident were to occur at LANL it would be expensive to clean up. To minimize these potential costs, these facilities are designed to minimize the release of radioactive materials in the event of an accident. See Section 2.8, Nuclear Accidents, of this CRD for additional information on this topic.

626-4 NNSA notes the commentator's opposition to construction of the CMRR-NF. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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1 right thing, halt construction of the CMRR, and start
2 cleaning up the mess that's already been created.
3 (Applause.)

4 MR. MacALLISTER: Our next speaker is
5 Sheila Cooper, and she will be followed by Jay
6 Gilbert Sanchez.

7 MS. SHEILA COOPER: Hello. My name is
8 Sheila Cooper, and I live in Alcalde, here in the
9 valley. And I have lived -- I am now downwind of
10 Los Alamos, and I have lived in the shadow of
11 Los Alamos all my life.

12 I understand the perspective of the
13 construction workers and scientific workers who are
14 supporting this project and hoping that it happens.
15 I understand that there's tremendous poverty in this
16 valley, and that jobs are desperately needed. And I
17 understand -- I want to tell you a little bit about
18 what my story is. When I was a child growing up, I
19 lived next door to some of the family who owned the
20 Los Alamos Ranch School and gave up their property
21 for Los Alamos to happen. In 1953, my father, the
22 first of his family to graduate from college, got a
23 good job. He got a good job at Sandia. He was
24 present at 12 atmospheric nuclear explosions at
25 Tonopah in Nevada. At each one, he was told and we

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hissupport.com

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1 were told there was no danger. We were not afraid.
2 He was not afraid. We believed him. It was a good
3 job. We were happy to have it.

4 He was present at I don't know how many
5 atmospheric nuclear explosions in the Pacific.
6 Again, we were told and he was told there was no
7 danger. And it was well-intentioned people who I
8 think believed what they were saying, that were
9 telling us that.

10 My father died of a brain tumor when he was
11 younger than I am now. I live in Alcalde. I have
12 many neighbors there who worked at Los Alamos because
13 they were the only jobs in the area. Most of those
14 neighbors are a little bit older than me, and they're
15 dying of lung problems and other problems.

16 When I lived in Santa Fe, some very dear
17 friends of mine worked at Los Alamos because that was
18 the place that they could work. And their children
19 had birth defects, the children born after he started
20 working at Los Alamos. And we were never told there
21 were any dangers.

22 So I urge you all who are working for --
23 and I would wish I had the opportunity to speak
24 personally to everybody that's hoping for a job at
25 Los Alamos, but we have no way of knowing if this is

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Chapter 3, Section 3.11.4, Health Effects Studies, of the *CMRR-NF SEIS* includes a summary of a number of epidemiological studies that have been conducted in the LANL area, as well as a summary of cancer incidence and mortality figures for the Los Alamos region as derived from data from the National Cancer Institute. During the period 2003 through 2007, the annual cancer death rate for Los Alamos County was smaller than that for the state of New Mexico as a whole, and for the entire United States. The cancer incidence rates, however, of melanoma of the skin, prostate cancer, thyroid cancer, and female breast cancer were elevated in Los Alamos County with respect to state averages, while cancers of the lung, colon, and rectum occurred at rates below the state averages.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 safe, and we have no way that we can trust this
2 Environmental Impact Statement. And I am speaking in
3 opposition to this project, even though I understand
4 the need for the jobs and how enticing that is,
5 because I have been personally and devastatingly
6 affected by these good jobs.

7 Until this Supplemental Environment Impact
8 Statement fully considers all the alternatives and
9 fully considers the impact on the health, safety, and
10 welfare of the communities that it surrounded, which,
11 as has been testified over and over again here
12 tonight, has never been done, we can't allow this to
13 go forward. None of this. Those of you working on
14 it, those of us in the audience, those hoping for a
15 job, we can't allow this to go forward, because
16 you're in danger and we're in danger. So I hope that
17 we can work together and find good jobs that don't
18 involve endangering health.

19 MR. MacALLISTER: Our next speaker will be
20 J. Gilbert Sanchez, followed by Whitney Nieman.

21 MR. J. GILBERT SANCHEZ: Timing me now? I
22 have to say a piece before I start. Thank you.
23 (Native language spoken.)

24 Under diplomatic diplomacies that we have,
25 that you have, I have just stated to the people of

627-2

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NNSA notes commentor's opposition to the *CMRR-NF SEIS*. The *CMRR-NF SEIS* addresses public health and safety of the local communities, including impacts on water supply. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, and Appendix C of the SEIS.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 Santa Clara, as a guest in their community, and as an
2 elder and former governor, I have that right to speak
3 as long as I have to without being interrupted,
4 without being stopped or given time limitations.

5 With that in mind, my name is J. Gilbert
6 Sanchez. As I stated, I'm the former governor of San
7 Ildefonso. I am not here representing the pueblo in
8 any iota, any way, any means.

9 I do have a concern. And that concern
10 happens to do with my sacred area. In our sacred
11 area, I, as a young man, and my young men and young
12 women go there to harvest wild game. With the
13 activities and the actions that are ongoing today, as
14 you state, in preparation for this building you're
15 building, I oppose it, and wholeheartedly, because
16 you have not addressed how you are going to address
17 the migration of wildlife and wild games that we have
18 harvested since time immortal throughout the time
19 that we were there.

20 Yes, during World War II, we gave up that
21 right to go in there under the assumption that it was
22 a top secret action that was going on there. But the
23 United States government also bought the Fernando
24 Hill grant from the Pueblo of San Ildefonso and its
25 Hispanic neighbors. Up to this date, we have not

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NNSA notes the commentator's opposition to the CMRR-NF and acknowledges the commentator's concern for the migration of wildlife. Text has been added to the *Final CMRR-NF SEIS* in Chapter 4, Section 4.3.7.1, to show that migration patterns of wildlife would not be adversely impacted. Construction and operation of the CMRR-NF, if chosen in the ROD, would take place within a fenced area already maintained. Other areas potentially used outside of TA-55 during construction would only be temporary.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 been allowed to exercise some of those written
2 things. There are written agreements and whatnot.

3 I stand wholeheartedly with everyone who's
4 spoken up against the CMRR building. I think it's a
5 disgrace to this country when this country's Congress
6 is talking about welfare, cutting welfare, cutting my
7 Social Security, my Medicaid, but yet the nuclear
8 welfare chain continues to move and grow at every
9 opportunity. It is a welfare chain. You are on
10 welfare. I'm not on welfare. I deserve that, I
11 worked and I put that. But when the country's
12 wealthiest county is sitting up there with less than
13 the number of people that it has up there, and most
14 of them are employees of the nuclear industry, there
15 is a welfare chain, not only here in this state, but
16 in all 16 major sites across the country.

17 And you continue to milk that cow,
18 \$6 billion what it could do wonders for us, for this
19 country. Congress is sitting there debating, wanting
20 to cut every social program there is, but yet, not
21 touching the war machines' money pocket. Where are
22 you at?

23 And I say this to you guys, how many of you
24 are here as elected officials? Where was that
25 gentleman that stood up so bravely in front of all of

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hissupport.com

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1 us to say, he represented all of these people and the
2 Mayor of Española, and yet not sit here throughout
3 the whole time to listen to what's going on?

4 I will tell you one thing (applause), if
5 there's a Pueblo governor, a councilman or elected
6 official in this room at this point in time get off
7 the skirts of the welfare lines and nuclear welfare
8 lines. Go out there and find something.

9 The great City of Chimayo has artists,
10 Alcalde has artists. The Hispanics have artists. 20
11 years ago I talked to Pete Domenici, I told him,
12 Pete, and told him, I gave him an idea. I said, if
13 all of those young men and women up in Chimayo and
14 the lower valley, in Española Valley, could set up an
15 opportunity to go out there and build lowrider cars,
16 design them to the commissions and ways of people
17 they want, we would have an economic growth so big
18 that it's going to outshine the nuclear industry up
19 in Los Alamos, because people are going to be hired.
20 And we are going to be able to go to the great
21 centers where Hispanic populations are, and even
22 non-Hispanics will want to have a classic car rebuilt
23 and designed the way they want it. We could do a
24 factory up here.

25 We have not done that, because why?

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 Because just like the ones that are saying they used
2 to go around, you are on welfare, you don't want to
3 get off of welfare. That's what you are. The
4 nuclear scientists, the people that are working up at
5 Los Alamos, you're on a nuclear welfare chain, and
6 you can't get off of that nipple. Because it's so
7 much, it's such an easy way of you getting money.

8 And as long as we continue to do those
9 things, we can make fictitious enemies throughout the
10 world.

11 My life history has been about struggle.
12 And I know how this government works. And I know how
13 you all work, how you offer this work, and I know
14 where I've been, and I've seen what I've seen.

15 When you go out there under the guise, up
16 in the tech, to take a bow, like in North Korea when
17 you turn over all of the nuclear information they
18 want, so you can have an enemy, you create your own
19 enemy, and those are the things that you do. But get
20 off this welfare line. Get off nuclear welfare line.
21 You have damaged my people. You have damaged my
22 homeland, my spiritual land. You have spent -- this
23 country has spent billions and billions of money
24 since 1948 in supporting and defending a religion in
25 this world -- Israel. Yes, some of you may be of the

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

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1 Hebrew persuasion, you may throw rocks at me and
2 whatnot, but that is a religion that this country is
3 defending. Yet at the same time it's destroying my
4 religion without blinking an eye.

5 I agree with someone that said we need a
6 baseline. And I think if you are going to employ
7 people from the valley, you need to set up a baseline
8 and draw blood and urine samples, and put it in
9 storage, because 10, 15 years, 20 years from now when
10 they start coming down with the illnesses that
11 they're going to come down with, it is going to
12 impact us, healthcare, everything else. We need all
13 of that. I need that.

14 Again, I oppose the going forward without
15 doing a full NEPA Environmental Impact Statement,
16 because there are things that have not been
17 addressed, that need to be addressed. Water, the
18 amount of water you are using. The health impact
19 that we have, the spiritual impacts you have,
20 cultural impacts you have in our daily lives is
21 self-sustaining from the wildlife that we gather from
22 this sacred area that we have next to you.

23 I thank all of you who have come up. I
24 thank all of you for being here, for showing concern,
25 for standing up against the monster that is here. I

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. NNSA prepared the *CMRR-NF SEIS* as a result of changes in construction of the CMRR-NF based on additional seismic information.

As indicated in Chapter 2, Section 2.10.1, of the *CMRR-NF SEIS*, water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL. Other impacts on resources, to include health effects and cultural resources, for all alternatives are discussed in Chapter 4 of the *CMRR-NF SEIS*.

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1 thank you very much. I'm not as technical as all of
2 you, as I would like to be, but the man to my right
3 is very technical, he watches his clock. He must be
4 paid pretty well. Get off of that welfare line.

5 MR. MacALLISTER: We still have a number of
6 speakers to go. The next speaker is Whitney Nieman,
7 and he will be followed by Julian Pratt, or --

8 SPEAKER FROM THE FLOOR: Pyatt.

9 MR. MacALLISTER: Pyatt? I'm sorry, I
10 think it's Pyatt. Mr. Nieman?

11 MS. WHITNEY NIEMAN: Ms.

12 MR. MacALLISTER: Ms. Nieman, I'm sorry.

13 MS. WHITNEY NIEMAN: Haven't you ever heard
14 of Whitney Houston?

15 Hi. My nickname is Molly. And I had a
16 wonderful time with a group of people from Taos last
17 weekend creating these. And the reason why we were
18 creating these is because we were trying to find a
19 way to make a connection between what's going on up
20 there, what's going on with our nuclear energy and
21 our nuclear weapons manufacturing.

22 And I'm quite baffled. I've never actually
23 participated in a hearing before, but I'm just
24 wondering who is listening to this? I mean, I was
25 going to be talking to the people. I wanted them to

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 listen to me. I mean, I think there's a simpatico
2 group here, we are beautiful, and it's heartwarming
3 to connect this way, and we are connected, but
4 there's a disconnect, there's a serious disconnect,
5 in my real marriage to the beautiful brain and the
6 human beings that work up in Los Alamos to wake up,
7 wake up.

8 This is the 21st century. Our main issue
9 is our Earth, our climate change, and what are you
10 doing? I just -- there's sort of like -- it feels
11 like the 20th century up at Los Alamos. That's a
12 mindset, where with nuclear energy, we're going to
13 save the world. Well, now that's not the truth.
14 It's not.

15 And I just have a couple of lovely thoughts
16 here. I just would like to say to the people who
17 aren't here, the people I wanted to talk to, to throw
18 out that 20th century mindset, a dead end, literally.

19 I would like to see your brilliant,
20 beautiful brains harnessed for something we really,
21 really need, and that's cutting edge green
22 technology. (Applause.) Put your energy into
23 creating restoration of our Earth, air and water.
24 Revitalize all of that from the contamination of what
25 has been coming out of our past production up on the

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 hill and around our country.

2 Don't wait not one more day, not one more
3 day, not one more minute. I'm calling on you to be
4 heroes, you beautiful, brilliant people in
5 Los Alamos -- we are your brothers and sisters and we
6 are asking that of you.

7 More nuclear warheads from your pit
8 production will not bring our security and peace as
9 we talked about tonight, it just hasn't shown that.
10 All it does, is increase the proliferation more than
11 people wanted to protect themselves against the
12 United States.

13 And, of course, don't you think that you're
14 vulnerable for terrorist activities?

15 A creative mind is truly a terrible thing
16 to waste. I vote no action on the CMRR.

17 MR. MacALLISTER: Julian --

18 MS. JULIA PYATT: I guess you can't read my
19 writing. Julia.

20 MR. MacALLISTER: Julia, followed by Ruth
21 Teller.

22 MS. JULIA PYATT: Thank you. Hello
23 everybody, and I wanted to thank all of the
24 organizers at this meeting tonight. I'm from Taos,
25 and I just wanted to ask, one more time if we could

629-1 629-1

NNSA notes the commentor's opposition to the CMRR-NF pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. NNSA has prepared a classified appendix to the *CMRR-NF SEIS* that evaluates the potential impacts of malevolent, terrorist, or intentional destructive acts. Substantive details of terrorist attack scenarios, security countermeasures, and potential impacts are not released to the public because disclosure of this information could be exploited by terrorists to plan attacks. Chapter 4, Section 4.2.10.3, summarizes information about the classified appendix. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

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After consideration of the request for a public hearing, NNSA decided to hold an informational meeting in Taos, New Mexico, rather than a public hearing. Taos is located over 50 miles (80 kilometers) from LANL and NNSA does not believe that the projected environmental impacts from the CMRR project would be likely to adversely affect the population residing in the area surrounding Taos. In making its decision, NNSA considered the cost of a fifth public hearing, the size of the population to be served by a public hearing in Taos, and the

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 have a hearing up there. I do think it's really
2 important that all of the people of northern
3 New Mexico can be heard and represented as well, with
4 this major project. So, I'm asking for that. And
5 I'm voting, yes, for the Environmental Impact
6 Statement. Definitely we need that, and a new EIS,
7 and no building on the seismic fault line, which
8 according to what I've read, is on the same
9 geological magnitude as we just experienced in Japan.

10 And I also would recommend that we have the
11 scientists and nuclear experts from Japan come and
12 speak to us here, come and speak to the scientists at
13 Los Alamos, maybe we can learn from them and from
14 everything that's happening in that part of the world
15 and, my God, their whole fishing industry is
16 destroyed, all of the ecosystem, it's just the
17 people -- everything that's happening there, it's
18 just really horrific.

19 So, if we could learn from Japan, learn
20 from Rocky Flats, learn from Chernobyl, learn from
21 all the nuclear incidents that have happened around
22 the world. And I do have to agree with Molly that,
23 it seems to me that for the other countries that our
24 nuclear weapons manufacturer-producers, that if the
25 United States being the grand king of all of that, if

630-1
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630-2

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absence of a previous record of a NEPA meeting being held in Taos. In addition to a poster session similar to that associated with the hearing, NNSA made presentations describing the CMRR-NF project and SEIS. Meeting participants were invited to ask questions following the presentations and advised of ways to provide comments on the *Draft CMRR-NF SEIS*; comment forms were made available at the meeting. As discussed in Chapter 2, Section 2.2, NEPA Process, of this CRD, a number of means of providing comments on the *Draft CMRR-NF SEIS* were available throughout the public comment period.

In response to the commentor's concern for construction on a seismic fault line, the geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

Section 3
Public Comments and NNSA Responses

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@ttsupport.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 they are producing more, wouldn't that make Pakistan
 2 and North Korea, and all of those other countries
 3 want to amp up their weapons? Where does that leave
 4 us? I guess I really do get confused about that
 5 disconnect. And I thought we were supposed to be
 6 going to a more peaceful world, a more positive,
 7 dynamic, loving world. I mean, it would be so cool
 8 if we, as a people, as a human race, to actually just
 9 try for once, let's try to go the positive route.
 10 Let's try to do, you know, sustainability, and the
 11 holistic way of living. Let's try it as an
 12 experiment. This one really hasn't worked very well.

13 So, I did encourage that, I just, you know,
 14 really would encourage all of the wonderful people
 15 that we have at Los Alamos, to put their energies
 16 towards that. I think it would be just an absolutely
 17 monumental example to the world. It could totally
 18 change the whole dynamic of where we are at right
 19 now. It would be very exciting for this country and
 20 for everyone around the world.

21 And, then, lastly just as an -- there's an
 22 interesting film that's out, which I heard an
 23 interview with, and I saw the trailer, and if you all
 24 want to go see Atomic Mom. And that's a documentary.
 25 The daughter of one of the scientists at Los Alamos,

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SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@hlsupport.com

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1 who worked on the Manhattan Project and other nuclear
2 projects at Yucca Mountain, it was her mother's
3 testimony, and her mother was sworn to secrecy,
4 because everything was, you know, classified. And it
5 took every ounce of courage she had to actually
6 speak, you know, what was really on her mind, towards
7 the last days of her life. It's a brand-new film.

8 And then also Robert Kennedy, Jr., has just
9 come up with Cold Mountain, which is screening at
10 Sundance right now, but it's released nationwide in
11 June.

12 So, that's not about this issue, that's
13 about coal mining in West Virginia, but those are two
14 films that could educate everybody, and thanks, thank
15 you all for being here, and thanks for going into the
16 positive.

17 MR. MacALLISTER: Next speaker is Ruth
18 Teller, followed by Stephanie Hiller.

19 MR. T. RUTH TELLER: Thank you. You forgot
20 the T. It's T. Ruth Teller. I am an elected
21 representative. I am the president-elect of Northern
22 New Mexico College. No, not the president-elect.
23 The student president-elect. I'm sorry. Student
24 president-elect. And why am I the only elected
25 representative here? Why am I the only one with the

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 integrity to speak? Ben Ray Lujan receives \$8,000
2 from Bechtel and \$11,000 from Honeywell just in the
3 last two years. It might be because the majority of
4 Espanola City Councilors work for LANL. Maybe
5 there's some money corruption going on. Just an
6 idea.

7 We have a choice. We can be like the
8 people in Spain and rise up against the corruption of
9 our political institutions in favor of real democracy
10 now, or we can be like Japan -- like Germany, where
11 they're decommissioning their nuclear infrastructure.
12 Or we can be like Japan. We can be like Egypt, where
13 the people overthrew the corrupt political dictators
14 who for decades were destroying their country and
15 stealing their money, or we can be like Japan and
16 suffer the consequences of nuclear catastrophe.

17 This process, this charade of a hearing, is
18 a fraud and a sham. It is dictatorial because no
19 alternative except the construction of CMRR is being
20 considered, and our voices are not being generally
21 heard. This SEIS explicitly states that and refuses
22 to address most of the substantive concerns that
23 opponents of CMRR raised in the original EIS
24 hearings.

25 This is fake democracy in action, i.e.,

631-1

631-1

NNSA notes the commentator's opposition for the *CMRR-NF SEIS*. As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements. Regarding alternatives addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SPEIS ROD*. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. Refer to Section 2.2, NEPA Process, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@itsupport.com

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1 dictator. Politics aside, and discounting the
2 morality of nuclear weapons production, the plan to
3 build CMRR in a seismically active nuclear zone is
4 sheer insanity. The Defense Nuclear Facility Safety
5 Board created by Congress to oversee the DOE's
6 nuclear facilities stated that LANL estimates a
7 1-in-50 chance of seismic collapse during a ten-year
8 time frame, which would result in a collapse of
9 nuclear materials. That was a quote from the Defense
10 Nuclear Facility Safety Board.

11 If the CMRR is built as planned, the old
12 CMRR will still need to be used for at least the next
13 ten years. For a citizen to live here, a 2 percent
14 chance of nuclear carcinogenic in the next decade is
15 2 percent too high. The Preferred Alternative should
16 be to immediately decommission the CMR and stop
17 building the CMRR.

18 The Española School District right now is
19 laying off teachers. I'm a student in the teacher
20 education program. What is Mary Alice Lucero doing
21 to save our teachers? What is the mayor doing to
22 create good, healthy, green, positive jobs in our
23 community? Why did her representative not stay here?
24 If the mayor was a student in my civics class, she
25 would get an F for dishonesty, corruption and selling

631-2 631-2

All proposed new DOE facilities are required to be designed, constructed, and operated in compliance with applicable DOE orders, requirements, and governing standards, established to protect public and worker health and the environment.

As described in Chapter 2, Section 2.6, of the *CMRR-NF SEIS*, the CMRR-NF would be constructed in accordance with DOE requirements for nuclear facilities, protection, site seismic design, and security. The building design includes safety-class fire suppression equipment.

Regarding the occupancy of the CMR Building, the existing CMR Building operates at a reduced level due to seismic and security concerns associated with this 60-year-old building. As stated in Chapter 1, Section 1.2, a series of upgrades have been performed to address changing building and safety requirements. As a result of operational, safety, and seismic issues, a number of actions have been implemented to enable continued use of the current CMR Building while ensuring safe and reliable operations. Changes that have occurred to maintain safe and reliable operations have been to administratively restrict the amount of material stored within the building and in use at any given time, completely remove operations from three wings of the building, and generally limit operations in the other three laboratory wings that remain functional.

See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 out our children's future. She fires teachers with
2 one hand while she lobbies to build bombs with the
3 other. Where is the Rio Grande Sun? Where is our
4 community newspaper? Are they here? No. They're
5 not here. They love to report gossip but they don't
6 report real news. Why? In light of Fukushima, this
7 is really a travesty.

8 I would like to get personal for a moment.
9 I was sitting behind you, and I couldn't see your
10 eyes, but I think you should really be ashamed for
11 your role in authoring this travesty of a document.

12 And you, sir, I could look in your eyes,
13 and I think you should be locked up before you kill
14 again, because this really is genocide, what you are
15 doing to this community, what you're doing to
16 communities around the world for your nuclear
17 weapons. And people who support jobs and would
18 rather sacrifice their health and our community's
19 environment for a few dollars -- I think you should
20 really go to Japan, because I hear there's some great
21 jobs there cleaning up after their nuclear disaster.
22 Go there. Clean up the disaster there.

23 So I hope that we really can learn from
24 this, and it's been really inspiring to listen to all
25 your voices, and we should have this kind of

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 community meeting without LANL in the room and really
2 do something to change our circumstances. And as
3 your student president, I look forward to serving you
4 in the next year. Thank you. (Applause.)

5 MR. MacALLISTER: Our next speaker will be
6 Stephanie Hiller, followed by Andrez Juarez.
7 Stephanie Hiller?

8 MS. STEPHANIE HILLER: Here I am. Hi,
9 everyone. I'm Stephanie Hiller. I live in Santa Fe,
10 and it's been a great pleasure listening to all of
11 you. I don't have a prepared speech. I actually
12 started one, and then I never finished it, and so I'm
13 actually just going to say a few thoughts in response
14 to things that have been said before, mostly.

15 I'm pretty shaken up by that young man's
16 presentation. Youth is ruthless, huh? And thank God
17 for that. It's time we really listened to our young
18 people, and it's time they really felt like they
19 could shout. And it's really time for all of us to
20 shout.

21 The things that are happening in our world
22 now are just so distorted and perverted and weird,
23 and you know, we're getting used to it. There's a
24 story a nuclear activist likes to tell about the frog
25 experiment. Forgive me if you have heard this one

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 before, but it's been haunting me lately. The frog
 2 experiment is, you have a pot of boiling water and
 3 you throw a frog into it and the frog leaps out.
 4 It's hot. Or you have a pot of water, you put it on
 5 the stove, and you put the frog into the pot of
 6 water, and you heat the water slowly, and the frog
 7 dies, because he slowly got used to the rise in
 8 temperature and lost the vim, vigor, and vitality --
 9 remember vim, vigor and vitality? -- to get out.

10 It's this strange slumberous state we're in
 11 in this country that is so frightening. And we lapse
 12 into it, even those of us who are here spending our
 13 evening talking about this horror show up on the hill
 14 that is not just up on the hill. It's everywhere.
 15 It's all over the place. And when you look at the
 16 map about where nuclear contamination is in this
 17 country, it's all over the country. It's everywhere.
 18 You can't just leave. You can't just say, "Okay,
 19 that's it, I'm getting out of Santa Fe." I say this
 20 every now and then. "I don't know why I came here.
 21 I'm leaving. The water has, you know, got plutonium
 22 in it. I'm leaving."

23 Where am I going to go? If you really look
 24 at the map, there's Idaho Falls, there's Hanford,
 25 there's Rocky -- my son lives right down the road

632-1

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NNSA notes the commentor's concerns regarding the effects of nuclear technology. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 988-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@litisupport.com

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1 from Rocky -- where Rocky Flats is. You know they
2 made a park out of it? You know, I think we
3 really -- when I listen to the people here from the
4 pueblos -- and it's happened to me before when they
5 speak -- it's so clear, and I just think we need to
6 listen to them, because we white people, we
7 Americans, we've lost our minds. Our minds are
8 just -- they're not operating anymore. I mean, to
9 spend \$6 billion and talk about taking seniors off --
10 I can speak to that -- taking seniors off of
11 Medicare, I mean, this is just total -- it's lunacy.
12 Let's just spend more money so we're prepared to
13 defend ourselves by killing more people in a minute
14 overnight.

15 Oppenheimer once was filmed saying, "Is it
16 true that if we continue on this path, we'll be able
17 to destroy 40 million people in eight cities
18 overnight?" "Yes. It is true."

19 And that was then. So think of what we can
20 do now.

21 So on a slightly happier note, I wanted to
22 tell you that Obama is looking for money from the
23 nuclear budget to cut. He wants to cut \$400 billion
24 from the nuclear weapons budget, so maybe some of us
25 want to write to him and make a suggestion of

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 something he can cut.

2 Lately, I have been thinking of the line
3 that -- I think it was in the '60s -- "What if they
4 had a war and nobody came?" And you know, it's more
5 than just a clever line. It's a strategy. What
6 about not participating in this whole engine of
7 destruction? What about just pulling out, pulling
8 the plug, looking at all the places where we feed
9 into it, and not doing it anymore? And we could have
10 town meetings and we could discuss it, and we could
11 host it, and we could invite people who work at the
12 lab, because I honestly -- I don't know how anyone
13 can make a living making this stuff. I just don't.
14 I recognize that we're all human beings and I believe
15 that we really can, all of us, come together to get
16 out of the really dangerous predicament we're now in.
17 We could do that, and we really, really must try.
18 Thank you. (Applause.)

19 MR. MacALLISTER: Our next speaker is
20 Andrez Juarez, followed by Kathy Sanchez.

21 MR. ANDREZ JUAREZ: Good evening, everyone.
22 I'd like to thank everyone for showing up and once
23 again, to the city councilman who was here and wanted
24 to improve our schools, maybe he should consider
25 firing everybody on the school board.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 I'm going to be honest with you. I'm for
2 this. I think they should build the CMRR. In fact,
3 I think the military-industrial complex should
4 expand. I think what we need is more nuclear
5 research. What we need is more bombs. Because for
6 every bomb we have, we don't have to build a school
7 to educate people. We don't have to build a home to
8 house poor people. We don't have to supply health
9 care for poor people. And you know, to be honest, I
10 think this is, you know, going to ensure that our
11 country continues down its spiral to becoming a third
12 world country, really honestly, because remember, we
13 only need people smart enough to operate the
14 machines, not smart enough to ask questions. Thank
15 you. (Applause.)

16 MR. MacALLISTER: Our next speaker is Kathy
17 Sanchez, followed by David Norris.

18 MS. KATHY SANCHEZ: (In Navajo.) My name
19 is Kathy Sanchez, and I'm from San Ildefonso Pueblo,
20 and I also work with Tewa Women United. I did not
21 really prepare a speech, but I just wanted to speak
22 from the heart of the things that I have been hearing
23 or that's going on. Tomorrow we're hosting a group
24 of Middle Eastern dignitaries at our office, and
25 they're coming here to ask us native people about

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NNSA notes the comment. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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ASSOCIATES, Inc.
PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 human rights. What's the UN human rights
2 applicability here in the United States? And I must
3 say this hearing is an example of environmental
4 injustice that's happening. Our lives, our culture,
5 are being demised and we're not really being
6 informed, so human rights are being violated.

7 Indigenous human rights finally was, I
8 think, adopted by the United States in 2007, yet this
9 thing is sitting in our sacred lands, and right now,
10 the Indigenous Forum is happening in New York, and
11 they're talking about biodiversity and taking of
12 resources, things from indigenous lands for use,
13 because the people with the money have a right to sue
14 those if they don't make a profit.

15 I think once the lab has turned to a
16 for-profit organization -- and our government is part
17 of it -- that they're probably going to sue all of us
18 if they die in the process and don't make their money
19 back. They're probably just going to leave the mess
20 for us again, and that's a right that we have to be
21 well, and yet they're taking that away from us.

22 Again, last year, a couple of years back,
23 there was a NEPA process, a public hearing, happening
24 again and we posed the question that the NEPA process
25 is not adequate, it's like taking one step forward,

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It is customary for NNSA final EISs to summarize what changes were made to the draft EIS. Please refer to Chapter 1, Section 1.8, Changes from the *Draft CMRR-NF SEIS*.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

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1 two steps back, and then they leave it there. They
2 don't come back to us to tell us what corrections
3 they made. They say, "Go look at the book, we made a
4 comment, not applicable," which is what the CMR EIS
5 is about. So they cut that out.

6 So again, we all know violations are
7 happening. Who's going to hold our government or
8 for-profit organizations accountable? It has to be
9 us that speak up. And the youth are strong in their
10 voice and I'm glad they were able to say what they
11 say, because our behavioral dispositioning is taken
12 from us, when they say, "You can't shout, you have to
13 be polite, you have to be calm in these situations,
14 we're going to give you money, don't worry."

15 I was going to say (expletive deleted), but
16 maybe I shouldn't say that word, so scratch that out.
17 But this is just like they were saying, madness,
18 crazy. How many reactors do we need to have
19 meltdowns? Japan is on the ocean and the oceans are
20 now contaminated. Where is our water? Our water is
21 hiding from us because the water wants to be safe for
22 people, wants to be safe for children, and yet, who's
23 taking the bulk of that secret water from us?

24 Our children, children's children, are
25 miscarrying because they can't come to full term. We

634-1
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634-2

634-2

NNSA acknowledges the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accidents that occurred at the Fukushima Daiichi Nuclear Power Plant, and earlier at the Chernobyl Nuclear Site, requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 went to visit Chernobyl and visited a scientist who
2 had jars of all the babies that were still in their
3 mother's womb from week one, two, three months, four
4 months, five months. They were all baked like in a
5 microwave oven. He had them up there to show what
6 happens to women that are carrying when there's an
7 accident that happens like Japan.

8 Well, our people here, the indigenous
9 peoples, the population is already showing that our
10 death rates have far exceeded our birth rate, and
11 that's what Russia was telling us at that time. So
12 we're already experiencing that there. There is no
13 logic to this EIS CMRR going on a supplemental, when
14 you need a new one, when all the accidents that have
15 happened with the fires and all the faults are
16 showing, the shaking. It shouldn't even be there in
17 our sacred -- they should have already left by now.
18 That industry should have already infolded in on
19 itself, because, I mean, it's just insanity that's
20 happening, and the culture of violence has numbed us
21 all out to where we don't even recognize our ability
22 to be sacred, to be connected to our Mother Earth.

23 We as Tewa Women United are writing our
24 objectives, and the people with the money were
25 telling us, "You cannot write 'mother earth' in

634-2
cont'd

634-3

634-3

As discussed in Section 2.2, NEPA Process, of this CRD, based on CEQ and DOE NEPA regulations, NNSA determined that an SEIS is the appropriate level of analysis for the proposed action. The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 there, because that's not an objective."

2 So stopping the violence against Mother
3 Earth, I would declare that here, that's one of our
4 violations that are happening with our human rights.

5 Thank you. (Applause.)

6 MR. MacALLISTER: Our next speaker is David
7 Norris, followed by Teresa Juarez. David Norris?
8 All right. Teresa Juarez?

9 MS. TERESA JUAREZ: I don't run on five
10 minutes. It disturbs me when people come to my
11 community and they tell me, "You got five minutes to
12 speak." And if I had a salary like yours, I wouldn't
13 worry about it.

14 Let's see. You know, it's kind of hard to
15 keep repeating what everybody else has already said,
16 and the reason is that it's like, you know, how many
17 times can we come to these meetings and repeat the
18 same things over and over again? And then they go
19 back and they put in these books, about ten stacks of
20 boxes. One time we asked that we would like to read
21 some of this stuff, and they sent like 20 boxes that
22 high of material, and I said, "Well, you know, can
23 you like break it down for us?" Like we try to break
24 it down here.

25 But I do want to speak to one thing, you

635-1

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The *CMRR-NF SEIS* is a large document due to the amount of material and the level of detail required. For this reason, a Summary document is provided to highlight the major conclusions. NNSA may provide a copy of just the Summary of the *CMRR-NF SEIS* upon request.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 know, and that is the poverty in our communities.
 2 You know, I heard that here a while back there was a
 3 study done that said that one out of every three
 4 children born here are born into poverty. And the
 5 other thing is that, you know, I don't think they
 6 have done a good study of the high cancer rates that
 7 really exist in this area, probably because they
 8 really don't want to know, you know. It wouldn't be
 9 beneficial to them, because what is beneficial to
 10 them is to develop this CMRR.

11 I was telling somebody I don't even know
 12 how to say it, you know, pronounce it, so I'll use
 13 the acronyms, as everybody else did.

14 And the other thing is that you know, I
 15 think we've heard from people here, both Gilbert and
 16 Kathy Sanchez, speaking about the impacts to
 17 indigenous communities, and also recognizing Chicano
 18 traditional communities, Hispanic communities here,
 19 that are impacted and every other community that is
 20 impacted by the contamination since the contamination
 21 has no boundaries, and does not discriminate. That's
 22 one thing that doesn't discriminate. So we should
 23 all say we finally found an answer to discrimination,
 24 because that baby doesn't discriminate, believe me.

25 And so, you know, if our water gets

635-2 635-2

It is not within the scope of the *CMRR-NF SEIS* to perform a government health study of the residents in the Espanola Valley. However, Chapter 3, Section 3.11.4, Health Effects Studies, of the *CMRR-NF SEIS* shows the cancer rates for the counties surrounding LANL and the Agency for Toxic Substances and Disease Registry issued a study of the health effects of LANL operations in 2006, and concluded that, "Overall, cancer rates in the Los Alamos area are similar to cancer rates found in other communities. In some time periods, some cancers will occur more frequently and others less frequently than seen in reference populations. Often, the elevated rates are not statistically significant" (ASTDR 2006).

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
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1 contaminated, everybody's water gets contaminated.
2 And we heard that two wells in Española had been
3 contaminated but then they backtrack and they said,
4 "Well, you know, there is this natural occurrence
5 that happens in water that creates that, you know.
6 So you know, it can't be contamination coming down
7 and your water can't be contaminated. So you know,
8 again, go back to sleep."

9 And so one of the things that bothers me a
10 lot, too, is they always try to brush this off,
11 especially in northern New Mexico, with the issue
12 that most of us or most of our families or extended
13 families are all drugged up. Not only do we live on
14 welfare, but we're all drugged up. You know? And so
15 then you got to look around and say, well, you know,
16 why is that? Because I have always wanted to know,
17 why it is that most of our communities across the
18 country, be it here in New Mexico or Savannah or
19 Hanford, wherever, has a drug problem? We're
20 drugged, unemployed, and living on welfare. That's
21 no coincidence. We had some of the highest rate of
22 unemployment in some of these communities. Our
23 people can't even get a job.

24 And then to complain about the secondary
25 markets, you know, and then our schools. Los Alamos

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
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Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@reanreport.com

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Section 3
Public Comments and NNSA Responses

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 got good schools. They got good teachers. They got
2 the best. But when you come down here to the valley
3 and you start talking about education, and you look
4 at what our kids have to go through, to fight to
5 graduate, it's insane, you know. But that's what
6 this government has done.

7 And they play these games. How much do you
8 get paid to sit there? One time I was at a meeting
9 and the man fell asleep. And I said, "Oh, great. I
10 wish I was getting paid what you're getting paid,"
11 what, at that time, I think they were getting paid
12 almost like \$300 an hour. Some ridiculous thing for
13 days. We don't even got people in this community
14 making \$300 to live on. This is the reality of what
15 Los Alamos has done to this community. It has
16 impoverished our community.

17 Don't come up here, sir. Please don't come
18 up here.

19 MR. MacALLISTER: I'm just letting you
20 know --

21 MS. TERESA JUAREZ: Don't let me know. I
22 know. Okay? I don't want to hear it. Okay. You
23 know, so that's what Los Alamos has done to us.
24 That's what it's done to the indigenous communities,
25 the Chicano community, the poor white community and

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 every community that you can talk about. It has
2 created poverty. What do we have to do? Go work at
3 Wal-Mart, \$7 an hour, if you're lucky? No benefits?
4 Come on, let's get real, people.

5 And don't upset me, because you know then
6 I'll really get upset, you know --

7 MR. MacALLISTER: Your time is up.

8 MS. TERESA JUAREZ: My time is up, sir,
9 when I say my time is up. And hey, you know what? I
10 don't need your microphone, because I'm going to tell
11 you one thing --

12 MR. MacALLISTER: I will have you removed.

13 MS. TERESA JUAREZ: Hey, you can have me
14 removed, because I would like to see any of the
15 newspapers standing here right now.

16 SPEAKER FROM THE FLOOR: Let her speak.

17 MR. MacALLISTER: Sir, I'm going to need --

18 MS. TERESA JUAREZ: I want to say --

19 SPEAKER FROM THE FLOOR: Let her speak.

20 Let her speak.

21 MR. MacALLISTER: We still have -- are you
22 willing to keep the rest of the people from speaking?
23 You want her to cut off other people?

24 MS. TERESA JUAREZ: Don't touch me.

25 SANTA CLARA SECURITY OFFICER: Ladies and

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 980-4949
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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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Section 3
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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 gentlemen, hold on a second. Hold on a second.
2 Listen up. Okay? To let you know, this is Santa
3 Clara Tribal Security. This is tribal land. This
4 has nothing to do with the seminar here. This is our
5 room, and I'm going to tell you now we have rules
6 that we enforce in this room.

7 SPEAKER FROM THE FLOOR: A five-minute
8 rule?

9 SANTA CLARA SECURITY OFFICER: This is
10 not -- you know what, that's not that rule. This is
11 the rule of our facility right here. This is our
12 facility, tribal land. You know what? You got to
13 follow the rules.

14 SPEAKER FROM THE FLOOR: I can't hear what
15 the rule was.

16 MS. TERESA JUAREZ: I asked him to let me
17 say the last comment that I had, and he wouldn't.

18 SANTA CLARA SECURITY OFFICER: Your time is
19 up.

20 Sir, if you can go ahead and continue.

21 SPEAKER FROM THE FLOOR: Let's take a vote.

22 MR. MacALLISTER: We'll have more time for
23 the second round. We'll have more time.

24 (A discussion was held off the record.)

25 MR. MacALLISTER: If we can get the meeting

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 back in order, hopefully we'll have time for another
2 round of speakers. But it's disrespectful to the
3 speakers.

4 The next speaker is Miguel Moreno, followed
5 by Robert Chavez.

6 MR. MIGUEL MORENO: I want to thank
7 everybody for coming out tonight. Thank you, Nonny,
8 thanks everybody for, you know, coming and giving you
9 guys great opinions about, you know, the death and
10 destruction of our communities, you know, the legacy
11 of death and chaos within our world.

12 And, yes, I do oppose the CMRR-NF facility,
13 the Chemical and Metallurgy and Research Replacement
14 Nuclear Facility. And, no, as a taxpayer I do not
15 want to invest \$180 billion into the war complex for
16 the -- you know, on the course of the next ten years.
17 What I'm sick and tired of is being sick and tired.
18 Sick and tired of coming to these hearings, listening
19 to this (expletive deleted), and listening to these
20 people talk about how, you know, we are going to --
21 we want to attract bright, new minds, you know,
22 bright young minds. What about the minds of our
23 community? You know, what about the health of our
24 community here in New Mexico and northern New Mexico?

25 I just came from Savannah River site two

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NNSA notes the commentator's opposition to the CMRR-NF project. Funding decisions regarding major Federal programs (for example, defense, education, healthcare, and renewable energy) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 weekends ago. You know, I go all over. You know,
2 this isn't something new. You know this chaos,
3 they're paid to be here to listen to our, you know,
4 quote, unquote (expletive deleted) but, you know,
5 it's okay, because we are here for the long run, you
6 know. My kids and my kids' kids, are the ones that
7 are going to have to deal with the death and
8 destruction and the contamination of our community,
9 the contamination of our water and land.

10 You know, here, Española alone, we had to
11 shut down three wells, water wells, drinking water
12 wells because of contamination, due to Los Alamos.

13 You know, I'm sick and tired of coming to
14 these, you know, public comments, with my grandmother
15 being harassed by the, you know, 180 thousand,
16 million, trillion dollar-an-hour A-holes that we have
17 to deal with.

18 Yeah, that's what I have to say, and I
19 oppose the CMRR building. I oppose, you know, any
20 new construction that goes, you know, along with the
21 nuclear complex. If we want to get real about it and
22 let's help our communities to thrive by focusing on
23 some of these bright, new, young minds that you guys
24 are talking about bringing with \$180 billion that's
25 coming out of the -- you know, out of the war budget

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 towards, you know, renewable energy, towards cleaning
2 up our water, towards, you know, giving our
3 communities a fighting chance.

4 Thank you.

5 MR. MacALLISTER: Our next speaker is
6 Robert Chavez.

7 SPEAKER FROM THE FLOOR: Robert.

8 MR. ROBERT CHAVEZ: Hello, everybody.
9 Thank you guys for being here today. I would like to
10 take a couple of seconds for silence to honor the
11 people who have lost their lives, dedicated people,
12 in all of the nuclear industries up and down.

13 (Silence.) All right. Thank you.

14 So, as this gentleman back here so finely
15 told you, that we are on Native American land, and
16 I'm Native American. These are my people's land. We
17 have been here for thousands of years, and we wish to
18 continue being here.

19 At Chernobyl there's an area the size -- an
20 that is not livable, 25 miles wide and a hundred
21 miles across.

22 I am less than 30 miles from Los Alamos.
23 If something was to go wrong, would I have to leave
24 my home, would I not be allowed to return for the
25 rest of my life? It's plutonium that we are talking

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lit-support.com

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NNSA acknowledges the commentator's concern that an accident similar to the one that occurred in Chernobyl at the nuclear reactor site could happen at LANL. There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at Chernobyl requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 of here, plutonium, large amounts of plutonium.

2 I don't know about you guys, but I'm not in
3 favor of plutonium or any facility that holds any
4 amount whatsoever, because it's not big amounts of
5 plutonium, it's the very small particles that get in
6 your lungs. From what I hear, that's really
7 dangerous.

8 You know, people have dedicated their
9 lives, have gave up their futures to try to -- excuse
10 me, I'm speaking, can I have a little bit of silence?

11 SPEAKER FROM THE FLOOR: Yeah. (Applause.)

12 MR. ROBERT CHAVEZ: I just want to say that
13 throughout it all, I want to thank you guys. You
14 guys have really taught me a lot. You guys have
15 given me a lesson in life. The CMRR has introduced
16 me to some wonderful people. It has made and brought
17 to me relationships that will last a lifetime. But I
18 have to say that maybe the way in which it was done
19 is not the best of ways. Why do I have to go meet
20 people, wonderful people, opposing nuclear industry
21 fighting for my future, fighting for my life?

22 I say here today, I stand here today, in
23 the hopes that in the future, I will be able to hold
24 my head high and say, I did it, me and my community
25 stood up, and there no longer is going to be a

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 nuclear facility here in New Mexico whatsoever.

2 People, I've learned a lot over the last
3 few years, a lot. I've been -- I've known about
4 Los Alamos my whole entire life. It's all I've ever
5 known, since I was young, watching videos, propaganda
6 videos, learning about the effects of plutonium,
7 learning about the effects of other harmful
8 radioactive materials and learning just how involved
9 all of us are in what goes on.

10 Each and every person standing here, every
11 single one of you guys, has a life. You only live it
12 one time. You may wake up tomorrow, and the person
13 beside you may not be there any more, or you,
14 yourself, may not be there any more.

15 It's about life, ladies and gentlemen.
16 It's about the right to be able to live a healthy,
17 well-deserved life that each one of us has gotten the
18 equal opportunity to live. And it's just not
19 happening. We learned from our mistakes. No, we
20 haven't. We haven't, no. Not by a long shot. There
21 is much more work ahead of us, a lot more fight
22 within me. I will put my life on the line for all of
23 my fellow community, all of my fellow people, no
24 matter what color, religion or race.

25 Sure, I'm Native American, but that doesn't

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Section 3
Public Comments and NNSA Responses

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1 stop me from loving everybody. It doesn't matter if
2 you're white, green, yellow, pink, purple, silver,
3 I'm still going to care about you, you know.

4 You people working for Los Alamos, I could
5 come here and insult you guys or whatever, but you
6 guys are real people, too. You guys have heartbeats,
7 you have red blood, all of you guys. You guys all
8 have two eyes. You guys all stand here today, you
9 guys will all go back to your families tonight,
10 loving and caring, and I just ask you guys that you
11 give our community a chance to do the same.

12 Thank you, guys, very much.

13 MR. MacALLISTER: We have final call for
14 Pat Vigil or David Norris. Final call.

15 We have just a very few minutes until the
16 official end of the meeting. Is there somebody who
17 would like to make a comment? Yes, sir.

18 MR. SCOTT KOVAK: Thank you, sir. It's
19 probably okay. Thank you everyone. My name is Scott
20 Kovak with Nuclear Watch New Mexico. I just would
21 like to take a quick second here and read from the
22 SEIS. Turn your hymnals to page S-39, and we're
23 looking at the socioeconomic impacts of construction
24 of the modified CMRR-NF alternative, and I quote,
25 "Peak direct" -- quotation marks -- "790 workers,

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@titsupport.com

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NNSA notes the commentator's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. The *CMRR-NF SEIS* presents the environmental impacts of construction and operation of the facility; one area of environmental impacts is socioeconomic, including jobs. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentators during the public comment period. See Section 2.7, Economic Impacts, of this CRD for additional information.

The commentator is correct. Workers that would work in the Modified CMRR-NF are expected to come from the CMR Building and other facilities at LANL.

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1 plus indirect, 450 workers, employment would
2 represent less than one percent of the regional
3 workforce and would have little socioeconomic
4 effect." That's for construction.

5 For operations, socioeconomic impacts read,
6 for the modified CMRR-NF alternative, "Approximately
7 550 workers would be at the CMRR facility, and they
8 would come from the CMR building and other facilities
9 at LANL. So the facility would not increase
10 employment or change the socioeconomic conditions in
11 the region."

12 SPEAKER FROM THE FLOOR: Right on.

13 MR. SCOTT KOVAK: So, now, first I thought,
14 well, how can you spend \$6 billion and have little
15 socioeconomic effect.

16 SPEAKER FROM THE FLOOR: You can't.

17 MR. SCOTT KOVAK: The way you do that, I
18 think, is by maintaining the status quo. So what
19 could possibly happen, and what will happen is that
20 the most of the money, most of this \$6 billion, will
21 stay on the hill at the Laboratory. The crumbs will
22 roll off the hill to the outlying region. We need to
23 stop and not accept the crumbs any more.

24 Thank you.

25 MR. MacALLISTER: And we are, ladies and

638-1
cont'd

638-2

638-2

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on major Federal programs (for example, defense and education) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for additional information.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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ASSOCIATES, Inc.
PROFESSIONAL CORP
REGISTERED SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 gentlemen, at the 9:00 o'clock mark. And so this
2 brings us to the official close of our meeting. And
3 I thank you all for your attendance, and -- a
4 question?

5 MS. JONI ARENDS: Where's your e-mail
6 traffic? I will come up here to the mike. My name?

7 MR. MacALLISTER: Yes, please.

8 MS. JONI ARENDS: Joni Arends for Concerned
9 Citizens for Nuclear Safety, with Susan Gordon, with
10 the Alliance for Nuclear Accountability, John Green
11 with Code Pink, and others, we wrote a letter, an
12 e-mail to Mr. Tegtmeier about the hearing process,
13 and he said that for safety reasons the hearing
14 shouldn't go beyond 10:00 p.m. So I think the
15 question needs to be asked at this point, how many
16 people want to speak, and how many minutes will they
17 take. And to understand how long we would stay
18 longer for this -- at this period of time.

19 That was part of our e-mail traffic.

20 MR. TEGTMEIER: Part of the reasoning for that is
21 to make sure that everyone had a chance to speak, and I
22 believe we can make another pass at the room for
23 those who haven't had a chance to speak yet.

24 SPEAKER FROM THE FLOOR: Make them go to
25 the mike.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 MR. TEGTMEIER: I would like to ask, is there
2 anyone else here that's not yet had the chance to speak,
3 other than Scott, and I would like to accommodate
4 them.

5 MR. MacALLISTER: Are there people that
6 would like to make a statement who have not yet had
7 the chance to make a statement?

8 SPEAKER FROM THE FLOOR: What about people
9 that wanted to continue their statement, like they
10 were cut off earlier?

11 MR. TEGTMEIER: How many individuals? I think
12 there was two or three that wanted. But here again, we
13 would like to limit that to a few minutes to finish
14 out, for those who didn't.

15 SPEAKER FROM THE FLOOR: Oh, yeah, we can
16 do that.

17 MR. TEGTMEIER: I believe there's only a few
18 individuals.

19 SPEAKER FROM THE FLOOR: I only have one
20 thing to ask --

21 MR. MacALLISTER: Can I have a show of
22 hands for people -- one. How many other folks would
23 like to just --

24 MR. TEGTMEIER: I think just a few.

25 MR. MacALLISTER: Looks like we've got four

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 people or five.

2 UNIDENTIFIED SPEAKER: The only thing I
3 want to ask, and I hope it goes with that document
4 you are typing in there.

5 MR. TEGTMEIER: It will be recorded.

6 MS. TERESA JUAREZ: Is that I think what we
7 need here is that we need to develop, and the
8 money -- and there needs to be money placed in that
9 so we can develop a community board. And that is
10 representative of the people that are affected by
11 this, and it doesn't mean the citizens advisory
12 board, and it doesn't mean other stakeholders. It
13 means community people that are having to deal with
14 the effects of the contamination, whether that's in
15 our groundwater, whether that's in our soil, or air,
16 or whatever it is. But that committee needs to be
17 developed so that we can talk about also the impacts
18 of, you know, the poverty in our community, and the
19 joblessness that exists in this community. And that
20 there needs to be a fair market in order for our
21 people to have a fair way to get into those job
22 markets that we don't have access to.

23 If we're going talking about, we don't want
24 them bringing outside construction, you know, people
25 that come and build it like the gentleman was talking

635-3

635-3

NNSA notes the commentor's statement.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 about. We're not going to benefit from that. And I
2 think it's about time that we be able to have those
3 committees that addresses our issues, and not always
4 the stakeholder on the other side. (Applause.)

5 MR. MacALLISTER: One thing I should
6 mention, because we are still recording everybody's
7 statement, and I'm not now announcing you by name, it
8 would be very helpful, if you don't mind, giving your
9 name on the record, so that when the person
10 transcribes it, they can have your name attached to
11 your statement.

12 MS. TERESA JUAREZ: That's Teresa Juarez.

13 MR. MacALLISTER: Thank you, Ms. Juarez.
14 Who would like to speak next? Yes, ma'am.

15 MS. JEANNE GREEN: Jeanne Green. I just
16 have a question, Mr. Tegtmeier. Why is it that we
17 cannot have a full hearing in Taos?

18 MR. TEGTMEIER: We're not here to answer that
19 question, but we are continuing to pursue
20 alternatives for Taos.

21 SPEAKER FROM THE FLOOR: Microphone.

22 MS. JEANNE GREEN: What are the reasons
23 that we cannot have a hearing in Taos?

24 MR. TEGTMEIER: I can't speak to that myself
25 personally.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 MS. JEANNE GREEN: You are the Document
2 Manager.

3 MR. TEGTMEIER: That's correct, but I don't make
4 all of the decisions.

5 MS. JEANNE GREEN: Are you on a board
6 that's making this decision? No?

7 MR. TEGTMEIER: No, I don't. Actually it's my
8 management that makes that decision in part. So, I
9 can't speak to specifics.

10 MS. JEANNE GREEN: Okay. So who is the
11 name of the person I need to speak to?

12 MR. TEGTMEIER: We are working that issue right now.

13 MR. MacALLISTER: Let me go to a mike so I
14 can repeat what you said without the microphone.

15 MS. JEANNE GREEN: I didn't get that. Who
16 was that now? Who is your management?

17 MR. TEGTMEIER: We are working with the request
18 and determining the exact nature of that and setting
19 up that right now, I'm not aware of all of the details
20 of that. I'm not sure if the individual is here in
21 the room.

22 MS. JEANNE GREEN: Well, what I heard was
23 that there was not -- that you didn't want to pay for
24 a building, and the mayor has offered a building, so
25 that can't be the reason.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 MR. TEGTMEIER: No.

2 MS. JEANNE GREEN: So I don't know why it
3 would be more expensive to have a hearing to let
4 people to speak, than it would be for you to come
5 down and do a presentation, and have a microphone. I
6 don't understand, you know, where's the expense? And
7 if we are talking about a
8 six-and-a-half-billion-dollar facility, why can't we
9 spend a little -- for a hearing in Taos? We're
10 within your 50 miles, we are affected, we were
11 affected by the fire.

12 MR. TEGTMEIER: If you allow us to continue
13 with the details --

14 OTHER SPEAKERS FROM THE FLOOR: Louder.

15 MR. TEGTMEIER: If you allow us to continue
16 with the details, we're working on the issue, but haven't
17 come to a final resolution, so we can't answer that at
18 this meeting, but we certainly have the request. We
19 have the signatures from the folks who have been
20 working with the Mayor's Office, and will be
21 finalizing the arrangements and announcing those
22 appropriately, and we are in the process of doing
23 that, but we can't do that this evening.

24 MS. JEANNE GREEN: Well, I would just like
25 the name of the person or persons who are making this

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Santa Fe, NM 87501
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FAX (505) 820-6349

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MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 decision.

2 MR. TEGTMEIER: It's a collective decision
3 within our office, and we'll let the folks know when
4 the details are available. That's all I know this
5 evening.

6 MS. JEANNE GREEN: Thank you.

7 MR. MacALLISTER: And just in case people
8 didn't hear that, the question was, and it's been
9 repeatedly put on the record, there's a request to
10 have a hearing in Taos, for the benefit of the
11 community, that it's a hardship to drive long
12 distances outside of Taos. The response to that, if
13 I understand it correctly, if I'm wrong, is that that
14 request is being worked, there is efforts under way
15 at this point. There isn't a final -- there isn't
16 concrete information to provide. Is that a fair
17 recap?

18 MR. TEGTMEIER: That's correct. We're working
19 on the issue, and we will announce the details as they
20 are developed. And it won't be very long from now.

21 MR. MacALLISTER: Is there somebody else
22 who wanted to make a comment? Yes, sir. And
23 remember to give your name again.

24 MR. JAY COGHLAN: That's fine. I am Jay
25 Coghlan with Nuke Watch New Mexico. I will try to

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hlsupport.com

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1 abbreviate my supplemental comments tonight, expand
2 on them tomorrow in Santa Fe.

3 I tried to get up and identify what I
4 believe are two pretty serious general legal
5 vulnerabilities to this Supplemental EIS, and I got
6 as far as talking about how this document fails to
7 revisit mission and need.

8 And to expand on that a little bit more,
9 you know, once again, this nuclear facility, it's not
10 only about, but it's primarily about, expanded
11 plutonium production.

12 I think it useful to try to briefly review
13 the history of pit production since 1989, because the
14 audience generally won't be aware of this. But in
15 1989, the FBI raided Rocky Flats, investigating
16 alleged environmental crimes. And, at that time -- I
17 don't know this for a fact, but Rocky Flats was
18 probably, you know, producing on the order of a
19 thousand pits a year. But that FBI raid just cut it
20 down, you know, literally pits and the pipeline, just
21 cut it out just like that.

22 So, after that, DOE, with the pit in
23 production at that time, the W88 for sub-launched
24 warhead, a Trident warhead, 450 kiloton warhead.

25 So, there were 350 that were produced, and

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bhsupport.com

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1 the Department of Energy always maintained that there
2 weren't enough W88 pits. And that's kind of like the
3 camel's nose under the tent. The reason DOE used to
4 reestablish pit production first at Los Alamos,
5 limited capacity.

6 But then -- this was about seven years ago,
7 then the Department of Energy comes out with a
8 proposal for the modern pit facility to be situated
9 at five -- one of five candidate sites, but that was
10 originally proposed to produce on the order 450 pits
11 a year. And that got defeated in part through a NEPA
12 process like we're undergoing now.

13 Then, the National Nuclear Security
14 Administration came back with something they called
15 the consolidated plutonium center, that was going to
16 produce 125 pits per year.

17 And at that particular time, that was
18 specifically tied, that number was tied to production
19 of new designed nuclear weapons, the so-called
20 Reliable Replacement Warhead.

21 That got shot down. Again, in part,
22 through a NEPA process like this.

23 And then NNSA came back, proposed producing
24 up to 80 pits per year at Los Alamos. That, too, got
25 shot down.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 I'm trying to display a history, what I
2 regard as a favorable history. Look at the overall
3 trend. Now, if we're going down for producing, like,
4 a thousand pits back in 1989, defeating a proposal
5 for 450 pits, and 125, then 80, and the overall
6 trend, you know, is very clear.

7 Now, the reason I bring this up -- I bring
8 this up for a number of reasons. First of all, it's
9 to encourage citizen activism. It actually works.
10 You ought to give it a shot.

11 But look at the historic trend, and this
12 gets to the need for, or rather the lack of need for
13 the CMRR Nuclear Facility. And I just don't think
14 that Congress is going to allow production of new
15 design weapons, especially when we have Senator
16 Dianne Feinstein, head of Senate Energy and Water
17 Appropriations. She is not going to allow that.

18 What I believe NNSA is trying to do in the
19 laboratories is trying to achieve their RRW-like aims
20 incrementally through life extension programs. And
21 these life extension programs are growing ever more
22 aggressive, and now talking about intrusive
23 modification of pits, which can only take place at
24 Los Alamos, specifically at the plutonium facility
25 for PF-4, which next door, the nuclear facility will

613-1
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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349

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PROFESSIONAL COURT
REPORTING SERVICE

MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 be located.

2 So, this whole business about the nuclear
3 facility is to aid and abet future life extension
4 programs.

5 Now, if I'm going to try to quit, I want to
6 eat dinner, I bet you there's a lot of other folks.
7 But, again, the historic trend of pit production is
8 on a big glide path down, and that's a good thing.
9 And I think it's going to hold that way, and because
10 of that, there is no real need for the nuclear
11 facility.

12 Now, tomorrow, I will expand or begin to
13 talk about what I regard as the other legal
14 vulnerability of this document, and that being that
15 it really doesn't offer a true spectrum of
16 alternatives, and that gets to the heart of NEPA.

17 I believe that government is required as a
18 matter of federal law, to give, you know, a genuine
19 range of reasonable alternatives, and I don't believe
20 that this document does it. But that's for another
21 night. (Applause.)

22 MR. MacALLISTER: Thank you. Is there
23 someone else who would like to make a follow-up
24 comment, or someone who hasn't commented? Sir.

25 UNIDENTIFIED SPEAKER: No, I will not give

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 my name. The first time I spoke, I did not give my
2 real name. I refuse to dignify this illegal
3 undemocratic process with my name. And if this was a
4 real legal hearing with a force of law, it would be
5 illegal for me to stand here and falsify my name.
6 The fact that there is no judge, there is no legal
7 authority here, except for Santa Clara Pueblo, should
8 speak volumes about the unjustness of this process.

9 So, the next time you go to a hearing,
10 perhaps tomorrow in Santa Fe, you can say your name
11 is Mickey Mouse, because this is a Mickey Mouse
12 process.

13 MR. MacALLISTER: Marian, you also wanted
14 to finish?

15 MS. MARIAN NARANJO: I just wanted to
16 finish, where I left off.

17 At this time, I know of no emergency
18 evacuation plan for the surrounding communities.
19 Does that mean in case of an accident or radiological
20 release, we shelter in place? Are we then, or are we
21 already stamped as collateral damage, even though the
22 risks of building this nuclear facility have been
23 clearly stated and identified?

24 Are there agreements for compensation and
25 healthcare for generations to come?

639-1 639-1 No response necessary.

623-3
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litisupport.com

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1 This proposed action by the NNSA is not a
2 pleasant thought for me, or for other native and
3 indigenous people.

4 We are not blind to the actions taking
5 place globally to other native and indigenous people
6 in the name of profit.

7 History has already been written of the
8 manners of this government to the seizing of native
9 lands and natural resources for profit for a few.

10 As a member to an Accord Tribe, I respect
11 the government-to-government relationship Santa Clara
12 Pueblo has with DOE. Although, I have seen actual
13 proof of consultation in other EIS's, such as the
14 greater-than-class, GTCC Draft EIS, but I did not see
15 this in the CMRR EIS or the CMRR SEIS. I feel this
16 document is incomplete without it.

17 Not only am I a member of Kha'Po Owingeh,
18 but I am a citizen of the State of New Mexico, and I
19 am a citizen of the United States of America. I do
20 not condone the use of military might to take natural
21 resources from others for my livelihood or my
22 economic survival, or contaminating land, air and
23 water with hazardous nuclear waste and toxic
24 materials for profit or national security.

25 HOPE's mission is that we embrace the

623-4
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@hispupport.com

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1 Pueblo teachings of love, respect and care, working
2 together improving the life ways of our people in
3 order to provide an enhanced and sustainable
4 environment for generations to come.

5 Having said that, I stand here today to
6 exercise my rights in the NEPA process to oppose the
7 construction and operations of this CMRR Nuclear
8 Facility in our sacred mountain, as a matter of
9 environmental justice, in protecting the health and
10 welfare and cultural survival of the surrounding
11 Pueblo communities, and also for the reasons and
12 questions I have stated before.

13 Again, thank you for this opportunity.
14 Kunda, goodbye.

15 OTHER SPEAKERS FROM THE FLOOR: Just a real
16 quick, I wanted to let you guys know something. A
17 couple of weeks I did presentation at the local high
18 school here, the Española Valley High School, and you
19 would think that being so close to Los Alamos that
20 people would be -- would know about Los Alamos'
21 activities. And right now what I would like to
22 request -- or I'd like to say that there's not enough
23 education to students about Los Alamos and the
24 possible negative health effects that brings, because
25 it does bring negative health effects.

623-5

623-5

NNSA notes the commentator's opposition to the CMRR-NF project. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@htsupport.com

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1 And that when I went in to do this
2 presentation, to speak to these kids, you know, 90 to
3 95 percent of them had no idea of what was going on.
4 They are really oblivious to the fact that they
5 really are a huge part of nuclear industry. Thank
6 you. Thank you. (Applause.)

7 MR. MacALLISTER: Is there anybody who
8 would like to make one final comment?

9 MS. SHEILA COOPER: I have a question, and
10 I'll come to the microphone.

11 MR. MacALLISTER: If you would, please.
12 I'm not sure that we will have an answer, but we will
13 certainly put the question on the record.

14 MS. SHEILA COOPER: I will give my name.
15 It's Sheila Cooper. And I guess I'm really struck at
16 this meeting of how strong the feelings are about
17 Los Alamos, and how much pain and hurt was expressed
18 here tonight, and I wonder if Los Alamos couldn't do
19 some sort of outreach separate and apart from this
20 process, but some sort of outreach to the community,
21 so that there's not this us versus them idea.

22 And there's some understanding of the
23 impacts that Los Alamos has had on some communities
24 here. And, you know, I realize you guys may not be
25 the ones to ask, but that question is coming up in my

627-3

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NNSA acknowledges the commentor's statement. LANL is involved in many facets of the community. Information regarding outreach efforts at LANL can be found at <http://www.lanl.gov/>.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 988-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 mind. I'm really -- I mean, I guess I knew it, but I
2 hadn't really heard it and felt it quite as strongly
3 how feelings are right on the surface, and they are
4 visceral.

5 And, you know, Los Alamos is going to be
6 there, and we have talked a lot about the bad, but
7 it's not all bad, and if there could be some sort of
8 outreach, I think it would be mutually beneficial.

9 MR. TEGTMEIER Thank you.

10 MR. MacALLISTER: Thank you. Is there
11 anybody else who would like to make a last comment?
12 All right. Well, thank you very much for attending
13 this meeting. These meetings are a critical part of
14 our democracy, and I appreciate your candor and your
15 energy and your input.

16 So, again, we will have another meeting
17 tomorrow at Santa Fe Community College, at 6401
18 Richard Avenue. And thank you very much. The
19 meeting is now officially closed. Thank you.

20 (The following is a statement taken by the
21 court reporter in a private session.)

22 MR. DAVID NORRIS: I spent the second,
23 third year of my life living in a trailer court on DP
24 Road in Los Alamos. And I have been sterile all my
25 life. My younger brother was conceived and born

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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

1 there, and he died at three from cancer. My next
 2 youngest brother was conceived and born while my
 3 other brother was being treated for cancer, and he's
 4 had skin problems his whole life. And as it turns
 5 out, I guess there was a wartime dump in that trailer
 6 park, before the trailer park. And I have heard that
 7 other people have been compensated, but very, very
 8 little on it. I'd like to know more.

(The hearing adjourned at 9:21 p.m.)

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640-1 640-1

Chapter 3, Section 3.11.4, Health Effects Studies, of the *CMRR-NF SEIS* includes a summary of a number of epidemiological studies that have been conducted in the LANL area, as well as a summary of cancer incidence and mortality figures for the Los Alamos region as derived from data from the National Cancer Institute. During the period 2003 through 2007, the annual cancer death rate for Los Alamos County was smaller than that for the state of New Mexico as a whole, and for the entire United States. The cancer incidence rates, however, of melanoma of the skin, prostate cancer, thyroid cancer, and female breast cancer were elevated in Los Alamos County with respect to state averages, while cancers of the lung, colon, and rectum occurred at rates below the state averages.

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Comments from the Española, New Mexico Public Hearing (May 25, 2011)

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO ss.

3
4 REPORTER'S CERTIFICATE

5 I, BEVERLY ANN SCHLEIMER, New Mexico Certified
6 Court Reporter, DO HEREBY CERTIFY that I did report
7 in stenographic shorthand the proceedings set forth
8 herein, and the foregoing is a true and correct
9 transcript of the proceedings.

10 In testimony whereof, I have hereunto set my
11 hand on this 8th day of June, 2011.

12
13
14
15 _____
16 Beverly Ann Schleimer, RDR
17 BEAN & ASSOCIATES, INC.
18 Certified Court Reporter NM CCR #66
19 License Expires: 12/31/2011

20 _____
21 Mary Abernathy Seal, RDR
22 BEAN & ASSOCIATES, INC.
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25

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PUBLIC HEARING
DRAFT CMRR SEIS
CMRR AT TECHNICAL AREA 55 (LOS ALAMOS)
May 26, 2011
5:30 p.m.
Santa Fe Community College
6401 Richards Avenue
Main Building, Jemez Rooms
Santa Fe, New Mexico

Bruce MacAllister, JD, Public Hearing Facilitator
Mr. John Tegtmeier, CMRR SEIS Document Manager

REPORTED BY: Sally Peters, RPR, NM CCR 57
Mary Hankins, RPR, NM CCR 20
Bean & Associates, Inc.
Professional Court Reporting Service
201 Third Street, Northwest, Suite 1630
Albuquerque, New Mexico 87102

(1127K) SP/MH

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 MR. MacALLISTER: Welcome everyone. My
2 name is Bruce MacAllister. I will be your
3 facilitator.

4 And before I introduce myself, let me
5 start by explaining where the emergency exits and
6 the facilities are. The primary exits for this room
7 are the two doorways in the back. If there is an
8 emergency and we need to vacate the building
9 quickly, there are double doors, two sets of double
10 doors that exit immediately onto a patio right off
11 this alcove. If for any reason those are blocked,
12 the exit through the main cafeteria area of the
13 community college will also be available. If for
14 any reason you have to use one of these exits up
15 here, you will exit through the door and make an
16 immediate right. You go down the hallway to your
17 right, and you will exit again to the right into the
18 hallway adjacent to the cafeteria.

19 So as far as drinking fountains, there are
20 drinking fountains out the rear doorway and to the
21 left on the wall. As you turn left and look left,
22 there will be drinking fountains. Restroom
23 facilities are multiple being a college campus, but
24 the closest ones, if you walk left past the food
25 services area that right now is closed and screened

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Albuquerque, NM 87102
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 off, there are men's and ladies' facilities just up
2 that hallway to the left. Alternatively there are
3 restrooms at the back end of the cafeteria, and
4 there are restrooms further down that hallway.

5 Again, as I mentioned, my name is Bruce
6 MacAllister. I am a self-employed small business
7 person doing mediation, community facilitation work,
8 and organizational development work through a small
9 business called Business Excellence Solutions.

10 I am not affiliated with Los Alamos
11 National Laboratory other than having a contract to
12 provide facilitation services. I'm not employed by
13 the Department of Energy, by the NNSA, or by any of
14 the major contractors to the Department of Energy,
15 other than as I mentioned, for purposes of my
16 facilitation contract.

17 Also our host tonight, I would like to
18 thank the Santa Fe Community College, but again, the
19 community college is not involved or taking any
20 official position one way or another with respect to
21 the issue that we are here to discuss.

22 The content of tonight's meeting is the
23 Los Alamos National Laboratory Chemical and
24 Metallurgy Research Replacement Facility. It's the
25 nuclear facility portion of that project that is

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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 under review. The comments that we are soliciting
2 tonight have to do with the Supplemental
3 Environmental Impact Statement.

4 This public hearing is commenced under the
5 laws pertinent to the Environmental Impact
6 Statement.

7 Just a reminder, if you intend to speak
8 tonight, there will be sign-in cards at the table
9 just out your door to the left. They look like
10 this. These are the draft CMRR-NF SEIS comment
11 cards. You will be given a number, and as soon as
12 we roll into the comment period, we will be taking
13 your comments in the order of the sign-in, in the
14 order in which you signed in.

15 If there are elected officials from
16 federal, state, local, or tribal entities here, I
17 will be asking them for comments first, if there are
18 people here that choose to comment. And before we
19 have the comments, we will have about a 15 minute
20 presentation.

21 I would like to introduce at this point
22 the document manager for the project, John
23 Tegtmeier. John is the official hearing
24 representative for the meeting. Sometimes it's been
25 my impression in the previous meetings, that because

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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 I am facilitating, people believe I am the person
2 they need to speak with. Let me assure you there
3 are times when I'm not even listening, because I am
4 focused on running the logistics of the meeting. So
5 the official that you need to be addressing comments
6 to is Mr. Tegtmeier.

7 The comments will be transcribed, and I
8 will be going through the ground rules for giving
9 comments in a few minutes.

10 Again the focus for this hearing is on
11 receiving comments relative to the Environmental
12 Impact Statement. We are not here to debate or
13 answer questions about larger questions of national
14 nuclear policy. Those decisions are made by
15 entities beyond those that are represented in this
16 meeting. So we would request that you understand
17 that the comments that are going to be most relevant
18 to us will be those comments relating to the project
19 at hand.

20 We will be timing the comment time to
21 ensure that everybody has an opportunity to speak.
22 Based on the number of people that have signed up so
23 far, it looks like we will be fine allowing people
24 up to five minutes to speak. I will explain more
25 ground rules about that after the presentation.

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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

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1 May I remind you, there is a poster
2 session that's going on outside. You are free at
3 any time, if a question surfaces that you want
4 technical information concerning, to return to the
5 poster area, and there will be subject matter
6 experts in that area available to answer technical
7 questions relating to the project. The purpose of
8 this session is not a question and answer session.
9 This session is to hear. The officials
10 are here to listen to your comments and to receive
11 those comments officially into a transcribed record.
12 If we run out of time tonight, there are
13 many other avenues to give comments. This is the
14 last of the officially scheduled formal hearings,
15 but there are nine other avenues for you to give
16 comments. There is a kiosk set up at the back,
17 looking at this direction as you exit the doorway,
18 the back left-hand side of the alcove out there, set
19 up with work stations to enter into a computer your
20 comments, to record comments directly in the system.
21 There is also a court reporter out there available
22 to take your transcribed statement. You can e-mail,
23 you can mail, you can fax, and there is a toll free
24 phone line.
25 Now, unlike the meeting, the recorded

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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 session here which has time limits, all of these
2 other options are available without a time limit.
3 So those will be available to you.

4 As I mentioned earlier, I will as soon as
5 we have finished with the presentation, revisit some
6 of the other ground rules before opening up the
7 session for comments. But at this point, I would
8 like to introduce Mr. John Tegtmeier who is the
9 document custodian, the document manager for the
10 project that we are here to discuss. Thank you.

11 MR. TEGTMEIER: Thank you, Bruce.

12 Good evening. I appreciate everyone
13 coming. It's very important that we obtain public
14 input on the draft document that we have out for
15 review. My name is John Tegtmeier, as Bruce
16 mentioned. I work for the National Nuclear Security
17 Administration, Los Alamos Site Office. I am the
18 document manager, and I have many responsibilities,
19 so I would like to share with you very briefly with
20 that.

21 I have a responsibility for the
22 preparation of the document, that the document meets
23 the requirements of the National Environmental
24 Policy Act from the Council of Environmental
25 Quality, as well as the DOE implementing

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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 requirements that are also federal law, but I
2 believe my most important role is to encourage and
3 facilitate public participation in this process.
4 It's very important to me, and I take that very
5 seriously.

6 So I would like to start with a little bit
7 of background on the environmental impact background
8 of this project. Back in 2003, an Environmental
9 Impact Statement was prepared for the project, and
10 it was followed by a Record of Decision in February
11 of 2004. In that decision, an approval was made for
12 a two building concept sited at Technical Area 55 at
13 Los Alamos that's adjacent to the existing plutonium
14 facility.

15 The first building is complete. That's
16 the Radiological/Laboratory/Utility/Office Building.
17 It is currently being outfitted, No. 1, for the
18 office space and training facilities for the
19 workers, and the second piece is the outfitting of
20 the laboratory space for the radiological laboratory
21 in that facility, and those laboratories deal with
22 very small quantities of material. So that's
23 happening right now.

24 The second building is in design, and
25 that's the nuclear facility that the main focus of

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(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 this Environmental Impact Statement Supplement is
2 about, but there is more that I will get into in a
3 minute.

4 Since the time that the Environmental
5 Impact Statement was prepared, there has been
6 additional geological mapping at the site, and some
7 information on that is available at some of the
8 poster sessions out in the hallway. So basically
9 they exposed some of the strata on the proposed
10 construction site, and they did some crack mapping.
11 They were looking for the presence of faults. They
12 also did borehole investigations, and so they have a
13 better idea now of the geologic conditions directly
14 underlying the site.

15 In addition in 2007, a final or an update
16 to the probabilistic seismic hazard analysis at the
17 laboratory, which focused primarily on the area of
18 Technical Area 55 and Technical Area 3, was
19 finalized. One of the outcomes of that analysis was
20 that the ground motions, the ground accelerations
21 associated with a postulated earthquake that might
22 impact the site that would form the basis for the
23 design increased those ground accelerations.

24 So both of those factors combined were
25 looked at as the design became more mature, and that

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Albuquerque, NM 87102
(505) 843-9494
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 identified the fact that certain aspects of the
2 building would require significant upgrading as the
3 design progressed to resist those earthquake forces
4 and potential other interactions with that geologic
5 site.

6 So that work was analyzed, and last summer
7 the laboratory prepared a supplement analysis, and
8 that's part of the NEPA requirements, to determine
9 whether or not enough change had been identified
10 such that a Supplemental Environmental Impact
11 Statement should be prepared. The outcome of that,
12 even though that supplement analysis was not
13 formally decided upon, the NNSA did decide to pursue
14 the Supplemental Environmental Impact Statement.
15 That's the draft that's currently out for public
16 review.

17 We had a Notice of Intent that was issued
18 on October 1st in the Federal Register. That was a
19 Notice of Intent to prepare the Supplemental
20 Environmental Impact Statement. As part of that, we
21 had two public scoping meetings in White Rock and
22 Pojoaque in early to mid October last year.

23 So taking that information and some other
24 initial internal scoping within the NNSA, we started
25 preparation of the Supplemental Environmental Impact

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(505) 989-4949
FAX (505) 820-6349



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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 Statement, looking at the environmental impacts of
2 those changes primarily to the construction of the
3 facility, but also the operations that I will get
4 into here. There are some additional types of
5 analysis required due to new requirements in 2003.

6 So some of the new analyses you will see
7 in the document are analysis of greenhouse gas
8 emissions. That's from construction operations as
9 well as operations in the facility long-term. The
10 intentional destructive acts, there is a new
11 requirement that we do that, so we have an analysis
12 that we perform for those things like terrorist
13 incidents that you might see inside the facility and
14 the impacts of those. And we also updated the
15 analyses, as I said, for construction, for
16 operations, and those are operations for the
17 existing Chemical and Metallurgy Research Building
18 that was completed in 1952.

19 We also did the operations impacts for the
20 RLUOB facility that I had just mentioned, because we
21 have very good data on that now that the design is
22 complete. We also did operations impacts associated
23 with the proposed new nuclear facility. We also
24 updated the accident analyses for the existing CMR
25 Building. That's based on a documented safety

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(505) 989-4949
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(505) 843-9494
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

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1 analysis that our office approved last summer, as
2 well as the preliminary documented safety analysis,
3 the most recent version of that that the project
4 prepared last summer and also approved by our
5 office.

6 The last thing that we updated is the
7 impacts, human health impacts, primarily
8 radiological impacts, and there were a few things
9 that were involved in that. One of them, there were
10 some modeling changes in the modeling software
11 that's used. And we also took advantage of the very
12 latest census data available at the time. Now, all
13 that final documentation or the data for the census
14 has still not been received, but that will be folded
15 in as it becomes available for the final EIS,
16 Supplemental EIS.

17 So briefly the alternatives we looked at,
18 there is a No Action Alternative, and the No Action
19 Alternative is in the sense that that no action
20 means no change to the Record of Decision back in
21 2004, so we would not change our direction in terms
22 of the decisions made based on the past NEPA
23 analysis.

24 We also have a modified CMRR nuclear
25 facility alternative, and that's a facility that

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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3-1315

Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 incorporates the additional strengthening of the
 2 facility to resist the earthquake forces at the
 3 facility. And one thing that we did identify since
 4 the time of the scoping meeting, the project team,
 5 as the design developed a little further, they
 6 identified a possibility that we may be able to
 7 build the same facility, the same modified nuclear
 8 facility that was described in the Notice of Intent,
 9 which we call now the deep excavation option. We
 10 also identified the possibility of a shallow
 11 excavation option, which is basically the same
 12 facility built on the same piece of ground but built
 13 higher up in the strata so as to avoid the one layer
 14 that we were more concerned about beneath the
 15 facility site.

16 The last alternative we looked at is the
 17 No Construction Alternative, and that's to continue
 18 to use the existing CMR Building as long as we can
 19 without significant upgrades at a reduced amount of
 20 programmatic operations because of its vulnerability
 21 to seismic, so that's the No Construction
 22 Alternative that we analyzed.

23 So a little bit more about the process of
 24 where we are now as far as the public and
 25 stakeholder participation. We posted the Draft

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 (505) 989-4949
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 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 Supplemental Environmental Impact Statement on the
2 NNSA website on April 22nd. That was followed the
3 following Friday by the Environmental Protection
4 Agency publishing the Notice of Availability in the
5 Federal Register, and that publication in the
6 Federal Register started the formal 45 day comment
7 review period.

8 Subsequent to that, based on input and
9 requests from members of the public, the NNSA
10 decided on May 6th, to extend that comment period by
11 15 days, so the current comment period closes on
12 June 28th, 2011.

13 Bruce mentioned the public hearings. This
14 is the last of the four scheduled public hearings on
15 the project in the Supplemental Environmental Impact
16 Statement. We had meetings in Albuquerque on Monday
17 evening, Los Alamos on Tuesday evening, Española
18 yesterday evening, and then tonight is the final
19 public hearing.

20 Bruce mentioned a number of ways to
21 provide comments. There is no limit on the number
22 of times you might comment. You can use any of the
23 avenues. We don't want you to make one set. That
24 doesn't close the door for you. Feel free, to the
25 end of the comment period, to make comments using

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 any of the means that are available to do that, and
2 I encourage that type of input from the concerned
3 people and to forward the draft document comments to
4 us.

5 With that I would like to turn it over to
6 Bruce, and he will go over the final ground rules
7 before we get started. Thank you.

8 MR. MacALLISTER: Thank you.

9 Before we start, I noticed there are a few
10 video cameras rolling, and I just want to mention
11 that those are not cameras that are operated
12 officially by the Department of Energy or as an
13 adjunct to this meeting. So if anybody objects to
14 being videotaped, you will need to take that up
15 directly with the videographer.

16 We have a pretty good number of folks who
17 want to comment tonight, and the process has been
18 designed with a preference to make sure that
19 everybody has an opportunity to speak. Anybody who
20 wants to speak in the allotted time we try to
21 accommodate. The meeting will run until 9:00, and
22 we will try to manage the time within that time
23 limit to ensure that everybody who has registered
24 has a chance to speak. Does anybody have an
25 objection to the process trying to enable that

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

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1 everybody who has signed up has a chance to speak?

2 You object to that?

3 MS. JONI ARENDS: Joni Arends with
4 Concerned Citizens for Nuclear Safety. We were one
5 of the signers on to the e-mail that requested
6 additional time if there were enough people, and Mr.
7 Tegtmeier said that if possible we would stay until
8 10:00. So I don't know the amount of time or the
9 number of people that have registered to speak. It
10 would be interesting to know, because there has been
11 a difference of the amount of time. In Albuquerque
12 first there was five minutes. Then it got changed
13 to three. In Los Alamos there was seven minutes,
14 and last night there was five minutes. So I would
15 like to understand how many minutes are currently
16 scheduled for people to speak.

17 MR. MacALLISTER: I can answer that
18 question. I can't answer how many are registered,
19 because we continue to take people as they show up.
20 It looks like, based on our best estimate -- and
21 once we make this decision, we stick to it -- that
22 we will be able to provide the five minute time
23 limits.

24 Is there anybody who has any objection to
25 me treating each speaker equally with respect to the

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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 amount of time? All right. Finally is there
2 anybody who believes they are entitled to more time
3 than the allotted five minutes?

4 MR. DOUG DORAN: We would have the right
5 to yield the balance of the time. If we didn't take
6 the full amount of time, we could yield it to
7 someone else?

8 MR. MacALLISTER: No. You have the right
9 to yield your block of time. We can't get into
10 measuring fractions of minutes for time. If we run
11 ahead, that time goes into the pool, at the end of
12 meeting, wherein we take open questions, open
13 comments.

14 If on the other hand somebody runs out of
15 time and the audience would like to hear more of
16 them and somebody chooses to yield their time slot
17 to that speaker, when I reach that person's card,
18 and I call them, they can tell me I yield my
19 position to a particular speaker. I will move that
20 person's card who yielded to the back of the stack,
21 and if there is time allowed, we will take that
22 comment at the end before we conclude the meeting.
23 Right now it looks like we will have plenty of time.

24 Another question from Joni Arends.

25 MS. ARENDS: Yes. I have a due process

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1 question. At the three other hearings there was an
2 opportunity for a second round.

3 MR. MacALLISTER: Yes.

4 MS. ARENDS: Is there an opportunity for a
5 second round this evening?

6 MR. MacALLISTER: As with all the other
7 hearings, the second round is contingent upon there
8 being available time. At every other meeting, even
9 at last night's meeting where there were more people
10 signed up, we did have time for some follow-up
11 questions. So I anticipate that as long as there is
12 time available, that we will have second round.

13 Now, this facility has limits on how late
14 we can remain in this facility. I will point out
15 that this is the fourth meeting. My understanding
16 is that the due process requirements for meetings
17 technically have been fulfilled. I am looking at
18 the document manager for verification of that. He
19 is, just for the record, indicating that that's the
20 case.

21 I have no doubt, as soon as we roll into
22 this, that there will be ample opportunity for
23 follow-up comments. Okay.

24 MS. ARENDS: I reserve time to object
25 during the process. Thank you.

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(505) 989-4949
FAX (505) 820-6349



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(505) 843-9494
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1 MR. MacALLISTER: You can use your time,
2 your allotted time for anything you want.

3 As far as the ground rules going on,
4 please wait until your scheduled time to provide
5 comments. Heckling from the audience, there is
6 absolutely zero tolerance for it. We don't want any
7 speaker of any philosophy, any position they want to
8 take feeling remotely intimidated in terms of their
9 ability to give their honest opinion to the document
10 manager. So please reserve your applause, and
11 please refrain from making comments during people's
12 presentations.

13 It's important that we don't interrupt
14 presentations with shouting or comments, because
15 this is a transcribed hearing and the court reporter
16 has to hear the speaker.

17 Sir, you had a question.

18 MR. ERWIN JULIAN RIVERA: (Comments in
19 Spanish.)

20 MR. MacALLISTER: As far as a translator,
21 John, we don't have that capacity at tonight's
22 meeting.

23 MR. RIVERA: It's okay. I do.

24 MR. MacALLISTER: I will be calling you by
25 name. So in the first round it's a little less

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(505) 843-9494
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1 critical; however, I am famous for mispronouncing
2 some people's names. So it's helpful when you come
3 to the mike to please confirm, yes, my name is Joe
4 Jones, because I may have mispronounced your name.
5 For the record, it will be helpful for us to make
6 sure we have the right people in the right order.

7 Yes, sir.

8 MR. KEN LAING: Do you intend to remove
9 people who refuse to stop speaking after their time
10 by force?

11 MR. MacALLISTER: I am getting to that.
12 I am asking you all to abide by the time
13 limits. There is not going to be anybody here -- I
14 have no intention of arm wrestling with anybody at
15 the mike. However, if we cannot maintain order and
16 if people refuse to yield the floor following the
17 ground rules of the meeting, I will put the meeting
18 into recess, the court reporter will be instructed
19 to stop taking the official transcription, and the
20 mike will be cut off, and we will be in recess
21 unless and until we can restore order and the next
22 speaker is up to speak.

23 MR. LAING: So was last night's attempt to
24 remove a speaker peculiar to that setting? We are
25 not intending to do that again?

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1 MR. MacALLISTER: There was no attempt to
2 remove a speaker. There was an attempt to get the
3 speaker to yield the floor. I'm not going to argue
4 about other -- I'm going through the ground rules
5 for tonight. We have made some adjustments to make
6 it clear that we intend to give everybody an equal
7 opportunity to participate in the meeting.

8 Again, please keep your comments as civil
9 as you can and finish your statement as early as
10 possible.

11 Sir, you have a comment.

12 MR. KIRK OWENS: If somebody would like to
13 give comments in other than English, since we can't
14 accommodate anything else here, we can take comments
15 in another language, and there is also an audio
16 recording capability out here. If you leave them in
17 Spanish or a native language, we will make every
18 attempt to get them translated for the document.

19 MR. RIVERA: I don't mean to be
20 argumentative, but we requested that in many
21 hearings and to have the reports issued back --
22 based on the New Mexico Constitution, we are an
23 official bilingual state, and we have yet to receive
24 anything back in answer to our request. I
25 appreciate your comment, but it's still not adequate

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1 for us, but I am multi-lingual.

2 MR. MacALLISTER: And again, if we cannot
3 regain order of the meeting, we will be in recess.
4 However, we will continue to take comments from
5 people at the kiosk, and there will be an ultimate
6 decision about whether to adjourn the meeting or to
7 continue based on our ability to restore the
8 structure of the meeting.

9 A final comment, a final request on my
10 part is please silence your cell phones and anything
11 else that might make noise at this time so that the
12 speakers are not interrupted. And again, just as a
13 reminder, I will be taking comments from any elected
14 officials first, or representatives of those
15 offices, at the outset of the hearing, and then I
16 will be taking the next comments in order.

17 I believe we have at least one
18 representative of an elected official here, Jennifer
19 Catechis. Pardon me if I mispronounce.

20 MS. JENNIFER CATECHIS: It's close, very
21 close. I am with Congressman Lujan.

22 MR. MacALLISTER: Thank you. And would
23 you like to speak, ma'am?

24 MS. CATECHIS: No.

25 MR. MacALLISTER: Thank you. Thank you.

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1 Are there any other representatives or
2 elected officials, representatives of offices that
3 are from the elected officials' offices here present
4 tonight? Are there any tribal officials present
5 tonight? Any municipal or county? All right.

6 Then without further adieu, we will begin
7 the process.

8 One last ground rule, to help you with the
9 timing to abide by the five minute rule, you will
10 see at your four minutes, at one minute out, our
11 timekeeper will hold up a yellow card, so you will
12 know that it's time to begin preparing to conclude
13 your statement. When you see the red card, your
14 time is up. If you don't wrap up in a timely manner
15 with the red card, I will approach the podium and
16 ask you to yield the floor. If at that time you
17 don't yield the floor, I will instruct the court
18 reporter to cease recording, and we will go off the
19 record, and we will be officially in recess until
20 such time as we get the podium back. Thank you.

21 Okay. Our first speaker -- I will be
22 calling out the name of the first speaker. Then I
23 will, as with the other meetings, call out the next
24 person in line to speak so that that person can be
25 getting ready.

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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 Our first speaker is Ray M. Baca and he
2 will be followed by Danny Beavers.

3 MR. RAY M. BACA: Thank you very much. My
4 name is Ray Baca. I am the executive director for
5 the New Mexico Building Trades Council. In that
6 capacity, I represent all of the construction labor
7 unions here in the state of New Mexico. This
8 includes approximately 800 construction and
9 maintenance workers that are currently employed by
10 the laboratory.

11 These are good-paying, family-sustaining
12 jobs that unfortunately are not otherwise available
13 in northern New Mexico to that degree. As most of
14 you may already know, the construction industry in
15 New Mexico, as it is in much of the country, is in a
16 depressed state. The unemployment rate for
17 construction workers is fully double and in many
18 cases triple that of the average unemployed New
19 Mexican. It is not uncommon for us to see
20 unemployment rates of 27 to almost 30 percent in the
21 various crafts that we represent.

22 This project, the CMR project, if and when
23 it comes to be, would employ upwards of nearly 1,000
24 construction workers off and on over the course of a
25 10 to 12 year period. Obviously this would be a

701-1 701-1

NNSA acknowledges the commentor's support for construction of the CMRR-NF. The socioeconomic sections of the *CMRR-NF SEIS* present an analysis of the potential effect on the local labor market related to the different alternatives under consideration (see Chapter 4, Sections 4.2.9, 4.3.9, and 4.4.9). As discussed in the *CMRR-NF SEIS*, construction of a new CMRR-NF under the No Action Alternative or the Modified CMRR-NF Alternative would result in a requirement for a construction workforce that would be needed for up to 9 years. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentors during the public comment period. See Section 2.7, Economic Impacts, of this CRD for additional information.

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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 huge boost to the construction industry in New
2 Mexico. It would be a huge boost to economic
3 development and opportunity in northern New Mexico,
4 but much more importantly, it would be a huge boost
5 to those working construction families in New Mexico
6 that are in dire straits.

7 With all due respect to those of you who
8 are opposed to the project, we respectfully urge the
9 laboratory and DOE and all the other powers that be
10 to begin this project sooner than later. Thank you.

11 MR. MacALLISTER: Thank you, sir.

12 Our next speaker is Danny Beavers and he
13 will be followed by Jennifer Sequeira.

14 MR. DANNY BEAVERS: My name is Danny
15 Beavers. I am a business representative for the
16 United Association of Plumbers and Pipefitters. I
17 am here today to speak in favor of the proposed
18 project for a couple of reasons. Throughout my
19 lifetime, there have been nuclear weapons, and I'm
20 sure they will be around long after my life is over.
21 In my opinion, they are and will continue to be
22 necessary to assure the safety, freedom, and way of
23 life of our country.

24 Next, the current facility was opened in
25 the late '50s, early '60s, and has been in operation

701-1
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702-1

702-1

NNSA acknowledges the commentator's support for construction of the CMRR-NF. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Special designs, operations, and procedural measures to protect workers and the public would be incorporated into the design and operation of the CMRR-NF. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentators during the public comment period. See Section 2.7, Economic Impacts, of this CRD for additional information.

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1 for well over 50 years. Due to the fact that
2 nuclear weapons are going to continue to be a
3 reality, I would personally feel better knowing that
4 that type of work is being done in a new state of
5 the art facility as opposed to an antiquated
6 facility.

7 Lastly is the economic impact of a project
8 of this size, not only to northern New Mexico but
9 the entire state of New Mexico, from vendors to
10 suppliers, not to mention the estimated 1,000
11 construction workers that it is scheduled to employ
12 over the course of the project. These are all
13 good-paying jobs that include family health care and
14 pensions. Therefore, I stand in favor of this
15 project and respectfully request that it move
16 forward without further delay. Thank you.

17 MR. MacALLISTER: Thank you, sir.

18 Our next speaker is Jennifer Sequieira
19 followed by Scott Kovac.

20 Jennifer Sequieira.

21 Scott Kovac.

22 MR. SCOTT KOVAC: Good evening. Thank
23 you, everyone, for coming out this evening.

24 Members of the public who have spoken in
25 support of this CMRR -- sorry. Members of the

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1 public who have spoken out in support of the CMRR
 2 nuclear facility who just left, have, for the most
 3 part, pointed to jobs that would --
 4 (There was a buzzing sound from the mike.)
 5 MR. MacALLISTER: See if that's better.
 6 MR. KOVAC: My time is not starting yet.
 7 All right. Members of the public who have
 8 spoken in support of the CMRR nuclear facility so
 9 far have pointed to the jobs that have been
 10 produced. Nuclear Watch New Mexico agrees that more
 11 jobs are sorely needed in northern New Mexico. We
 12 don't agree that the CMRR nuclear facility is the
 13 right way to get these jobs.
 14 First of all, it is wrong to advocate
 15 nuclear weapons programs as a job program.
 16 Secondly, \$6 billion for an expanded production
 17 complex for plutonium bomb triggers is an
 18 astronomical amount of money, but what do we really
 19 get in the way of added jobs? The answer is
 20 nothing. There is no net increase in permanent
 21 jobs. This is not just nuke watch saying this.
 22 This is the Supplemental EIS saying it also.
 23 The CMRR-NF would not create additional
 24 jobs. It would simply relocate existing employees
 25 from an old facility to a new facility, one that

703-1 703-1

NNSA notes the commentator's opposition to the CMRR-NF project. Refer to Section 2.1, Opposition to CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. The *CMRR-NF SEIS* presents the environmental impacts of construction and operation of the facility; one area of environmental impacts is socioeconomic, including jobs. As stated in the *CMRR-NF SEIS*, the number of jobs associated with this construction project (direct and indirect) is relatively small in comparison to the total labor force in the four-county region of influence. However, NNSA recognizes that the creation of any construction jobs during the current economic difficulties would have a positive effect on the construction industry in northern New Mexico as was stated by a number of commentators during the public comment period. See Section 2.7, Economic Impacts, of this CRD for additional information.

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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1 would cost around \$10,000 a square foot to build.
2 To quote the summary of the Supplemental EIS,
3 approximately 550 workers would be at the CMRR
4 facility. They would come from the old CMR Building
5 and other facilities at LANL, so the facility would
6 not increase employment or change socioeconomic
7 conditions in the region. I will say that last line
8 again -- so the facility would not increase
9 employment or change socioeconomic conditions in the
10 region.

11 What the \$6 billion approximately CMRR
12 project would do is help reserve the socioeconomic
13 status quo for Los Alamos County, which is already
14 the sixth richest county in the United States and is
15 tied for the lowest unemployment rate in the United
16 States. This is all while public school teachers
17 are being laid off in neighboring Rio Arriba County
18 and in the majority of states across the country.

19 The nuclear facility does create
20 additional construction jobs, but these are limited
21 to last only a finite period of time. The SBIS
22 states that there will be an average of only 420
23 construction jobs over nine years, with a peak of
24 790 jobs. The SBIS further states construction
25 employment would represent less than one percent of

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(505) 843-9494
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1 the regional workforce and would have little
2 socioeconomic effect.

3 In short, it's remarkable how little \$6
4 billion buys for northern New Mexico. Let's look at
5 the math. For the sake of discussion, let's assume
6 that the average construction worker makes 40 bucks
7 an hour for 2,000 hours during an average work year.
8 With an average of 420 construction workers over
9 nine years, that would be a payroll of a little over
10 \$300 million or just five percent of the total
11 project costs. This is less than has already been
12 spent so far for the design alone of the CMRR
13 facility. Design costs are now at \$500 million and
14 climbing, and have we seen any socioeconomic gain
15 from that? Has anybody noticed?

16 Nuclear Watch New Mexico argues that far
17 more jobs could be created than through almost any
18 federal effort over the CMRR nuclear facility. Its
19 limited positive socioeconomic impacts will stay
20 mostly in Los Alamos County and will hardly be
21 noticed in the rest of northern New Mexico. Only
22 crumbs will roll off the hill to the rest of us as
23 usual.

24 To invoke a cliché: Why can't we have
25 clean, green jobs instead of mean jobs? A \$6

703-1
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703-2 703-2

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on major Federal programs (for example, education) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for additional information. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF.

Refer to Section 2.5, Cleanup and Waste Management, of this CRD for information about LANL environmental remediation activities.

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(505) 989-4949
FAX (505) 820-6349



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1 billion plutonium investment will lock Los Alamos'
2 future into the hopefully shrinking business of
3 nuclear weapons production and research and will be
4 a loser in the long run for job production. Full
5 clean-up of LANL's radioactive waste dump is
6 estimated to cost \$32 billion, but the lab opposes
7 that form of clean-up because it's far too
8 expensive.

9 This may be, but while protecting our
10 environment in the Rio Grande, what a job producer
11 comprehensive clean-up at the lab would be. Thank
12 you.

13 MR. MacALLISTER: Thank you. (Applause)
14 Actually that reminds me of one thing that
15 I should have mentioned. If you have a written
16 statement that you would like to submit to the court
17 reporter to make sure that you have got word for
18 word what you wanted to say in the record, that's
19 more than welcome as well. All right.

20 Our next speaker will be Robert Gilkeson
21 followed by Dave McCoy.

22 MR. ROBERT H. GILKESON: Thank you. My
23 name is Robert Gilkeson. I am a registered
24 geologist with over 40 years of experience with
25 activities in the earth sciences, including teaching

703-2
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(505) 843-9494
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1 at the University of Illinois, research and ground
 2 water contamination issues across the United States
 3 and especially at Los Alamos National Laboratory,
 4 research and exploration for ground water resources,
 5 and research in seismic geophysics.

6 From 1988 to 1999, I was a technical
 7 consultant at Los Alamos National Laboratory on
 8 issues of environmental contamination, and I was the
 9 lead consultant for a period of a few years for
 10 installation of the large network of monitoring
 11 wells in the regional aquifer below and away from
 12 the laboratory.

13 In 2009, I wrote a paper with Joni Arends,
 14 the executive director of Concerned Citizens for
 15 Nuclear Safety about the large number of
 16 deficiencies in the LANL 2007 Probabilistic Site
 17 Wide Seismic Hazard Analysis Report. There was a
 18 mouthful. And also in the geotechnical report, the
 19 2005 geotechnical report for the geotechnical
 20 investigation of the seismic hazard at the proposed
 21 site for the CMRR facility in Technical Area 55.

22 Joni Arends and I took that paper to a
 23 meeting with the Defense Nuclear Facilities Safety
 24 Board in Washington, DC on May 23rd of 2009. And
 25 that paper, currently Joni and I are updating the

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
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 201 Third NW, Suite 1630
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The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake.

Subsequent to the original proposal of the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazard analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazard analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into the structural requirements necessary for constructing the proposed Modified CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

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1 paper for current events, and that will be provided
2 to this hearing by the end of the public comment
3 period.

4 My presentation today is the findings and
5 conclusions in a paper written by scientists at the
6 Los Alamos National Laboratory with their studies to
7 identify that there has been active earthquake with
8 surface rupture at least three times during the
9 period of the Holocene. And the Holocene covers
10 earth history going back to 10,000 years from the
11 present. It's a very excellent paper, and it was
12 published in the June 2009 issue of a journal named
13 "Geosphere."

14 The name of the paper -- if I can find it
15 here -- "Fault interaction and along-strike
16 variation in throw in the Pajarito fault system, Rio
17 Grande rift, New Mexico." I have a handout which
18 will be out where the CCNS materials are, the table
19 of CCNS materials, and there is a map on the back of
20 that handout that shows the great complexity of the
21 Pajarito fault system. It's a network of faults
22 that extends from north of Los Alamos to south of
23 Los Alamos to approximately Cochiti Pueblo. The
24 fault is over a total distance of around 48
25 kilometers or 29 miles.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 I'm going to read some of the findings in
 2 the report by the LANL scientists. From the
 3 abstract, "The seismically active Pajarito fault
 4 system of northern New Mexico, United States, is a
 5 complex zone of deformation made up of many
 6 laterally discontinuous faults and associated folds
 7 and fractures that interact in ways that have
 8 important implications for seismic hazards at Los
 9 Alamos National Laboratory," and I would say
 10 including Technical Area 55, the proposed site for
 11 the CMRR facility.

12 From the conclusion section of their
 13 report, I'm going to present the bulleted findings:
 14 New paleoseismic data show three Holocene surface
 15 rupturing earthquakes, one ground surface rupturing
 16 event, 1,400 years ago on the Pajarito fault; a
 17 second ground surface rupturing event from 5,200 to
 18 2,500 years ago. That's the range of time.

19 MR. MacALLISTER: Sir, your time is up to
 20 take a closing statement.

21 MR. GILKESON: That was five minutes
 22 already?

23 VOICE FROM THE FLOOR: Can I yield?

24 MR. MacALLISTER: No, you can't yield now.
 25 You can yield when it's your turn.

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
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1 VOICE FROM THE FLOOR: Well, I can pull my
2 card out right now.

3 MR. MacALLISTER: It doesn't work that
4 way, because others signed up hoping to get in here.

5 MR. GILKESON: Let's hold to the rules. I
6 will probably get a chance later to finish this.

7 MR. MacALLISTER: Thank you, sir.

8 MR. GILKESON: There is a handout of this
9 report at the table with CCNS materials. Thank you.

10 MR. MacALLISTER: Thank you, sir.

11 (Applause)

12 Our next speaker is Dave McCoy followed by
13 Bob Walsh.

14 MR. DAVE McCOY: Dave McCoy, director of
15 Citizen Action.

16 As an attorney, I want to address some of
17 the legal issues. First I want to address the raft.
18 If the raft won't float, we are going to sink and
19 all be on the nuclear brink.

20 Anyhow, to hold DOE accountable to protect
21 public health and safety, Congress should introduce
22 legislation for the public to bring a citizen suit
23 against the DOE for violation of the DOE Orders.
24 DOE Orders sound good but are not rigorously
25 enforced by DOE.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 In the case of the SEIS, there is no
 2 safety analysis report that has been issued as is
 3 required to be performed, quote, at the earliest
 4 practicable point in conceptual or preliminary
 5 design for which we have spent \$500 million already.
 6 Adequate protection of the public and workers is not
 7 assured because the chosen site above volcanic ash
 8 is a seismic formula for disaster.

9 Deactivation, decommissioning,
 10 decontamination at end of life are not considered in
 11 the SEIS proposed 50 years of operation. Waste
 12 disposal operations are not considered in the SEIS
 13 and the liquid radioactive waste facility is at the
 14 end of its operational lifetime.

15 The controlling statutes are DOE Order
 16 420.1 and DOE Guidance 420.1-2 which requires
 17 structures, systems, components at DOE facilities be
 18 designed and constructed to withstand the effects of
 19 natural phenomena and hazards.

20 Now, you can't very well know what the
 21 health impacts are going to be where the full
 22 seismic hazards are not known. The choice of this
 23 location as a site is extremely poor. Other
 24 requirements are found in DOE Order 5480.28, and
 25 they are supposed to provide for safety work places,

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
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NNSA has developed the appropriate level of safety documentation for this stage of CMRR-NF design, and this safety documentation is used in designing building safety features. Because of security concerns, the safety documents are not made available to the public.

DD&D impacts are discussed in Chapter 4, Section 4.5, of the *CMRR-NF SEIS*. For purposes of analysis, only disposition of the entire CMR Building is addressed in detail because activities associated with this option would have the greatest potential environmental consequences, including generation of the largest amount of radioactive wastes (see Section 4.5.1). DD&D procedures for dispositioning the CMR Building would be common actions across all of the alternatives analyzed in the *CMRR-NF SEIS*. DD&D of the CMRR-NF at the end of its useful life is also addressed, although it is noted that impacts would depend on the disposition decision taken at the time, which could range from reuse to DD&D of the entire CMRR-NF (see Sections 4.5.2 and 4.5.3).

Waste management and pollution prevention is addressed for construction and operations for all three alternatives in Chapter 4, Sections 4.2.12, 4.3.12, and 4.4.12, of the *CMRR-NF SEIS*. As described in the 2008 *LANL SWEIS* (DOE 2008a) and in annual *LANL SWEIS* yearbooks issued since its publication (LANL 2010a, 2011d), RLWTF processes liquid radioactive wastes and meets current discharge standards. The 2008 *LANL SWEIS* addresses alternatives for upgrades to RLWTF (DOE 2008a).

The CMRR-NF is designed to be in compliance with DOE requirements for nuclear facilities, including projected seismic event response performance and nuclear safety-basis requirements based on new site geologic information, fire protection, and security requirements. The accident analysis in Chapter 4, Sections 4.2.10.2, 4.3.10.2, and 4.4.10.2, and Appendix C of the *CMRR-NF SEIS*, is based on knowledge of potential natural or manmade hazards and the amount of radioactive material that would be available for release (material at risk) to estimate potential exposures in an accident.

See the response to Comment 705-2 regarding seismic concerns.

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 protect against property loss or damage, continued
2 operation of essential facilities, and protecting
3 public health, property, and the environment against
4 exposure to hazardous materials.

5 Well, we don't know what the hazard is
6 going to be there, so we don't know what the
7 exposure might be in the event of an accident. In
8 fact, we don't even know what a full accident can be
9 there. They talk about a spill. Well, it could
10 certainly be more than a spill of plutonium when
11 they are talking about 13,200 pounds being stored in
12 the same location and the possibility for ground
13 rupture at the site.

14 There is also Executive Order 12699. I'm
15 not going to go through that, just cite it.

16 LANL is choosing to not know the hazard by
17 doing poor quality work. In 1992, the SHE-1
18 borehole at TA-55 was drilled. The seismic profile
19 from the borehole was published in Wong, et al. in
20 1995. LANL scientists knew from the velocity
21 profile for this borehole that there were low shear
22 velocities that greatly increased the seismic hazard
23 at the TA-55 site for use of plutonium bomb factory.

24 Rather than recognize the problem, LANL
25 low-balled the cost to Congress for the facility

705-1
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705-2

705-2 The potential seismic hazards at LANL have been the subject of numerous studies performed in the past 30 years. Additional information about seismic and other geologic issues has been provided in Section 2.6, Seismic and Geologic Concerns, of this CRD, and in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazards analyses of the LANL region were issued (LANL 2007, 2009), and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). (The 2009 update to the 2007 probabilistic seismic hazards analysis was not publicly available at the time the *Draft CMRR-NF SEIS* was prepared; however, it has subsequently been made available to the public and has been incorporated into the *Final CMRR-NF SEIS*.) The updated seismic hazards analyses indicated an increase in the expected ground motion for a design-basis earthquake and provided a better understanding of the ground motion and probable seismic behavior of various geological material layers occurring at LANL. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The results of this evaluation have been included in the design of the CMRR-NF, which is still under way and will continue to evolve. Refer to Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 even though LANL knew the initial design was
2 incorrect and not supported by their own
3 information. Then there came a 1995 study: Seismic
4 margins assessment of the plutonium processing
5 facility at Los Alamos National Laboratory.

6 They said they couldn't meet the DOE Order
7 5480.28, and stated, "Results of this study indicate
8 that seismically induced loads will be significantly
9 greater than those for which the structures,
10 systems, and components for the plutonium processing
11 facility, PF-4, at Technical Area 55 were designed."
12 The study was based on a value of .33 g, ground
13 acceleration.

14 This 1995 report was made before the
15 knowledge obtained in the May 2007 probabilistic
16 seismic hazard analysis that indicated an increased
17 acceleration value of .5 g. Even the .5 g
18 acceleration is questionable and may be an
19 underestimate, because selection of Kappa that was
20 used was based on compromised data.

21 How many minutes do I have left?

22 THE TIMEKEEPER: You are just about done.

23 MR. McCOY: You have touted the 2007
24 report, the update. Well, let's look at Chapter 10
25 and what it says. Recalculate the hazard, conduct

705-2
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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 additional detailed high precision mapping and
2 displacement measurements, conduct paleoseismic
3 trenching studies of Santa Clara Canyon, reevaluate
4 the entire data schedule for the Rio Grande rift,
5 conduct additional studies to better constrain
6 Kappa. Kappa is a key parameter in assessing the
7 hazard at LANL. Improvements in the network may be
8 necessary to improve data quality. No improvement
9 has been made.

10 So to sum up, you haven't done the work,
11 you haven't done the studies, you are exposing the
12 public to great risk, and you need to stop this
13 project. Thank you. (Applause)

14 MR. MacALLISTER: The next speaker is Bob
15 Walsh followed by Jan Boyer.

16 MR. BOB WALSH: Please hold the timing
17 flags up high and wiggle them so I will notice them.

18 THE TIMEKEEPER: Yes, sir.

19 MR. WALSH: Thank you.

20 My name is Bob Walsh. I am retired from a
21 career which included many years of nuclear safety
22 analysis.

23 About 20 years ago, I was the lead on a
24 safety analysis for a proposed plutonium storage
25 facility for Pantex in Texas. We found that

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 aircraft accidents from overflights were a signature
2 contributor to risk with possibly horrendous
3 consequences.

4 Last November I commented on the potential
5 scope of the SEIS, asking that they be sure to
6 include the accident analysis and potential
7 terrorist acts. In the draft SEIS, there was a
8 response that says that the accident analyses
9 present the impacts of a range of possible
10 accidents, and that a classified appendix was
11 prepared to address the impact of intentional
12 destructive acts, including terrorism, but
13 substantive details were not released to the public,
14 because disclosure could be exploited by terrorists,
15 which is reasonable.

16 In the appendix that actually evaluates
17 accident impacts, Section C.3, it states that
18 selection and evaluation of accidents was based on
19 the "Nonreactor SAR Preparation Guide." In that
20 guide, Section 3.4 states, external events will be
21 analyzed if frequency of occurrence is estimated to
22 exceed 10 to the minus six per year conservatively
23 calculated, or 10 to the minus 7 per year
24 realistically calculated. The analysis that
25 substantiates frequency need only be referenced.

706-1 706-1

In response to similar comments, the text in the *Final CMRR-NF SEIS*, Appendix C, Section C.3.2, has been revised to more clearly reflect the consideration of an airplane crash into the CMRR-NF. The largest aircraft that is considered to have a conservative probability greater than 1 in 1 million per year of accidentally crashing into the CMRR-NF is a general aviation aircraft. References were added to support this conclusion, including the *DOE Standard: Accident Analysis for Aircraft Crash into Hazardous Facilities* (DOE 2006) and a site-specific technical evaluation of the potential for aircraft crashes (LANL 2011a).

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 In the draft SEIS, Chapter C.3.2 states,
2 "The probability of an airplane crash during
3 overflight is less than 10 to the minus six." There
4 are two deficiencies in this paragraph. First we
5 assume that they intended to say 10 to the minus six
6 per year. Second, no analysis is referenced to
7 support the statement.

8 Having discovered two oversights upon
9 examination of only one section suggests that this
10 document has not been subjected to rigorous,
11 independent review. The general public is neither
12 technically qualified nor adequately funded to
13 perform a comprehensive review. Consequently, I
14 have four comments, all of which are in the form of
15 requests.

16 One, please provide a reference to an
17 analysis that substantiates the probability of an
18 airplane crash during overflight does not exceed 10
19 to the minus six per year conservatively calculated.

20 Second, please provide a rigorous
21 independent review of this document by an
22 independent professional organization in order to
23 increase public confidence in the conclusions.

24 Third, please provide an unclassified
25 overview of the classified appendix, omitting

706-1
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706-2

NNSA and DOE engage their own technically qualified staff and subject matter experts to prepare the SEIS along with qualified contractors. The analyses include the evaluation of accidents and intentional destructive act impact analyses. NNSA does not intend to pursue an independent external review of the analysis in the *CMRR-NF SEIS*.

706-3

As indicated in Chapter 4, Section 4.2.10.3 of the *CMRR-NF SEIS*, substantive details of terrorist attack scenarios, security countermeasures, and potential impacts are not released to the public because disclosure of this information could be exploited by terrorists to plan attacks. NNSA considered a range of possible terrorist or intentional destructive acts and performed a detailed analysis of selected scenarios. Selected scenarios provide a reasonable range of events, including those with the largest expected impacts. NNSA and DOE engage their own technically qualified staff and subject matter experts to prepare the SEIS along with qualified contractors. The analyses include the evaluation of accidents and intentional destructive act impact analyses. NNSA does not intend to pursue an independent external review of the analysis in the *CMRR-NF SEIS*.

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706-3

NNSA has an extensive program related to preventing terrorist threats. This includes ongoing evaluations of facilities and security forces to prevent successful attacks. In evaluating intentional destructive acts, the probability of a given scenario occurring is not a factor in the analysis. Therefore, the programs and funding of other entities, such as the Transportation Security Administration is not a relevant factor. The intentional destructive acts appendix presents consequences projected to occur in the event of a successful attack. The results of these analyses will be reviewed and considered by NNSA in making its decision on the CMRR-NF and are shared, as appropriate, with senior Administration officials and Congress.

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 details but including at least answers to the
 2 following questions: First, does the appendix
 3 include consideration of attacks using aircraft?
 4 Second, in determining risk from terrorist attacks,
 5 does the appendix assume continued funding for
 6 government agencies other than NNSA, such as the
 7 Transportation Security Administration? Third, does
 8 the appendix estimate the consequence of a
 9 successful terrorist attack? If so, have these
 10 potential consequences been brought to the attention
 11 of the president and congress for consideration in
 12 decisions on nuclear weapons policy.

13 And then the fourth request, please
 14 provide a rigorous independent review of the
 15 classified appendix by an independent professional
 16 organization with appropriate clearances, and
 17 include in this environmental impact statement an
 18 unclassified summary of that assessment. Please
 19 include the identity of the organization, and the
 20 amount budgeted for the review as an insurance that
 21 the review is independent and thorough. Thank you.
 22 (Applause)
 23
 24
 25

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SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@btsupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 MR. MacALLISTER: Our next speaker will be
2 Jan Boyer, followed by Charles Cole.

3 MS. BOYER: My name is Jan Boyer, and I'm
4 very concerned about this facility and request that an
5 environmental assessment be done at this time because of
6 the magnitude of the changes since the beginning of the
7 planning around that.

8 I'm also speaking because I keep
9 remembering a talk that Winona LaDuke gave one time, and
10 she said, You know, when my children make a mess, they
11 can't make another mess until they clean up the first
12 mess.

13 I wish that would be considered in issues
14 like this, because to me, there is an awful lot of
15 toxicity that could be cleaned up before we make more
16 messes. So I'm pretty concerned about that.

17 The other thing is, I have a master's
18 degree in clinical psychology, so I'm fascinated by how
19 people use themselves and their skills. And one of the
20 things I know is that scientists do really good science.
21 Thank goodness. I really have a lot of respect for the
22 way scientists do science. The only problem is that in
23 human capability, the weakness of scientists is in
24 noticing the implications of their actions. That's the
25 weakest link in the way a scientist thinks. What are

707-1

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NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations. Refer to Section 2.2, NEPA Process, of this CRD for more information.

707-2

707-2

DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

707-3

707-3

The danger of plutonium has been recognized since its first large-scale production in 1945. The awareness and knowledge of plutonium toxicity has resulted in DOE using special designs, operations, and procedural measures to protect workers and the public; such safety features and controls would be incorporated into the design and operation of the CMRR-NF. Chapter 4, Sections 4.10, 4.3.10, and 4.4.10, of the *CMRR-NF SEIS* present the potential human health impacts of the proposed alternatives.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 the long-term effects? What are the implications?

2 So when I read that this is going to house
3 six tons of plutonium, I can't believe that. I keep
4 thinking, gee, I must have made a mistake in reading
5 that, but I think I read that in a few places. Isn't
6 plutonium one of those things that has a half life of
7 something like 108,000 years? I can't imagine having
8 this much toxicity.

9 There are a number of authorities speaking
10 out these days from the United States and other
11 countries, and they're saying, you know, there are so
12 many toxins in our environment that people cannot
13 thrive. Even on the news hour, they've had a primary
14 medical researcher from Harvard and she said, The issue
15 with autism is the carcinogenic substances, the
16 endocrine disrupters and all of the toxins. A child can
17 no longer thrive in the United States. That's kind of
18 daunting to me because I'm one of the kinds of people
19 who does think about the long-term implications.

20 So if anybody wants to party with six tons
21 of plutonium, I think that deserves a very serious
22 diagnosis.

23 Please don't do this. This is just too
24 bizarre.

25 Thank you.

707-3
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 (Applause.)

2 MR. MacALLISTER: Thank you, ma'am.

3 Our next speaker is Charles Cole, followed
4 by Bridjette Kennedy.

5 MR. COLE: My name is Charles Cole. I'm a
6 resident of Santa Fe, and I was the coordinator for the
7 Faith Conference of Nuclear Weapons, which was held here
8 in Santa Fe in 2010. I'm speaking as a member of the
9 United Methodist Church and as director of the General
10 Board of Church and Society of the Church.

11 The SEIS declares that pit production does
12 not take place at the CMR Building, and it will not take
13 place in any Chemistry and Metallurgy Research
14 Replacement facility. But the SEIS also states, quote:
15 "All nuclear analytical chemistry, AC, and materials
16 characterization, MC, will be housed in the Hazard
17 Category 2 nuclear laboratory building," unquote, part
18 of the proposed CMR nuclear facility. And, quote, "AC
19 and MC services support virtually all nuclear programs
20 at LANL." It seems, then, that although pit production
21 will not take place specifically in the proposed new
22 facility, the CMRR-NF, this new facility will support
23 pit production at LANL, which may reach a total of 80
24 pits per year.

25 This increased pit production is ostensibly

708-1 708-1

The commentor is correct. The analytical chemistry and materials characterization capabilities that would be located in the CMRR-NF would support all nuclear programs at LANL, including pit production. Based on the ROD (73 FR 55833) for the 2008 LANL SWEIS, the current level of pit production is up to 20 pits per year.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 part of a Stockpile Stewardship Program whose
2 implementation, according to the Nuclear Posture Review
3 completed by the Obama administration last year, is,
4 quote, "essential to facilitating reductions while
5 sustaining deterrence under New START and beyond."

6 The Stockpile Stewardship Program, then, is
7 to support reductions and to sustain deterrence. Let me
8 address the deterrence issue. At our Faith Conference
9 on Nuclear Weapons, Dr. Joseph Martz, J. Perry Fellow in
10 National Security, Stanford University -- and I believe
11 still related to LANL -- defined deterrence as, quote,
12 "the ability to inflict unacceptable costs upon an
13 adversary, such that that adversary is deterred from
14 conducting an undesired act."

15 The United Methodist Church declared in a
16 resolution passed at its 2008 General Conference, of
17 which I was a member, that quote: "The doctrine of
18 nuclear deterrence is morally corrupt and spiritually
19 bankrupt," unquote.

20 Why is this so? The first reason is
21 prudential. Nuclear deterrence is not an effective
22 doctrine for the new age of global terrorism. In fact,
23 the production of more plutonium simply makes more
24 material available for terrorists to steal and use in
25 making nuclear weapons.

708-2 708-2

NNSA notes the commentator's opposition to pit production and the policy of nuclear deterrence. Since the 1940's, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Since the end of the Cold War, DOE has changed site missions and activities consistent with changing national security policies that reflect the new national security posture, including maintaining a smaller nuclear weapons stockpile. However, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Therefore, along with its obligations to reduce its nuclear weapons stockpile and promote the nonproliferation of nuclear weapons to nonnuclear states the United States must also ensure that its nuclear weapons stockpile remains safe, secure, and reliable. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 The second reason is moral. As the United
2 Methodist resolution states, quote: "When used as
3 instruments of deterrence, nuclear weapons hold innocent
4 people hostage for political and military purposes."
5 Among those held hostage are United States citizens, who
6 must live in continual dread of nuclear war. And
7 when even conventional military weapons take a heavy
8 toll of civilians, the use of nuclear weapons threatens
9 an even higher rate of civilian casualties.

10 I and others in the United Methodist
11 Church, then, question both the wisdom and the morality
12 of the new CMRR facility. To continue to produce more
13 pits works against President Obama's goal of a
14 nuclear-free future. Producing more plutonium pits as a
15 way to facilitate reductions is inconsistent with the
16 pursuit of this future.

17 Our national security needs can be met
18 within the \$750 billion national defense budget for 2011
19 without increasing plutonium pit production. We have
20 more than enough armaments to defend our country and
21 protect ourselves against purported terrorists.

22 We call on LANL to focus more on another of
23 its goals, quote: "To reduce the global danger from
24 weapons of mass destruction," unquote.

25 I would support the "No Action" alternative

708-2
cont'd

708-3

708-3

NNSA acknowledges the commenter's support for a No Action Alternative of no pit production. As stated in Chapter 1, Section 1.5, of the *CMRR-NF* SEIS, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions issued through the 2008 *Complex Transformation SPEIS* ROD. Refer to Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 of the SEIS, except that such an alternative does not
2 actually seem to be provided for in the SEIS. I ask,
3 then, that new alternatives be considered, including no
4 pit production at LANL.

5 Thank you.

6 (Applause.)

7 MR. MacALLISTER: Our next speaker is
8 Bridjette Kennedy, followed by Angela Werneke.

9 MS. KENNEDY: Can I defer my time to Robert
10 Gilkeson?

11 MR. MacALLISTER: If you'd like to yield
12 the floor at this point --

13 MS. KENNEDY: Yeah, because I agree with
14 his position that the facility is unsafe, and he has
15 good scientific proof of that.

16 MR. MacALLISTER: Okay. Gilkeson, are you
17 available?

18 MR. GILKESON: What are the ground rules
19 this time?

20 MR. MacALLISTER: According to the ground
21 rules, you have another five minutes. The other speaker
22 yielded the position to you, so --

23 MR. GILKESON: Okay. The reason I am here
24 is that I pointed out at earlier meetings this week the
25 public was told that there has been no earthquake

708-3
cont'd

704-2

704-2

Chapter 3, Section 3.5.1.4, Seismicity, describes the seismicity of the LANL region including the three Holocene surface-rupturing earthquakes mentioned by the commentator. The three seismic events are 1) an earthquake on the Pajarito Fault, approximately 1,400 years ago; 2) an earthquake on the Pajarito Fault approximately 5,000 to 6,000 years ago, which is consistent with an event during the same general timeframe on the Guaje Mountain Fault; and 3) an earthquake on both the Pajarito and the Rendija Canyon Faults, approximately 9,000 years ago. Surface rupture along these faults does not mean that surface rupture occurred within the current location of TA-55. As described in Section 3.5.1.3, Faulting, TA-55 is located within an area of relatively simple structure, where no surficial fault deformation has been documented.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bitsupport.com

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1 activity on the fault system at Los Alamos National
2 Laboratory for longer than the past million years, and
3 that's simply incorrect. As shown by this excellent
4 report that I am just providing excerpts from, that show
5 the LANL scientists have determined that there have been
6 a minimum of three large earthquakes over the period of
7 the last 10,000 years. And by large earthquake, I mean
8 the power for ground rupture. And so I presented
9 excerpts from this report that describe that fact, and
10 that specifically is new PALEON scientists data show
11 three Pliocene [sic] -- that means the past 10,000
12 years -- surface rupturing earthquakes, one
13 ground-surface rupturing event 1400 years ago.

14 And then a second rupturing event that
15 occurred approximately between 5000 and 6500 years ago,
16 but there were two simultaneous earthquakes on different
17 fault segments at that time, for that earthquake event.
18 So there were two surface ruptures at that time.

19 And then the third ground-surface rupturing
20 event 9000 years ago was also separate rupturing
21 events -- ground-surface rupturing events on both the
22 Pajarito Fault and the Rendija Canyon Faults.

23 And then the report goes on and says: When
24 two ground-surface ruptures occur simultaneously as part
25 of the same event, the results in earthquake magnitude

704-3

The PSHA (LANL 2007) included both simultaneous and synchronous earthquake rupture models in calculating design ground motions for TA-55. Simultaneous ruptures were slightly favored in the model with a weight of 0.6 because this is the standard model used in PSHA practice, and displacement data for the Pajarito fault system suggest this type of rupture occurred in the past. However, synchronous ruptures were also included in the analysis with a weight of 0.4.

The PSHA did not calculate higher hazard for the simultaneous rupture, but the PSHA did estimate slightly higher maximum magnitudes for the simultaneous rupture model. Preferred maximum magnitudes for both simultaneous and synchronous ruptures were estimated using the same general approach, which has a sound technical basis. It is somewhat counterintuitive that the slightly bigger simultaneous earthquake can result in a lower ground motion hazard, but the two synchronous earthquakes result in higher ground motions for nearby sites, particularly when the site is located between the rupturing fault segments, because energy is coming from two sources.

For both synchronous and simultaneous ruptures, maximum magnitudes were estimated in the PSHA based on surface rupture lengths and available displacement data, as appropriate to the particular rupture scenario. The main difference between the simultaneous and synchronous ruptures is that all of the moment (energy) is released in one event in the simultaneous model, versus the moment being split into two slightly smaller synchronous subevents on different segments of the Pajarito fault system, in the synchronous model. Thus, the slightly smaller magnitudes for the synchronous ruptures are a direct result of splitting the fault rupture into two portions for this model. In addition, the 10 percent difference in the total moment release between the two models primarily results from the different geometries used and the fact that displacements do not scale the same as surface rupture lengths in the empirical relations. Finally, as maximum magnitudes for both synchronous and simultaneous ruptures were calculated correctly using techniques that meet SSHAC and DOE guidelines. The calculated results were checked and thoroughly peer reviewed.

Chapter 3, Section 3.5, Geology and Soils, of the CMRR-NF SEIS was revised to improve the discussion of faulting and seismic hazards at LANL.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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1 is greater than when the main Pajarito Fault ruptures
2 alone.

3 Another excerpt is: The evidence for fault
4 interaction suggests the potential for static stress
5 concentrations and earthquake triggering.

6 So this means it's an active fault while
7 we're here this evening. There's movement going on on
8 this fault system at all times, and that movement is
9 gaining strength and will eventually trigger an
10 earthquake event.

11 So I think I'll stop with that, and thank
12 you.

13 MR. MacALLISTER: Thank you, sir.

14 (Applause.)

15 MR. MacALLISTER: Our next speaker is
16 Angela Werneke, followed by Caitlin McHugh.

17 MS. WERNEKE: I get really nervous speaking
18 in front of people, so bear with me.

19 First, as a New Mexican living downwind and
20 downstream in LANL, I feel the cleanup of existing
21 contamination is a priority over building a new pit
22 production facility, the sole purpose of which is to
23 perpetuate nuclear weapons.

24 Secondly, the United States is on the edge
25 of economic disaster, which can either be remedied or

704-4

709-1

704-4

There is no geologic or seismologic evidence that the rate of occurrence of surface-faulting earthquakes (magnitude > 6.5) is increasing along the Pajarito fault system. Paleoseismic investigations indicate that that three large earthquakes ruptured along the Pajarito fault system during the Holocene period (past 11,000 years), suggesting that this recent activity may represent a temporal cluster in the long-term behavior of the fault (LANL 2007; Lewis et al. 2009). However, this possible pattern in the activity rate of the Pajarito fault system has been incorporated into the PSHA (LANL 2007, 2009). There is also no geologic or seismologic evidence that would suggest that the maximum potential earthquake along the Pajarito fault system is increasing in size. The maximum earthquake for the Pajarito fault system has been estimated for the PSHA based on observed fault displacements from past earthquakes and rupture dimensions of the potential fault rupture. Over the lifetime of the CMRR Facility and much longer, that is, thousands of years, the level of seismic hazard at the CMRR-NF site is not expected to change because there are not expected to be changes in the maximum potential earthquake and activity rates of the Pajarito fault system. The general behavior of the Pajarito fault system is not expected to change over the time scale of the next century.

709-1

NNSA acknowledges the commenter's support for cleanup of existing contamination. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for additional information.

The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Funding decisions regarding major Federal programs (for example, education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 exacerbated by the choices we make for ourselves. Do we
2 choose peace and prosperity or nuclear weapons. While
3 the defense budget continues to increase, one in four
4 Americans is worried about having enough food for their
5 families. Funding for defense may benefit a few, but
6 the vast majority of Americans will lose.

7 In truth, we all lose if we value weapons
8 production and poisoned rivers over peace, health and
9 prosperity for all.

10 Linda Hogan, in her book "Dwellings,"
11 speaks for many of us here when she says:

12 "Cornmeal and pollen are offered to the sun
13 at dawn. The ears of the corn are listening and
14 waiting. They want peace. The stalks of the corn want
15 clean water, the sun that is in its full clean shining.
16 The leaves of the corn want good earth. The earth wants
17 peace. The birds who eat the corn do not want poison.
18 Nothing wants to suffer. The wind does not want to
19 carry the stories of death." Rather, Linda Hogan goes
20 on to say: "The language of life won't be silenced."

21 Thank you.

22 (Applause.)

23 MR. MacALLISTER: Caitlin McHugh, followed
24 by Norman Budow.

25 MS. McHUGH: Hi. My name is Caitlin

709-1
cont'd

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349

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MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 McHugh, and I've lived in Santa Fe for the past 30
2 years. I'm not affiliated with any organizations. I
3 just feel very strongly that there hasn't been adequate
4 safety consideration given for this new facility.

5 The safety issue is a big, big problem,
6 contamination of our water, which we know is so precious
7 in this community, and also the geologic issues that
8 have been brought up.

9 I also feel that this Supplemental
10 Environmental Impact Study hasn't adequately addressed
11 all the options that are available. Basically, I find
12 it perverse that in the name of safety justifying
13 building of nuclear weapons, that the safety of the
14 local people haven't been considered in this -- in this
15 situation.

16 That's all I have to say. I would like --
17 I'd like our government to please protect us
18 appropriately.

19 Thank you.

20 (Applause.)

21 MR. MacALLISTER: Norman Budow, followed by
22 Susan Odiseos.

23 You can correct me.

24 MS. ODISEOS: Odiseos.

25 MR. MacALLISTER: Thank you.

710-1 710-1

The *CMRR-NF SEIS* addresses public health and safety of the local communities, including impacts on water supply. The existing safety conditions at LANL are addressed in Chapter 3 of the *CMRR-NF SEIS*, Section 3.11, Human Health, including radiation exposure and risk; the chemical environment; industrial safety; health effects studies; accident history; emergency preparedness and security; and the LANL Security Program. The environmental consequences or impacts on human health from normal operations, facility accidents, or intentional destructive acts are analyzed in Chapter 4, Sections 4.2.10, 4.3.10, and 4.4.10, and Appendix C of the *CMRR-NF SEIS*.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 MR. BUDOW: Thank you, folks. Glad that
2 you're all here on this subject.

3 And I want to say that it's a subject near
4 and dear to my heart. Why? My granddaughter is a
5 seismologist in California, and her heart's desire is to
6 find a way to predictability [sic] of fault lines and
7 earthquakes. She read a paper in -- on the Island of
8 Hokkaido, Japan, a northernmost island. And I'm glad
9 she read it then because I wouldn't want her to go near
10 the Japanese archipelago now.

11 I have a little anecdote that might
12 emphasize why I'm concerned. My wife lost family over
13 from [sic] Ukraine. They lived 25 miles from Chernobyl.
14 We brought them here, and they were telling me how they
15 trusted and listened to their experts. And then she
16 said after they had the meltdown, they had people --
17 well, before the meltdown, they had scientists come from
18 their lab, and they were telling them, Be on guard.
19 They were telling them what vegetables and fruits they
20 could eat from their garden. It was sort of like --
21 sort of like playing Charade. You can eat the carrots
22 from here. Don't eat those radishes over there. And
23 she was, you know, kind of hurt that they believed and
24 believed.

25 Now, at Fukushima, there was a real

711-1 711-1

NNSA notes the commentor's opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.5, Cleanup and Waste Management, of this CRD for more information. NNSA complies with Federal, state, and local laws and regulations, and DOE orders to protect human health and the environment.

There are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accidents that occurred at the Fukushima Daiichi Nuclear Power Plant, and earlier at the Chernobyl Nuclear Site, requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 resentment that their experts told them; the nuclear
2 power plant was safe, safe, safe, and it turned out not
3 to be all that safe.

4 I had an experience a couple of years back
5 when Admiral Stansfield Turner, under the auspices of
6 the International Relations Community -- organization
7 here in Santa Fe. There was a dinner, and he was
8 speaking about his hope and desire to reduce the amount
9 of nuclear bombs from 6000 to 2000. And I was troubled
10 by that. And I was -- my banquet table -- my banquet
11 table was right underneath the speaker's dais. So I
12 asked him after the dinner, the supper, Why 2000,
13 reduced from 6000 to 2000; why not have it much less
14 than that or zero? And he looked at me and he said,
15 Well, I appreciate your concern; I appreciate your
16 concern, but it's a start; it's a start. So I was not
17 very, very happy at his attempts to comfort me, that
18 it's a start.

19 One of our desires is to prevent nuclear
20 proliferation. We provide a terrible, terrible example
21 where we continue -- continue proliferating our own --
22 it's like taking nuclear waste, making it over here, and
23 taking it out over there. And it's still here. It's
24 still here.

25 So I'm hoping that we can follow the edict

711-1
cont'd

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 of Albert Einstein. And Albert Einstein made a
2 statement: The definition of insanity is to keep doing
3 the same thing over and over and over and expecting a
4 different result.

5 Thank you.

6 (Applause.)

7 MR. MacALLISTER: Thank you, sir.

8 Susan -- I won't butcher your last name
9 again -- followed by Jay Coghlan.

10 MS. ODISEOS: Susan Odiseos. It's a Greek
11 name, but I'm a Danish princess, in case anyone asks.

12 (Laughter.)

13 MS. ODISEOS: I'm a resident of Santa Fe.
14 I'm a member of the Justice and Peace Committee of
15 St. Pete's Church. You won't hear me talking in
16 technical terms because that's not what I do.

17 My comment to Mr. Tegtmeier and his
18 colleagues is going to be in the form of a question.
19 But to get to it, let's take, first, into account the
20 serious budget situation in our country, whereby the
21 funds sought for the CMRR facility could alleviate the
22 need to cut critical human service programs, and taking
23 into account that the old facility, which sits on a
24 fault, is only a little over a mile from the planned-for
25 facility. The new facility is within two-thirds of a

712-1

NNSA notes the commentator's concern regarding the budget situation in our country and funding priorities of the U.S. Government. Funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

712-1

NNSA acknowledges the commentator's concern for the need and location of the CMRR-NF. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

The commentator's concerns that an accident (similar to the one that occurred in Japan at the Fukushima Daiichi Nuclear Power Plant) could happen at LANL is addressed in Section 2.8, Nuclear Accidents, of this CRD.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 mile of a known fault. To add to that uncertainty, the
2 total extent of seismic fault under the lab is not
3 completely mapped. Haven't we learned anything from the
4 tragedy in Japan?

5 Use of the fear factor to propel
6 preparedness against our enemies is beyond
7 comprehension. The proposed amount of plutonium to be
8 stored so close to us, with all the risks entailed,
9 would create a bomb too big to drop without annihilating
10 mankind.

11 The unprecedented growth of this project
12 from a mere 350 million to now nearing 600 billion --
13 6 billion for just the nuclear facility, with final
14 design not yet completed, without an undated
15 environmental impact statement in place to accompany the
16 design changes, is most unfortunate, if not
17 irresponsible.

18 It's hard not to connect the dots and see
19 clearly that this project involves mostly privatization,
20 with private companies receiving more than 80 percent of
21 the monies involved.

22 Finally, the fact that so many people are
23 opposed to efforts to continue armament efforts, the
24 simple and straightforward question I have is: What
25 will it take for you to stop this project?

712-1
cont'd

712-2 712-2

The cost to build and operate the proposed CMRR-NF is not within the scope of the *CMRR-NF SEIS*, but it will be one aspect that NNSA takes into consideration when making its decision.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 (Applause.)
2 MR. MacALLISTER: Thank you.
3 Jay Coghlan, followed by David Bacon.
4 MR. COGHLAN: I'm Jay Coghlan with Nuclear
5 Watch New Mexico. I spoke twice last night at the
6 Espanola --
7 UNIDENTIFIED SPEAKER: Speak louder.
8 MR. COGHLAN: Okay. Jay Coghlan.
9 MR. MacALLISTER: Do you want me to raise
10 that, Jay?
11 MR. COGHLAN: Yes, if you would.
12 Okay. Again, I'm Jay Coghlan with Nuclear
13 Watch New Mexico. I spoke twice last night at Espanola,
14 and time flies when you're having fun. I only got like
15 halfway through or something like that.
16 And I was looking to make two broad points.
17 You know, first of all, I note that these hearings and
18 the entire process is required by federal law, that
19 being the National Environmental Policy. And towards
20 that end, I -- I'm pointing to what I believe are two
21 possible broad legal deficiencies to the draft. And
22 specifically, it's that NNSA has chosen to not revisit
23 the need for the CMR nuclear facility. It basically
24 says that nothing has changed since the 2003
25 Environmental Impact Statement.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litupport.com

713-1

713-1

NNSA notes the commentor's concern that a new EIS, not an SEIS, should be prepared. The proposal to construct a new facility to perform chemistry and metallurgy research involving plutonium and other actinides is the result of evaluations going back more than 10 years. As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years. Other alternatives for meeting the purpose and need have been considered and are discussed in Chapter 2, Section 2.7, of the *CMRR-NF SEIS*. See Section 2.3, Programmatic Direction and Decisions, Section 2.4, CMR Mission, and Section 2.11, Alternatives Considered, of this CRD for more information.

NNSA also notes the commentor's concern that maintaining a secure and reliable nuclear stockpile is contradictory to President Obama's goal of a nuclear-free world. Since the 1940's, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile.

President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 And then the other broad point that I'm
2 reaching for is that this draft Supplemental EIS doesn't
3 really offer genuine spectrum of reasonable
4 alternatives.

5 Now, with respect to the first point that I
6 made, again that I believe erroneously NNSA has not
7 decided to visit mission needs, again saying that not
8 much has changed since 2004, I was amused last week to
9 run across a new strategic plan by NNSA that the first
10 thing it said was how much things had changed since it
11 had last produced a strategic plan in 2004. And it
12 specifically -- it right away pointed to the speech that
13 Obama made in Prague in April 2009 in which the
14 President of the United States announced having a
15 future world free of nuclear weapons to be a national
16 security goal. So indeed much has changed.

17 Now, at the same time that Obama said that,
18 he also said that in the interim we're going to maintain
19 a secure and reliable stockpile. And towards that end,
20 the Obama administration has specifically endorsed and
21 given lots of money to the CMRR nuclear facility.

22 But getting to mission need, what -- what
23 the Obama administration has not done nor has the Bush
24 administration done, despite repeated attempts, it has
25 not raised the level of plutonium pit production from

713-2 713-2

NNSA notes the comentor's opinion that the *CMRR-NF SEIS* does not analyze a reasonable spectrum of alternatives. Taken together, the alternatives section of the *2003 CMRR-EIS* and this *CMRR-NF SEIS* provide the range of reasonable alternatives. In response to public comments like these, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* has been revised to describe in more detail the alternatives that NNSA considered but found would not meet the purpose and need for continuing CMR operations into the future. See Section 2.11, Alternatives Considered, of this CRD for more information.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 the currently sanctioned level of 20 pits per year. And
2 I don't think there are any immediate prospects that
3 that rate of production will be raised.

4 And nobody should be under any illusions.
5 The CMRR, it's not only about but it is primarily about
6 expanding pit production, despite denials in the
7 Supplemental EIS. I can point you to a number of other
8 NNSA documents, such as the Fiscal Year '11 Strategic
9 Stockpile Stewardship and Management Plan, such as a
10 solicitation for a bid to manage the Lawrence Livermore
11 Laboratory, which has specifically tied expanded pit
12 production to new design reliable replacement warheads.

13 Now, I know I'm going to run out of time,
14 and I'm hoping I'll get another chance to speak. But I
15 think it's illustrative and important to look at the
16 history of the pit production since 1989. And in that
17 year, the FBI raided Rocky Flats. And Rocky had -- its
18 peak was probably capable of -- don't hold this for a
19 fact, but it was probably capable of producing on the
20 order of 1000 pits per year. Well, the FBI raid just
21 shut that cold.

22 And then the Department of Energy spent,
23 oh, the next 15 years or so trying to re-establish
24 interim pit production here at Los Alamos. And the
25 purported reason or rationale for doing that was to

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 produce the particular type of pit for the W88 warhead
2 that was being produced when Rocky was shut down.

3 Well, subsequently, LANL has done its
4 production run for about 30 W88 pits; completed it last
5 year. I don't believe it's going to be producing any
6 more W88 pits, and it's not clear why any other pits
7 would be needed. There are approximately seven other
8 types of pits.

9 This goes back. I don't think the
10 laboratory -- the labs and the Nuclear Weapons Complex,
11 in general, I don't think they have entirely given up on
12 new designed weapons, and they're doing it by another
13 name. And they're seeking to incrementally achieve
14 their aims through these so-called life extension
15 programs, which they're going to take existing weapons
16 and radically modify them. So I'm still waiting for the
17 red sign to come up.

18 But to conclude for now: Again, it's the
19 aim of the Weapons Complex to radically change existing
20 weapons, to change their military capabilities, in fact.
21 And they will begin intrusive modification of existing
22 pits up at PF4, the existing pit production facility,
23 which will be integrated into the CMRR nuclear facility.
24 And I'll continue my remarks later.

25 MR. MacALLISTER: Thank you, sir.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 (Applause.)

2 MR. MacALLISTER: David Bacon, followed by
3 Leslie Alderwick.

4 UNIDENTIFIED SPEAKER: David will be back
5 later. He has to give a radio show.

6 MR. MacALLISTER: Okay. Leslie Alderwick?
7 Forgive me if I'm mispronouncing that name.

8 MS. ALDERWICK: Hi.

9 I guess I'm a little confused. I was
10 sitting in a restaurant in Taos, and I picked up the
11 Journal, and it said something about a meeting down here
12 about this issue. But nowhere in the paper did it say
13 that this new building -- 6 billion, is it? A
14 \$6 billion building, when we have no money for
15 education, is going -- nowhere did it say it's going to
16 build detonating devices for nuclear bombs. Nowhere did
17 it say that. Why not? Why not? Why isn't this room
18 filled with people trying to make it clear that life is
19 really more important. You've got intelligence. You're
20 educated. We have brilliant minds here; poetry. And
21 we're going to build more nuclear bombs? Come on. It
22 is time that everybody gets on the same page.

23 Do you like your life? Do you enjoy
24 breathing air? Do you love your children? And we're
25 going to build more bombs? Let's get that information

714-1 714-1

NNSA notes the commentator's opposition to nuclear weapons and concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 out into the public. Shouldn't we? It's not in the
2 public view. These newspaper reports don't tell you
3 what's really going on. Why don't you tell us the
4 truth? Why isn't the truth out there? If it's okay and
5 building all these bombs is a good thing, why don't you
6 tell us you're doing it?

7 I think we need a little more truth. With
8 all this intelligence and all this poetry, how about a
9 little truth? How about a little belief in life instead
10 of money and all the things that war brings?

11 (Applause.)

12 MR. MacALLISTER: Thank you.

13 Pamela Gilchrist, followed by Erwin Rivera.

14 MS. GILCHRIST: I'm Pamela Gilchrist, and I
15 live in Santa Fe.

16 In addition to the previous comments, most
17 of which I fully agree with, I want to emphasize that
18 the Department of Energy must consider what I believe to
19 be the only viable alternative, and that is to abandon
20 this project.

21 (Applause.)

22 MS. GILCHRIST: Cleanup of the existing
23 waste -- cleanup of the existing waste must be a DOE
24 priority, not a new nuclear facility, on which
25 450- to \$500 million has been spent.

714-1
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715-1

715-1

NNSA notes the commentator's support for cleanup and concerns regarding the funding priorities of the U.S. Government. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.3, Programmatic Direction and Decisions, and Section 2.5, Cleanup and Waste Management, of this CRD for more information.

Funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the CMRR-NF SEIS. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information. An alternative involving an abandonment of the project does not meet NNSA's stated purpose and need (see Chapter 1, Section 1.3, of the CMRR-NF SEIS).

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 Although I'm speaking as a private citizen
2 tonight, I served on the Northern New Mexico Citizens'
3 Advisory Board to the DOE for the cleanup at LANL. I've
4 served on the board for two years, and I'm familiar with
5 the current cleanup effort. I feel that the DOE can be
6 proud of the dedicated team doing this critical work.

7 DOE has made a commitment to cleaning up
8 the legacy waste at LANL when it signed the consent
9 order of the New Mexico Environment Department on March
10 1st, 2005. The order requires cleanup by December 31st,
11 2015, including Area G dump site at Technical Area 54.
12 However, cleanup is proceeding there at only 25 percent
13 of capacity, and the only constraint is money, a mere
14 \$400 million, not even as much as has been spent on the
15 studies for the \$6 billion facility. \$400 million is
16 needed for the cleanup to be done at 100 percent
17 capacity. To avoid the NMED fines, cleanup at 100
18 percent capacity needs to happen to meet the 2015
19 consent order deadline. We've done the math. So in
20 order to meet the consent order deadline of 2015, DOE's
21 cleanup operation at LANL needs to run at 100 percent;
22 currently running at 25 percent. They can do it. They
23 just need the funding. DOE must comply with consent
24 order, not build a new nuclear facility.

25 (Appause.)

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@litsupport.com

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Section 3
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 MR. MacALLISTER: Thank you.

2 Erwin Rivera, followed by Annal Hansen.

3 MR. RIVERA: David Bacon has arrived, if
4 you care to go with him.

5 MR. MacALLISTER: Well, what I'm doing with
6 people who are out of the room, I will call them; they
7 won't lose their turn, but we'll stay in the order.
8 Thank you for --

9 MR. RIVERA: (Speaking Spanish; no
10 translation.)

11 And I'm bilingual or multilingual. I wish
12 I could speak in the language of my Taos ancestors or in
13 Tewa, but I hope I speak with some common sense and
14 convey to you the prayer of our ancestors.

15 I speak mostly also as a grandfather and my
16 responsibility to them, because as I was taught, whether
17 I'm a Chicano from land grants or an Indio from Taos
18 Pueblo, that we understand that what we do, say today
19 will have an impact upon seven generations unborn. My
20 grandmother has held my grandchildren, meaning there are
21 five living generations in my family. But that still
22 means I have a responsibility to my grandchildren's
23 grandchildren, to account for the shame and neglect that
24 our generation has allowed to happen, to be there at
25 that end [sic], their inheritance.

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 I'm not here to debate the scientific
2 information but merely to say it's not dependable. It
3 can't be held accountable. And the only consistency,
4 beginning from when the Los Alamos Laboratories started,
5 began at gunpoint when my children's ancestors were
6 forced off of the Pajarito Plateau at gunpoint in the
7 name of the national security with the promise that
8 first rights of rescission would go back to those first
9 descendants of that land, and they lied.

10 There is no credibility by DOE or LANL, no
11 proven accountability, and so whatever is said in any of
12 the reports paid for by immoral money cannot be trusted.
13 But what I do trust is the conviction of people that can
14 speak truth to power and stand up to the corruption that
15 Los Alamos is merely one example of.

16 Those homesteaders that were removed by
17 force, then bought off by silence in the settlement that
18 was made of several million dollars, hidden in a
19 military appropriation, thanks to Plutonium Pete
20 Domenici. Their story of injustice is yet to be told.
21 But \$7 million isn't enough to hide the truth of the
22 injustice or what happened to the Pueblos, because we
23 know the power of the Jemez, which holds the largest
24 caldera, volcanic crater, on earth, and with many sacred
25 sites that also were desecrated from the very beginning

716-1

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NNSA notes the commentator's opposition to LANL.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 that those laboratories began.

2 Then we had the Cerro Grande Fire and more
3 sacred sites revealed, and illegal dumping that is
4 beyond the records and the memory and the accountability
5 of Los Alamos to admit to. And they want us to trust
6 their technology? I don't, because technology over
7 common sense -- Cerro Grande -- all you had to do was
8 see if the wind was blowing (demonstrating).

9 To tie this to the rest of the
10 technological solutions of nuclear energy, nuclear
11 power, nuclear terrorism, we have been victims at every
12 aspect of the nuclear chain in Nuevo Mexico, beginning
13 from the national sacrifice area of the Jackpile Mine
14 and highest birth defects on earth of the Laguna Pueblo
15 people, and that nothing will grow there and that people
16 cannot grow their corn, which is primary to all our
17 prayers.

18 But in the promise of jobs as the Vaseline
19 for what was to come, to all the way to WIPP, and all's
20 they can come up with their technology is another
21 landfill just built a little deeper. And nuclear energy
22 and the promise for nuclear and energy independence is
23 just another fancy way of boiling water. What's the
24 technological gift?

25 I also need to speak with a promise of the

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 time that we know we are in. We are in the time of
2 prophecy in the native way. So I please ask -- this is
3 not comments for your applause. So that none of the
4 sacredness of what needs to reach your heart is shaken
5 off of you. We are in the time of prophecy, and Aztecs
6 call this time Itzsolin [phonetic], time of earth
7 movement.

8 Our young people are fulfilling prophecy
9 because they want to return, and they're asking to learn
10 the old prayers. Our younger generation's prepared to
11 sacrifice by fasting for the good of the people, and
12 they will have a memory to hold us accountable to what
13 we have done or not done by our neglect to assure future
14 generations.

15 The drilling into the geothermal pools,
16 what we have heard from experts about seismic activity,
17 only correlates what our ancestors have told us of their
18 warnings of what we are attempting and what risk that we
19 have placed upon all of us.

20 So my last message is to the highest
21 concentration of Ph.D.'s on the face of the earth so
22 that you can face your children in the eye: Convert
23 that intelligence and that education for life and for
24 peace so that we can look each other in the eye as
25 hermanos -- (speaking Spanish; no translation) -- and

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 have a future that will -- (unintelligible).

2 Thank you.

3 MR. MacALLISTER: Thank you.

4 Annal Hansen, followed by John Withan.

5 And pardon me if I'm mispronounced your
6 name. Correct me.

7 MS. HANSEN: My name is Annal Hansen.

8 In 2000, I was chair of Concerned Citizens
9 for Nuclear Safety during the Cerro Grande Fire. After
10 that, we organized a conference called the Cerro Grande
11 Fire and the Aftermath. We requested cleanup of
12 Los Alamos. It -- still, ten years later, nothing has
13 been done. It is only being done by a consent order.
14 Los Alamos Labs and Los Alamos National Security now
15 will not do anything to take care of the citizens of
16 New Mexico in the future, because -- unless they are
17 taken to court. They do not care about our lives. Our
18 lives are not a value to them.

19 President Obama said, when he was running
20 for president, that he wanted a nuclear-free world. If
21 so, why are we building more pit? We do not need any
22 more nuclear weapons. We do not have the money to build
23 the new building, and we do not need any more bombs.
24 This project must be abandoned.

25 Nuclear power, nuclear energy, nuclear

717-1

717-1

NNSA notes the commentor's opposition to pit production and the existence of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Please refer to Section 2.5, Cleanup and Waste Management, of this CRD for additional information.

NNSA also notes the commentor's concern that maintaining a secure and reliable nuclear stockpile is contradictory to President Obama's goal of a nuclear-free world. President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bitsupport.com

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1 weapons is deadly from the beginning to the end, from
2 uranium mining that killed our native people, who have
3 been the miners, to the end product, which is death. A
4 bomb is to kill. Nuclear power plants kill people now.
5 They are not made for peace.

6 We need green jobs, really clean green
7 jobs.

8 I am also extremely concerned that this
9 planned pit production, bomb building, is being built
10 upon our water supply, which right below where the
11 building is being built is the major water diversion
12 plant for the City of Santa Fe. All of that water also
13 goes downstream. We already have plutonium in the
14 Rio Grande. It is a fact, a documented fact. Lake
15 Cochiti was built to stop the plutonium from going into
16 Albuquerque. So we have a real serious problem with
17 plutonium already in the water stream, not to mention
18 all of the toxins and the chemicals that are created by
19 the process of making nuclear weapons.

20 And 60 years ago, when they built the lab,
21 they said, Oh, don't worry; it'll take 600 years before
22 we -- you see any contamination; there will never be any
23 contamination. It's only taken 50 years or less to have
24 contaminated springs along the Rio Grande. So there is
25 absolutely no reason to build this kind of building.

717-2 717-2

NNSA intends to comply with all applicable laws and regulations. NNSA will obtain all necessary permits as the project progresses if the decision is made to construct the CMRR-NF. There are established programs at LANL that address liquid discharges and cleanup of past contamination. Liquid discharges through permitted outfalls are sampled and analyzed to evaluate compliance with permit conditions; results are reported annually in the LANL environmental surveillance report (copies are available at <http://www.lanl.gov/environment/air/reports.shtml>). A monitoring program is conducted at LANL (described in the LANL SWEIS, Chapter 4, Section 4.3.1.5) to detect contamination that has resulted from past practices. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL, and Section 2.5, Cleanup and Waste Management, of this CRD for more information on cleanup of past contamination.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 The financial costs of trying to build a
 2 plutonium pit production complex in a geological
 3 unstable area are just too high. A new nuclear facility
 4 will detract from cleanup of the existing mess, and we
 5 must make sure that the legacy waste that is running
 6 into the Rio Grande every time there is a large water
 7 event or a snow event -- they had to create the Buckman
 8 Diversion with doors so that they could close the doors
 9 in order -- when there was a runoff from Los Alamos so
 10 that that water would not be going into our drinking
 11 system. So that is just one small example of the damage
 12 that is being done to all of us through this.

13 The U.S. does not need 80 new plutonium
 14 pits a year. We don't need any. We need to move away
 15 from killing, and we need to have life-affirming
 16 activities. And manufacturing of plutonium pit is a
 17 dangerous and polluting threat to the health and safety
 18 of those living downwind and downstream. So please be
 19 considerate of the world, and stop the nuclear menace.

20 (Applause.)

21 MR. MacALLISTER: Our next speaker is John
 22 Withan, followed by Jack Franco.

23 MR. WITHAN: I'd like to yield my time to
 24 Jay Coghlan.

25 MR. MacALLISTER: Jay.

717-3 717-3

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs and projects at LANL, such as cleanup activities, are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*.

In regards to cleaning up past contamination at LANL, DOE established an environmental restoration project in 1989 to characterize and, if necessary, remediate over 2,100 potential release sites that were known to be or suspected of being contaminated from historical LANL operations. Remediation and cleanup efforts are regulated by and coordinated between NMED and DOE in accordance with a Consent Order. NNSA does not consider environmental restoration to be optional and progress on implementing environmental restoration activities is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for more information.

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
 1-800-669-9492
 e-mail: info@btsupport.com

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1 MR. COGHLAN: Jay Coghlan, Nuclear Watch.
2 When I was last talking, I was trying to
3 trace the history of plutonium pit production from 1989.
4 And briefly, Rocky Flats was making on the
5 order of 1000 pits. The FBI raided it; shut it down.
6 W88 pits were in production at that time.
7 Interim production was re-established at
8 Los Alamos, but in, like, 2002 or 2003, NNSA was coming
9 forward with a proposal for a modern pit facility,
10 capable of building 450 pits per year. And in Part 3 of
11 the NEPA processes like this, that was defeated, and
12 Congress declined to fund it.
13 NNSA came back with a proposal for a
14 consolidated plutonium center, and that was to produce
15 125 pits per year. And that got defeated as well. NNSA
16 came back proposing to expand pit production to 80 pits
17 per year. This was in 2006, if I remember correctly.
18 But that, too, was defeated.
19 What I'm trying to depict is the overall
20 trend where this country is going down from producing
21 1000 pits per year to under 20. In this particular
22 year, I don't believe that Los Alamos is producing any
23 pits whatsoever or pits certified to go to the
24 stockpile. And as I previously said LANL did a
25 production run of approximately 30 pits for the W88

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
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(505) 843-9494
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Section 3
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1 warhead, which met their strategic needs. So there is
2 no apparent reason for future pit production, save one.

3 And up until 2006, NNSA was claiming that
4 pits had a lifetime -- serviceable lifetimes of around
5 45 years. And Senator Bingaman, at our request, asked
6 NNSA and some independent experts to perform a pit
7 lifetime study. And the pertinent conclusion is that
8 pits last a century or more. So they're known to be
9 relatively stable.

10 Again, underlying the fact that there is no
11 clear need for plutonium pit production, save one, and
12 so the past argument was over the so-called reliability
13 of pits. We beat them at that argument. In response,
14 NNSA has come back and used what I'm going to derive as
15 being an apple and motherhood argument of: Now we have
16 to have absolute surety in our weapons. And surety
17 means preventing the unauthorized use by anybody else.

18 Now, that sounds like a great idea, and I'm
19 all for that. But the problem is, I believe this is
20 being used as a rationale for intrusive modifications at
21 Los Alamos. And there can be -- this could actually
22 undermine our national security, because a pit has to
23 pretty much perfectly, symmetrically implode in order to
24 reach criticality, and anything that can possibly
25 perturb that perfect implosion could affect the

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 performance of the stockpile.

2 Now, let me be clear: I want a future
3 world free of nuclear weapons, just like our president
4 professes and most countries around the world profess.
5 But in the meanwhile, I don't want any excuse for the
6 weaponeers to be messing with existing weapons that are
7 known to be highly reliable, and I think much of this
8 smacks as being make-work.

9 Now, before I get cut off, I just spent all
10 that time undermining the need for the nuclear facility,
11 which is explicitly for expanded pit production.
12 There's no ifs, ands and buts about it.

13 My second criticism of this Supplemental
14 EIS is that it offers no real, genuine spectrum of
15 alternatives. What it posits, or three [sic], which is
16 the so-called "No Action" to build a nuclear facility as
17 proposed in 2004, that's a nonstarter. We know that --
18 you know, that can't happen because of the new seismic
19 data and knowledge.

20 The third alternative, continuing to
21 operate the old CMR building without upgrades, is also a
22 nonstarter. We just know that operations cannot be
23 continued there without serious upgrades. And, you
24 know, should I ascribe malicious motive here? I don't
25 know. I shouldn't do that. But basically three

713-3

713-4

713-3

NNSA acknowledges that there is substantial opposition to nuclear weapons and their components and that President Obama has stated a long-term goal of a world free of nuclear weapons. President Obama also stated that this goal would not be reached quickly. Since the 1940s, the President and Congress have directed DOE and its predecessor agencies to develop and produce the Nation's nuclear weapons and to ensure the safety and reliability of the nuclear weapons stockpile. Even in the post-Cold War period, international dangers remain, and nuclear deterrence will continue to be an important element of national security policy for the foreseeable future.

A decision on the level of pit production is not within the scope of the *CMRR-NF SEIS*, as that decision was made in the *Complex Transformation SPEIS* ROD in December 2008 (73 FR 77644). The CMR Building and the CMRR-NF provide capabilities for performing analytical chemistry, materials characterization, and plutonium research in support of the plutonium mission (including stockpile stewardship, maintenance, and pit production), but they are not tied specifically to LANL's pit production capability or to any particular pit production level of activity that would take place at the TA-55 Plutonium Facility. In the 2008 *Complex Transformation SPEIS*, NNSA reviewed future plutonium-related requirements across the complex and concluded in the associated ROD that the CMRR-NF should be built at LANL (73 FR 77644). As indicated in Chapter 1, Section 1.3, of the *CMRR-NF SEIS*, NNSA has a continuing purpose and need to provide analytical chemistry and materials characterization in support of all DOE and NNSA nuclear mission work. NNSA has determined that the existing 60-year-old CMR Building cannot provide the necessary level of support over the next 50 years.

713-4

The *CMRR-NF SEIS* specifically addresses changes in the design of the CMRR-NF based on additional seismic information and safety requirements. CEQ and DOE NEPA regulations and implementing procedures (40 CFR 1502.9(c) and 10 CFR 1021.341(a) – (b), respectively) require preparation of an SEIS if there are substantial changes in the proposed action that are relevant to environmental concerns or there are significant new circumstances or information relevant to environmental concerns that bear on the proposed action or its impacts. The regulations state that an agency may also prepare an SEIS when the agency determines that the purposes of NEPA will be furthered by doing so. NNSA determined that an SEIS is the appropriate level of analysis, based on CEQ and DOE NEPA regulations, to address the changes in construction of the CMRR-NF based on additional seismic information. Regarding the alternatives to be

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 alternatives are positive, and two of them are
 2 automatically straw man, as far as I'm concerned,
 3 leaving just the preferred alternative paragraph, which
 4 suggests that we should have at least two other credible
 5 and reasonable alternatives, which I submit that the
 6 National Environmental Policy Act requires that there be
 7 credible, reasonable alternatives.

8 One is to look, again, at upgrading the old
 9 CMR building such that necessary operations can be
 10 continued in the interim. And I should point out that
 11 in the past, CMR upgrades were rejected because they
 12 were too expensive. Well, now that the CMR Replacement
 13 Project has exploded tenfold to 6 billion, that argument
 14 no longer holds water.

15 Thirty seconds. And I can suggest the
 16 other credible alternative, and this is the one that
 17 Nuclear Watch prefers and advocates. We do not think
 18 that the nuclear facility should be built at all. We
 19 think that old CMR missions can be relocated to the
 20 recently constructed rad lab, which is 108,000 square
 21 feet, and to the existing pit production facility, PF4.

22 And I'll close there, since Bruce is
 23 getting anxious. But in sum, we'd argue, NNSA has to go
 24 back and revisit mission in need and gets -- and needs
 25 to present a credible spectrum of real alternatives.

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
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713-5

addressed in the *CMRR-NF SEIS*, as stated in Chapter 1, Section 1.5, NNSA does not intend to revisit decisions previously made on the level of operations at LANL, including the maintenance of CMR operational capabilities to support critical NNSA missions, reached in 2008 and issued through the 2008 *Complex Transformation SPEIS* ROD. The No Action Alternative in the *CMRR-NF SEIS* follows the decision announced in the ROD for the original *CMRR EIS*. Another alternative addresses the option of continuing to use the CMR Building, although its continued use would not fully meet NNSA's stated purpose and need.

Although it was listed as one of the alternatives in the Notice of Intent, after further consideration, NNSA eliminated the alternative to upgrade the CMR Building from further consideration. In the 2003 *CMRR EIS*, DOE considered the proposal to complete extensive upgrades to the existing CMR Building's structural and safety systems to meet current mission support requirements for another 20 to 30 years of operations and dismissed it from detailed analysis. Beginning in 1997 and continuing through 1998, a series of operational, safety, and seismic issues surfaced regarding the long-term structural viability of the CMR Building. In the course of considering these issues, DOE determined that the extensive facility-wide upgrades originally planned for the CMR Building would be less technically feasible than had been anticipated and would be only marginally effective in providing the operational risk reduction and program capabilities required to support NNSA mission assignments at LANL. Structurally upgrading the entire structure to a significant extent would require construction of new walls and other building components adjacent to the existing ones that have utilities and structural building features already in place. This work would have to occur while continuing uninterrupted operations in the CMR Building using nuclear materials and hazardous chemicals. The technical challenges of implementing extensive seismic upgrades to the entire CMR Building as discussed in the 2003 *CMRR EIS* remain. However, in response to public comments on the *Draft CMRR-NF SEIS*, NNSA has considered undertaking a more limited, yet intensive, set of upgrades to a single wing of the CMR Building, Wing 9, to meet current seismic design requirements so that this wing could be used for a limited set of Hazard Category 2 analytical chemistry and materials characterization operations. After careful consideration of the complex engineering and operational issues, as well as the CMR Building site's seismic concerns, this potential Wing 9 upgrade alternative was also determined not to be a reasonable alternative for meeting NNSA's purpose and need for action. NNSA also has considered the possibility of renovating, upgrading,

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(Applause.)

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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(505) 843-9494
FAX (505) 843-9492
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e-mail: info@lisupport.com

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and reusing other CMR Building wings and additional wing combinations to provide the space needed for continuing analytical chemistry and materials characterization work in the building and found that the other wings and wing combinations are not reasonable alternatives for providing adequate safe and secure space for future operations in a feasible, cost-effective manner and are not considered further in the *CMRR-NF SEIS*. Refer to Section 2.11, Alternatives Considered, of this CRD for more information.

In response to public comments like these, Chapter 2, Section 2.7, of the *CMRR-NF SEIS* has been revised to describe in more detail the alternatives that NNSA considered but found would not meet the purpose and need for continuing CMR operations into the future. The alternative of distributing analytical chemistry and materials characterization capabilities among multiple facilities at LANL was considered, but not analyzed as a reasonable alternative. Because of the quantities of special nuclear material involved, to fully perform the analytical chemistry, materials characterization, and plutonium research capabilities, facilities would need to be classified as Hazard Category 2 and Security Category 1. RLUOB was not intended as a nuclear-qualified space to handle Hazard Category 2 or 3 levels of nuclear material. Thus, NNSA could not operate RLUOB as anything other than a radiological facility, which would significantly limit the total quantity of special nuclear materials that could be handled in the building. As a result, analytical chemistry and materials characterization operations requiring Hazard Category 2 and 3 work spaces could not be carried out in RLUOB. Using space and capabilities in the TA-55 Plutonium Facility would interfere with performing work currently being conducted there and reduce the space available in the building that could be used to conduct future DOE and NNSA mission support work. Use of other locations at LANL would introduce new hazards for which the facilities were not designed and would not conform to the objective of collocating plutonium operations near the TA-55 Plutonium Facility. Performing work at a location remote from the TA-55 Plutonium Facility would necessitate periodic road closures and heightened security to enable transport of materials between the facilities. In addition, other facilities would not have the available space, vaults, and engineered safety controls and requirements for this type of work.

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1 MR. MacALLISTER: Jack Frenkel, and he
2 will be followed by David McCoy because Liz Rando
3 has yielded her time to Mr. McCoy.

4 MR. JACK FRENKEL: Mr. Chair, members of
5 the public, I am Jack Frenkel. I live in Santa Fe.
6 I am a physician and scientist.

7 I came mainly to listen and to hear, and I
8 want to summarize many of the uncertainties and the
9 lack of trust expressed during these previous hours.
10 So the uncertainties expressed and the mistrust
11 expressed relate to the safety in terms of water
12 supply for Santa Fe and for Albuquerque.

13 The problem of the fire danger, similar to
14 the Cerro Grande fire or a worse one, is perhaps not
15 very intense right now since most of the fire has
16 destroyed the forest. But the remaining trees, I
17 believe, will have to be removed and regrowth would
18 have to be prevented.

19 Thirdly, this seismic activity is not
20 satisfactorily presented and discussed. Fourthly,
21 the capacity to defend this large store of plutonium
22 against terrorists, particularly as much as mock
23 attacks in previous years, the mock attackers, I was
24 told, were generally prevailing and the defense was
25 inadequate. So the building should be constructed

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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The *CMRR-NF SEIS* addresses the areas of concern listed by the commentor. Water usage and the impacts on water quality are addressed in Chapter 4, Sections 4.2.6, 4.3.6, and 4.4.6, as well as in Section 4.6, Cumulative Impacts.

Wildfires, such as the Las Conchas fire of June 2011 and the Cerro Grande fire of May 2000, are recognized hazards in the area around LANL. As indicated in Chapter 3, Section 3.7.1, of the *CMRR-NF SEIS*, forests are thinned as part of an ongoing Wildfire Hazard Reduction Program to reduce the fuel load available in the event of a fire. The risks and potential impacts of a wildfire on the entire LANL site were evaluated in the 2008 *LANL SWEIS*, Appendix D (DOE 2008a). The CMR Building and the TA-55 Plutonium Facility were not included as facilities that present a significant risk due to wildfires because these facilities are constructed of noncombustible materials and are surrounded by buffer areas in which combustible materials including vegetation are kept to a minimum. For the same reasons, wildfires are not expected to result in the release of radioactive materials from the proposed CMRR-NF. Appendix C of the *CMRR-NF SEIS* was revised to include a discussion of the potential effect of a wildfire on the proposed CMRR-NF, and information on the Las Conchas wildfire was included in Chapter 3, Sections 3.2 (Land Use), and 3.7 (Ecological Resources).

Please refer to Section 2.6, Seismic and Geologic Concerns, of this CRD, which summarizes and responds to comments on seismic issues. The CMRR-NF would be designed and constructed to withstand natural and manmade hazards, including terrorist attacks. A classified appendix to the *CMRR-NF SEIS* addresses intentional destructive acts. The CMRR-NF would operate under DOE safety regulations and guidance, which require that safety analyses be routinely updated. Safety issues pertaining to the design and operation of the CMRR-NF and other nuclear facilities at LANL are subject to oversight by DNFSB.

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1 in a way to make it safer.

2 And fifthly, I think there should be a
3 continuous means of updating and renewing the
4 certification of the safety of the installation,
5 because as we have seen in the Japanese disaster,
6 new problems, unforeseen problems constantly arise
7 and they have to be incorporated.

8 Inasmuch as this is the safety planning
9 stage, I think it is the most important time to
10 handle this matter now to the best possible degree.

11 I am in favor of construction of the
12 laboratory, only -- let me emphasize only -- so that
13 scientists can do their function in a safe and
14 efficient way since the old building is probably too
15 inadequate to work very much longer without
16 curtailing activities.

17 By no means, however, should this be a
18 reason for increasing weapons production, which all
19 indications are we have adequate numbers right now.
20 We actually are reducing them in the recent
21 agreement with Russia. So there is no reason to
22 produce more weapons. Our general tendency should
23 be one of decrease of the weapons.

24 So finally let me emphasize that we need
25 to increase the certainty of safety and increase the

**718-1
cont'd**

718-2 718-2

NNSA notes the commentor's support for the construction of the CMRR-NF project but opposition to an increase in the number of nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 amount of trust that we convey to the general
2 public. Thank you.

3 MR. MacALLISTER: Thank you, sir. Thank
4 you, sir. (Applause)

5 David McCoy followed by Doug Doran.

6 MR. DAVID MCCOY: Well, you have heard a
7 lot of statements that indicate that the truth has
8 not come out and that there has been serious damage
9 to the environment for many years. How many of you
10 people out there -- raise your hands, too -- feel
11 that this is really a criminal enterprise which we
12 have undergone?

13 Well, it seems that a lot of the DOE
14 personnel have left, so at the next major meeting, I
15 would suggest that the citizens get together and
16 make a citizens' arrest of those people and have
17 them thrown in jail. It would certainly make a
18 statement that would echo around the world.

19 Now, I was speaking earlier about some of
20 the problems of Kappa. You know, the site they have
21 chosen is on soft volcanic ash, and it's going to
22 shake like a bowl full of jelly, only in this case,
23 you are not going to be shaking jelly or jello. You
24 are going to be shaking plutonium, a lot of it.

25 Now, they need to know what the value of

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 the Kappa is. That's the energy that comes up from
2 deep in the earth and goes through these different
3 layers, okay, and that's how much shaking you are
4 going to get on these volcanic tufts, and it's going
5 to be focused up on this mesa.

6 Now, they just did a study in California,
7 Volume 26, No. 4, November 2010, "Earthquake
8 Spectra, Professional Journal of the Earthquake
9 Engineering Research Institute." We all know how
10 famous California is.

11 They say other areas of bedrock, including
12 the Santa Susanna and much of the Santa Monica
13 Mountains and the Palos Verdes, Puente, and San
14 Joaquin Hills are underlaid by sandstone and shale.
15 Amplification in these areas results in shaking
16 potential up to 75 percent more than firm rock. So
17 when you have an earthquake at this particular
18 location -- and you can have simultaneous faults
19 earthquaking there, as Mr. Gilkeson explained -- you
20 can have a much increased level of shaking because
21 of that soft volcanic ash.

22 Now let's talk about how they determined
23 Kappa. This is in the Updated Probabilistic Seismic
24 Hazard Analysis from 2007 which they tout as
25 resolving those problems. Listen to the language.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 I am an attorney, and I always look at language. I
2 look at language for whether it's certain language
3 or whether it's uncertain language. Does it connote
4 risk? Does it connote that we are safe?

5 Now, listen to some of this stuff. For
6 the new analysis, both segmented and unsegmented
7 rupture models were considered for the Pajarito
8 fault system, favoring the latter which is
9 characterized by a 367 kilometer long floating
10 earthquake rupture source. Floating earthquake
11 rupture source, in other words, this thing just kind
12 of floats around. We don't know where it's located.
13 The preferred range at maximum earthquakes is for
14 moment magnitude, 6.5 to 7.3. 7.3 is a whopper of
15 an earthquake, and it's three times as strong as one
16 of their other reports says they can have there.

17 In addition to the dominant Pajarito
18 fault, 55 additional fault sources were included in
19 the PSHA. Three aerial earthquake source zones were
20 defined based on seismotectonic provinces in the
21 LANL region: The Rio Grande rift, southern Great
22 Plains, and Colorado plateau.

23 Well, are these faults that we are talking
24 about up by Los Alamos related to the Rio Grande
25 rift? Just how big an earthquake can we have in

705-3 705-3 See Response to Comment 705-2.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 this region, folks? I don't think we really know.

2 Because the epistemic -- oh, I love that
3 word. That means you don't know what you don't
4 know, so you just kind of go ahead anyhow -- because
5 the epistemic variability was deemed insufficient as
6 provided by the five attenuation relationships, they
7 were all scaled to obtain a total sigma. In other
8 words, they used computer modeling without real
9 data.

10 They say, because any one seismic event
11 was recorded at only a few sites -- and they didn't
12 know if those few sites were actually explosions
13 that happened or actually seismic events -- there
14 was considerable uncertainty in their computed
15 distances and depths, as well as measured
16 amplitudes, uncertainty in the reliability of
17 instrumental calibrations, full inversions to
18 estimate Kappa and stress drop were not successful.

19 To compensate for the lack of
20 region-specific attenuation relationships, the
21 well-known Stochastic Ground Modeling Approach was
22 used. Again, modeling. We don't have the data so
23 what do we do? We model.

24 MR. MacALLISTER: Thank you, sir.

25 (Applause)

705-3
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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 Doug Doran followed by Louise Baum.

2 MR. DOUG DORAN: Doug Doran. Thank you.

3 Thanks to everyone.

4 How to make a target. The long-term plan
5 is to make the local culture work for its own
6 extermination. The plutonium factory will push the
7 plan a long way down this path toward the ultimate
8 goal. This is the sociopathic doctrine known as,
9 "Manifest Destiny," supremacy of the white race.

10 Now, awareness of this is evident
11 throughout the workforce at both LANL and Sandia,
12 and that awareness poses by far -- by far the most
13 serious threat to national security. In fact,
14 awareness is the threat of threats, because it could
15 cause projects guided by this Saurian doctrine to
16 backfire. This explains the trouble and the faulty
17 analysis that Greg caught.

18 I understand C.G. Jung said there are many
19 people who are only partially conscious. Even among
20 absolutely civilized Europeans, there is a
21 disproportionately high number of abnormally
22 unconscious individuals who spend a great part of
23 their lives in an unconscious state. They know what
24 happens to them, but they do not know what they do
25 or say. They cannot judge of the consequences of

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 their actions. These are people who are abnormally
2 unconscious, that is, in a primitive state.

3 What then finally makes them conscious?
4 If they get a slap in the face, then they become
5 conscious. Something really happens, and that makes
6 them conscious. They meet with something fatal, and
7 then they suddenly realize what they are doing.

8 When it comes to LANL, I go up and down.
9 I want them to shut it down and clean it up.

10 (Applause)

11 MR. MacALLISTER: Thank you, sir.

12 Louise Baum followed by Elana Sue St.

13 Pierre.

14 MS. LOUISE BAUM: Hello. I noticed when I
15 came in a lot of very kind of sharp looking men with
16 name tags. I kind of feel for you. I realize
17 probably your careers, your livelihoods are caught
18 up in having this building built. But I also know
19 that you are all human beings. Probably many of you
20 have children. You have bodies that are affected by
21 radiation.

22 I think these are very intense times. A
23 lot is going on now that they we thought was
24 unthinkable. We really did not think that what has
25 happened to Japan was a possibility. Obviously they

719-1 719-1

NNSA acknowledges the commenter's support for cleanup of existing contamination. NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for additional information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 didn't think either that it was a possibility.

2 I think there is something called common
3 sense and there is something called honor, and I
4 feel as an American, I felt my country had both
5 those qualities. But this project is telling me
6 that it is really lacking. I mean, it's so clear
7 that if you look at Japan, you know the unthinkable
8 happens. You know people have not had enough
9 imagination and enough commonsense to look at all
10 the possibilities.

11 There was a tsunami. The backup
12 generators failed because of the water. The
13 earthquake affected things. All these things
14 happened. This means millions of people in Japan
15 have been radiated. The whole globe on the northern
16 hemisphere is full of radioactive toxic clouds.
17 It's coming down on all of us. It has gone
18 completely around the planet.

19 This is the time to shut down activities
20 that involve radiation. It's quite clear. It's
21 commonsense. Let's look at it. Let's act on
22 commonsense instead of our wishes for things to go
23 back to a normal that really never existed.

24 It's not normal to be building weapons
25 that can kill everyone on the planet. It does not

720-1

720-1

NNSA notes the commentor's objection to the CMRR-NF project. There are fundamental differences between the functioning of a nuclear reactor (such as the Fukushima Daiichi Nuclear Power Plant) and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information. Chapter 4 of the *CMRR-NF SEIS* analyzes the radiological impacts associated with operations at the proposed CMRR-NF. The radiological hazards would be small. See Chapter 3, Section 3.4.3, regarding current radiological emissions at LANL.

NNSA notes the commentor's statement about activities involving radiation and opposition to nuclear weapons. Please refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information. NNSA also notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*.

DOE Order 420.1B "Facility Safety" requires that nuclear or nonnuclear facilities be designed, constructed, and operated so that the public, the workers, and the environment are protected from the adverse impacts of natural phenomena hazards including earthquakes and fire.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@itsupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

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1 make sense. It's also not honorable to have a
2 process in which you are constantly circumventing it
3 and not living up to the rules. There was an awful
4 lot of talk when I came in this room about the
5 rules, about if someone talked long, they were going
6 to be thrown out. They were going to stop the whole
7 process.

8 You know, you have not followed the rules
9 that have been put in place by DOE, that have been
10 put in place by the Congress. You are not being
11 honorable and you are not being honest. It is not
12 right, and it also is very dangerous for all of us,
13 for everyone here.

14 The thing we realize in Japan and we
15 realize really in Chernobyl, because people in
16 England were told not to nurse their babies after
17 Chernobyl went off. This is not local. It is
18 affecting us more if we have an earthquake, which is
19 a huge possibility. If we have another fire like
20 Cerro Grande, it's going to affect us more here, but
21 it affects the whole globe. It affects the whole
22 human race and every living thing -- the air, the
23 water, everything. Does this make sense? It does
24 not make sense.

25 Let's make sense. Let's go back to

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 commonsense. It's really simple. I mean, you look
2 like a very intelligent man, but what about the
3 commonsense in this.

4 I know this project has immense amount of
5 momentum. It's carrying a lot of people's careers
6 and hopes. I really felt for the people who came up
7 and talked about how we need construction jobs.
8 Well, we do, but there are so many things we could
9 construct. We could keep people working. We could
10 make our education systems much better with this
11 money. This is not a reasonable or sensible thing
12 to do, period. Let's stop it. (Applause)

13 MR. MacALLISTER: Thank you, ma'am.

14 Elana Sue St. Pierre followed by Shannyn
15 Sollitt, because Jan Lustig yielded her time to you.

16 MS. ELANA SUE ST. PIERRE: I would like to
17 thank everybody for being here.

18 My name is Elana Sue St. Pierre. I am an
19 occupational therapist providing home-based therapy
20 for our community's most medically fragile infants.
21 I am a spokesperson for Healthy Water Now, ASAP,
22 representing over 300 parents with children with
23 special needs, therapists, doctors, nurses, doulas,
24 midwives, and child educators.

25 I speak for the children whose voices will

**720-1
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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 hold everybody here accountable in days yet to come.
2 The nuclear footprints of this nation's first weapon
3 of mass destruction lies hidden in secret files,
4 documents, and nuclear waste buried in the canyons
5 between Los Alamos and the Rio Grande, this
6 community's major source of water. Less than a
7 hundred yards from the intake of this community's
8 water supplies lies traces of plutonium and
9 radioactive heavy metals buried only three feet deep
10 within the Buckman well field and along the banks of
11 Rio Grande.

12 Current radioactive clean-up standards and
13 methods for radioactive clean-up do not protect us,
14 they do not protect pregnant women and children.
15 These silent yet deadly nuclear footprints may be
16 seeping into our life-giving limited water supplies,
17 becoming waters within the wombs, birthing lives
18 plagued by deformity, sickness, and death.

19 The air we breathe, the soil that grows
20 our food radiates background contamination from
21 these nuclear bombs, nuclear footprints of the
22 nuclear age threatening our national security as
23 well as the health and safety of this downwind, down
24 river, downstream community.

25 We intend that all funding for this bomb

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

3-1389

Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 factory be redirected toward remediation of nuclear
2 contamination that already threatens us. We intend
3 there be reevaluation that prevents any nuclear bomb
4 factory from being created in this water-scarce,
5 seismographically active region.

6 A few years back, the Pecos River flowed
7 backwards due to an earthquake. The Valles Caldera
8 was created when this planet's largest mountaintop
9 was blown to bits by the earth quaking. And we all
10 quake to think that our world's best scientists
11 would plan to store over 13,000 pounds of plutonium
12 in this unstable area. We ask that the billions of
13 dollars earmarked for this disastrous plan be
14 redirected for bio remediation and alternative
15 research.

16 We would like to hold a moment of silence
17 for contemplation in prayer to honor and to give
18 power to the voiceless victims of the nuclear age
19 and that the weapons of mass destruction have
20 already created over the generations.

21 My father, a World War II veteran, always
22 told me I would not be alive if the bomb had not
23 been dropped. He was ready to be shipped out to the
24 front lines and would most likely have been killed.
25 He felt I owed my life to those that made the bomb.

721-1

721-1

NNSA does not consider compliance with the Consent Order to be optional, and progress on implementing the Consent Order is not linked to decisions on construction of the proposed CMRR-NF. Please refer to Section 2.5, Cleanup and Waste Management, of this CRD for additional information.

NNSA acknowledges the commentator's concern for the need and location of the CMRR-NF. The geologic setting of LANL is described in Chapter 3, Section 3.5, of the *CMRR-NF SEIS*. The location of the proposed CMRR-NF is about 3,300 feet (1,000 meters) east of the closest mapped surface trace of faults associated with the Pajarito fault system. A trace of one of these faults underlies a portion of the existing CMR Building. Based on site-specific geotechnical investigations, no evidence of active surface-rupturing faults directly at the CMRR-NF building location were found (Gardner et al. 2009). At LANL, and for the CMRR Project specifically, facilities are designed to site-specific earthquake design criteria that are more conservative than those in the International Building Code so that the facilities remain safe in the event of a large earthquake. See Section 2.6, Seismic and Geologic Concerns, of this CRD for more information.

721-2

721-2

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

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1 And so I stand here today, and I say, "Gracias,
2 adios."

3 For today the kamikaze fighters have
4 abandoned their planes, Hitler's bones have turned
5 to dust, and the race to create a bigger and better
6 gadget -- what they called the first bomb, the
7 gadget -- it no longer serves a national defense
8 purpose. It rather creates potential national
9 disaster.

10 Germany leads the way away from nuclear
11 energy and self-destruction. Japan is in a state of
12 nuclear disaster realizing there is no safe place.
13 Where the laws of nature rule, earthquake and
14 nuclear stockpiles equate disaster.

15 The potential to transform and transmute
16 the power of destruction into life sustaining
17 technology lives in the hearts and the minds and
18 consciousness of all of us here. To vision
19 alternatives which protect innocent women and
20 children is why I come here to this hearing. This
21 silence we will hold carries the screams for help
22 from the hearts and the wombs of our future. As we
23 touch our hearts together from this place of
24 silence, all answers can unite us beyond our dreams.
25 And I will hold silence and ask that you hold

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 silence.

2 (A moment of silence was observed.)

3 MS. ST. PIERRE: Thank you.

4 MR. MacALLISTER: Thank you.

5 Shannyn Sollitt followed by Adele
6 Caruthers.

7 MS. SHANNYN SOLLITT: Thank you, Elana,
8 for those poignant thoughts and words. And thank
9 you all for coming.

10 My name is Shannyn Sollitt. I am a
11 citizen of Santa Fe, New Mexico. I have been
12 positing the idea of the Los Alamos Peace Project to
13 transform the laboratories of weapons of mass
14 destruction into institutions that engage only in
15 life affirming research and development. For more
16 than a decade, I have just been putting it in the
17 ethers.

18 And this is not the first time these
19 hearings have been held about this very subject.
20 Why do you need to keep coming back to find out
21 whether the citizens of northern New Mexico approve
22 of this bomb factory at Los Alamos labs? Do you
23 think that people's opinions have changed? Do you
24 think that anything has changed?

25 LANL still sits atop a windswept mountain

722-1 722-1

NNSA notes the commentator's opposition to nuclear weapons and concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

Current operations at LANL do not violate the Treaty on the Non-Proliferation of Nuclear Weapons, the New Strategic Arms Reduction Treaty, or any other nonproliferation treaties to which the United States is a signatory, nor would the operations that would be performed at the proposed CMRR-NF. Refer to Section 2.9, Treaty Compliance, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 in a seismic zone where wildflowers and contaminated
2 runoff continue to threaten and compromise the
3 health and well-being of millions who live downwind
4 and downstream. Where does the government get the
5 right to exert this form of cruel authority over the
6 people here who repeatedly, year after year, have to
7 leave their fields of endeavor and take the time to
8 defend their communities against this form of
9 tyranny?

10 Citizens have repeatedly spoken out and
11 submitted written testimony to defend our rights to
12 have air and water free from the horrible
13 radionuclide contamination created by the lab, and
14 you blithely want to create more. No. Our opinions
15 do not change, and clearly our voices have not been
16 heard, or you would not keep returning over and over
17 just to test us to see if you have worn down the
18 opposition of the citizenry of New Mexico.

19 These hearings are an exercise in futility
20 that pretend to affirm that we still live in a
21 democratic country. But you are not fooling us.
22 These hearings have always been a sham and this
23 hearing is a sham. Nuclear bombs are immoral. They
24 are a vulgar and heinous crime against planet earth
25 and humanity. The only worse crime against humanity

722-2

722-2

Comment noted. NNSA considers every comment received by U.S. mail, email, toll-free telephone or fax line, or at the public hearings. Consistent with the purpose and intent of NEPA and the implementing regulations, public comments assist NNSA in determining the scope of the analysis to be included in a NEPA document and in improving the analysis and range of alternatives evaluated. Refer to Section 2.2, NEPA Process, of this CRD for more information.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 would be the actual utilization of them.

2 Their very existence goes against the very
3 tenets of freedom and prevention of tyranny that our
4 founding fathers designed the constitution to
5 protect us against, and those who perpetuate this
6 crime are tyrants, despots, and traders to the
7 constitution.

8 Please tell us how will this proposed
9 factory protect the inalienable rights of US
10 citizens to life, liberty, and the pursuit of
11 happiness.

12 You may respond that the very existence of
13 these weapons prevent war, and for that reason we
14 must continue the proliferation of our nuclear
15 arsenal. But since the inception of the nuclear
16 bomb, the United States of America has been waging
17 wars in at least 18 countries -- Korea, Guatemala,
18 Cuba, Indonesia, Congo, Peru, Laos, Vietnam,
19 Cambodia, Lebanon, Grenada, Libya, El Salvador,
20 Nicaragua, Panama, Bosnia, Afghanistan, Iraq, and we
21 fund wars and channel arms to Columbia, Mexico, and
22 Israel.

23 The United States has been far and away
24 the world leader in the development of weapons of
25 mass destruction, and the existence of these weapons

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@btsupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 by our country holds the rest of the world in fear,
2 has been the cause of nuclear proliferation, has
3 shredded the fabric of global potentials for
4 cooperative security that the whole rest of the
5 world is yearning for. Let us call a spade a spade.

6 This plan to spend 180 billion over the
7 next decade to modernize the nuclear weapons
8 complex, this CMRR complex is being created to line
9 the pockets of military contractors in bed with the
10 legislators in Washington. So you traitors to the
11 US constitution who have led us down the road to a
12 failed democracy, you are out of compliance with the
13 Nuclear Nonproliferation Treaty, the Strategic Arms
14 Reduction Treaty. Traitors, cease and desist.

15 (Applause)

16 MR. MacALLISTER: Adele Caruthers followed
17 by Dominique Mazeaud.

18 MS. ADELE CARUTHERS: I am Adele
19 Caruthers. I am an occupational therapist and a
20 member of the Peace and Justice Committee of St.
21 Bede's.

22 I do hope that you folks are listening,
23 because what I heard tonight I will never forget.
24 And I just have to say I moved here from the Boston
25 area 20 years ago because of the beauty and the

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 clean air and the just amazing state of New Mexico,
2 and now I just can't believe what I am hearing, what
3 is happening.

4 I feel like I am standing on a train
5 track, and the train is coming full speed ahead. So
6 how do I stop it? I can just learn what is the
7 truth. I am trying to figure that out. Do you know
8 what is the truth? Are you telling us the truth?

9 Six hundred billion for plutonium; is that
10 right? Six hundred billion --

11 VOICES FROM THE FLOOR: Six.

12 MS. CARUTHERS: Six billion, okay. And we
13 cannot afford to pay our teachers. Now we are
14 closing schools and doubling up. So as far as the
15 money is concerned, we have to think about the
16 budget of the country.

17 We are asking other nations to disarm and
18 pretending like we want to be nonnuclear, as Obama
19 said, and what are we doing? We are doing exactly
20 the opposite. Pretending, isn't that hypocritical
21 for us to pretend and then do the exact opposite?

22 There are three things -- and I will be
23 very brief -- but there are three things that I am
24 thinking about, and one of them is the cost, the
25 cost of building weapons. The second one is the

723-1

723-1

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. CMRR-NF would operate under DOE safety regulations and guidance, which require that safety analyses be routinely updated. Safety issues pertaining to the design and operation of CMRR-NF and other nuclear facilities at LANL are subject to oversight by DNFSB. Seismic investigations and considerations are addressed in Section 2.6, Seismic and Geologic Concerns, of this CRD.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@bitsupport.com

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1 safety, which everyone has mentioned with the
2 earthquake prone site, and the third is the morality
3 of contaminating our beautiful land, our water, our
4 air, and Santa Fe, to contaminate our own life, our
5 planet. That's all I want to say. Okay.

6 (Applause)

7 MR. MacALLISTER: Thank you, ma'am.

8 Dominique Mazeaud followed by Joni Arends.

9 MS. ARENDS: I want to give my time to Bob
10 Gilkeson.

11 MS. DOMINIQUE MAZEAUD: I am going to be
12 very brief, Joni, so I can give my time.

13 I am Dominique Mazeaud from Santa Fe and
14 before that from Europe. And I wouldn't be here
15 without the goodness of America. I was brought up
16 by a family, a father especially who kept talking
17 about the arms of goodness of America. And this is
18 why my destiny brought me here, and now I have been
19 in Santa Fe for 24 years, before in New York.

20 And as I have been living here, I have
21 discovered the arms of goodness of America are not
22 so good. Now the arms are what we are talking about
23 this evening, and I am just -- you know, my friends,
24 people here have talked statistics and facts, and
25 I'm not going to repeat them. But I want people to

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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1 remember, to me, as a new American, I really believe
2 in the soul of this country. This is why I am here
3 and I have stayed here all these years, but as I am
4 staying here, my heart is broken, because I really
5 feel the soul of America is being very compromised
6 by these arms that she is making. Thank you.

7 (Applause)

8 MR. MacALLISTER: Thank you.

9 Joni Arends followed by Mitch Buszek.

10 MS. JONI ARENDS: Good evening. My name
11 is Joni Arends. I am with Concerned Citizens for
12 Nuclear Safety.

13 I just want to provide some information
14 about this project. For the construction alone, the
15 laboratory is proposing to use about 4.6 million
16 gallons per year of water in order to mix the
17 concrete. That's about 11-acre feet per year. You
18 could water a lot, irrigate a lot of farmland with
19 11-acre feet a year.

20 For operations, they are proposing to use
21 16 million gallons per year, which is about 49-acre
22 feet per year. And it's really about choice, isn't
23 it, about how we are going to use our limited
24 resources, the limited water that's available.

25 Another matter is that the Los Alamos

724-1

724-1

NNSA notes the commentator's opposition to nuclear weapons. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, of this CRD for more information.

725-1

725-1

NNSA notes commentator's concern with water usage in construction and operation of the CMRR-NF. Water use for construction and operation under the Modified CMRR-NF Alternative would exceed that of the other two alternatives. As shown in Chapter 4, Tables 4-15 through 4-17, and discussed in Section 4.3.3 of the *CMRR-NF SEIS*, based on current water use and the projected use under the Modified CMRR-NF Alternative, water use at LANL is expected to remain below its allotment of 542 million gallons (2,050 million liters) per year. See Section 2.10, Water Resources and Usage, of this CRD for more information on water resources at LANL.

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1 County and the lab own 1,200-acre feet of San Juan,
2 Chama water. They haven't diverted any of that
3 water yet, but the county has made a proposal to the
4 Buckman board to be able to use the diversion site
5 and run a pipeline across the river and lift the
6 water about a thousand feet up to the White Rock
7 water treatment facility.

8 I think it's important for people in Santa
9 Fe to know that. It's under consideration right
10 now. There are engineering studies being done. I
11 don't think our intention in Santa Fe for the
12 diversion project was necessarily to provide
13 facilities for Los Alamos County and the laboratory
14 to use the Buckman diversion project to obtain
15 water.

16 This has been a very difficult process
17 these last four days, and I think Scott and I have
18 attended all four hearings. Each night the rules
19 have changed a little bit. The rules have been
20 tweaked a little bit. And it's not like the recent
21 hearings.

22 The hearings that are held by the
23 laboratory are much different than those that are
24 run by DOE headquarters, and DOE headquarters runs
25 hearings across the country for Programmatic

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 Environmental Impact Statement under the National
 2 Environmental Impact Statement. And basically when
 3 headquarters is running a hearing, we know what to
 4 expect. We know there is going to be a court
 5 reporter. We know they are going to record the
 6 hearing. We know there is going to be a podium.
 7 There is going to be a microphone. We are going to
 8 be able to hear one another speak, because we learn
 9 and we find solidarity amongst ourselves.

10 But this whole adventure with this
 11 proposal for the nuclear facility has been very,
 12 very difficult. Even from the first scoping meeting
 13 in White Rock, where if you wanted to make comments,
 14 you had to go into another room and nobody else
 15 could hear you speak, and that there were poster
 16 sessions and we couldn't hear each other speak.

17 And NEPA, as Doug says, our voices empower
 18 NEPA, and we need to be able to hear one another.
 19 And many of us have been in these rooms for 10, 20,
 20 30 years. And especially for the LANL proposals, it
 21 would seem that the laboratory would know who we
 22 are. And what our concerns are. As Shannyn said,
 23 you know, we have opposed this project for years,
 24 these proposals to expand the pit production.

25 And by not providing us with consistency

725-2

725-2

NNSA acknowledges the commentor's concerns about the *CMRR-NF SEIS* public participation process and LANL water usage. Please refer to Section 2.2, NEPA Process, and Section 2.10, Water Resources and Usage, of this CRD for more information.

SANTA FE OFFICE
 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

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1 under the National Environmental Policy Act of what
2 we can expect, it's really disheartening. And I
3 hope that through this process, the laboratories,
4 the Tonys, the Rodgers, the Johns, the Beths could
5 put together a manual that mimics what happens at
6 headquarters for these NEPA processes, and that it
7 would be available on the web so that people can
8 know what to expect.

9 This whole thing about seven minutes in
10 Los Alamos, three minutes in Albuquerque, five
11 minutes in Española, and maybe we will get five
12 minutes here in Santa Fe tonight, it's getting very
13 old. We are very knowledgeable. We are a very
14 knowledgeable community -- I know. I have one more
15 sentence -- we are a very knowledgeable community.
16 We have been successful through this process.

17 And we have to continue doing what we are
18 doing, and we need to continue to speak truth to
19 power. Thank you all for coming. (Applause)

20 MR. MacALLISTER: Thank you.

21 Mitch Buszek followed by Eric Wilson.

22 Pardon me if I mispronounced it.

23 MR. MITCH BUSZEK: That's pretty good.

24 It's Buszek like music, but close enough.

25 MR. MacALLISTER: Thank you.

725-2
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Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 MR. BUSZEK: My name is Mitch Buszek. I
2 come here as a parent of a 22-year-old daughter. I
3 come as a veteran. I actually am a veteran for
4 peace if you can imagine such a thing. We have
5 quite a few of them here, and I have been involved
6 in this nuclear mystery since I met Joni about 22
7 years ago.

8 I would like to thank some people for what
9 they are doing and what they have done, and I would
10 like to thank you for being here. This probably
11 isn't the most delightful evening of the month. I
12 would like to thank some people. Irwin was kind
13 enough to talk about lineages and generations, and
14 there are some people here that have really put
15 their heart and soul into educating us about this
16 issue and advocating for us.

17 Previous speaker Joni Arends has been a
18 real beacon of light for a lot of us, and Holly
19 Beaumont, who has done a thing or two here in the
20 last few years.

21 Shannyn Sollitt, thank you for your work.

22 Dr. Jack Frenkel, I don't know you, but
23 you sound like you have been at it for a while.

24 Jay Coghlan and the gentleman over here --
25 I didn't catch your name, but it sounded like you

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(505) 989-4949
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Albuquerque, NM 87102
(505) 843-9494
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1 have been around this stuff for a while.

2 MR. DAVID McCOY: David McCoy.

3 MR. BUSZEK: David McCoy, thank you for
4 being here.

5 I would like to make a suggestion. My
6 sense of most of the speakers that I managed to hear
7 tonight were addressing things like values and what
8 is important to them personally and what is
9 important to the community. We have talked about
10 environment and health and safety. And I got a
11 little talking to, as I talked to a couple of
12 gentlemen out in the hall, and it's like the budget
13 for this thing has been approved by Congress.

14 VOICE FROM THE FLOOR: No.

15 MR. BUSZEK: It hasn't been? Okay.

16 Straighten me out on that. But they are proceeding
17 as though it's funded. Is that accurate? Okay.

18 And I would like to suggest that the two
19 most important people in this room to hear what we
20 have to say are the representatives of our
21 Congressional staff. We have a young lady here from
22 Congressman Ben Ray Lujan's office. Is that you,
23 Solidad? What is your name?

24 MS. JENNIFER CATECHIS: Jennifer.

25 MR. BUSZEK: Jennifer. And I think we

726-1

726-1

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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(505) 843-9494
FAX (505) 843-9492
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Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 have a representative from Senator Udall's office;
2 is that accurate? What is your name?

3 MS. MICHELLE JAQUEZ-ORTIZ: My name is
4 Michelle, and our office has been in all the
5 meetings. We have been advocating very hard behind
6 the scenes for some of what Joe, me, and Jay are
7 pushing.

8 MR. BUSZEK: I really appreciate what some
9 of our representatives have done. The two
10 represented here tonight have really done the work.

11 I would like to suggest that the forum
12 that would most suit us is a forum with Congressman
13 Lujan, with Senator Udall, and with Senator Bingaman
14 so that we can articulate to our elected
15 representatives how we would like to spend our
16 federal money and our tax money.

17 To take another step in that direction, we
18 have got a very skilled moderator in the audience.
19 Lorraine Nells back there in the back row is a
20 talented TV interviewer and talk show host. I think
21 we have the skill in this room to fill up both of
22 these rooms and talk about the things that we care
23 about and things that we value.

24 And I think these guys, oh, boy, I think
25 it's a difficult thing. I mean, they are here to do

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Albuquerque, NM 87102
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1 a job. They are doing it as conscientiously and
2 honestly as they can, but our values are just miles
3 apart. And I think it's incumbent on us to pick the
4 right people to talk to, and I think if we could get
5 a forum with our representatives, that's really who
6 needs to hear our pleas for help.

7 I think that's all I have to say. Thank
8 you very much. (Applause)

9 MR. MacALLISTER: Thank you, sir.

10 Ma'am, can I ask the representative from
11 Senator Udall's office to restate her name. The
12 court reporter wasn't able to catch your name, and
13 we would like to have it since you spoke from the
14 audience.

15 MS. MICHELLE JAQUEZ-ORTIZ: Do you want me
16 to state it out loud or do you want me to go up
17 there?

18 MR. MacALLISTER: If you will just state
19 it, I will restate it for you.

20 MS. JAQUEZ-ORTIZ: It's Michelle
21 Jaquez-Ortiz. It's like Jaque with a z at the end,
22 dash, Ortiz. I am the senator's northern New Mexico
23 field representative. I was at the Los Alamos
24 meeting, the Española meeting to the end, by the
25 way, last night. It ended very late. And then we

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Santa Fe, NM 87501
(505) 989-4949
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Albuquerque, NM 87102
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Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 had Bill Wald at the Albuquerque meeting.

2 MR. MacALLISTER: Thank you, ma'am.

3 MS. JAQUEZ-ORTIZ: We also weighed in on
4 the Taos meeting as well.

5 MR. MacALLISTER: Thank you, ma'am.

6 Our next speaker is Eric Wilson followed
7 by Sam Hitt.

8 MR. ERIC WILSON: My name is Eric Wilson,
9 and I think I want to tell a little bit of a story
10 today, because everyone has so many more facts than
11 I really do. But I have opinions, and the story is
12 about when I was a kid, and I had a fish. I got a
13 fish for my birthday in a little round bowl, and I
14 really liked that fish. It was really cool.

15 One day I decided it would be really cool
16 so that the first thing you saw when you came into
17 the house, and we put that fish bowl right on the
18 very end of the stairway banister. We had a nice
19 little round place there, and I put it there. My
20 mom told me we couldn't keep it there. I was like,
21 well, it was great there. I showed her. I set it
22 there and it stayed there and it didn't fall off.
23 It was very safe there, I thought. She said, you
24 know, you don't understand. It's just not safe
25 there.

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1 One day when she was away, I put it back
2 there. My friends came over. We were rough housing
3 around again. Sure enough, it fell right off and
4 smashed on the floor. The fish didn't do so well.
5 The whole thing went to hell.

6 And I guess I kind of see this project in
7 the same way. People are saying that it's safe,
8 people believe it's safe, but I think the
9 information isn't really there.

10 The story goes on a little bit, because
11 then I started asking my mom like, you know, if I
12 could get another one. And she was like, well, you
13 know, you could get another one, but it was your
14 fault that it got destroyed. She goes how about
15 this, instead of going to -- there was a great place
16 called Story Town that we went to every year.
17 Instead of the trip to Story Town, we will get you
18 another one.

19 Well, I didn't really want another fish as
20 much as I wanted to go to Story Town, so I didn't go
21 for that. I think that's also kind of the same
22 thing. We are having conversations in Congress this
23 week about what we had to cut out of our budget in
24 order to be able to send disaster relief to Joplin,
25 Missouri, where they are suffering. I never thought

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(505) 843-9494
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Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 that conversation would ever have happened in our
2 country. We would always take care of people like
3 that.

4 But in a time when we are having that kind
5 of conversation, I think we need to look at our
6 priorities. Should we be looking to spend this kind
7 of money on this kind of project, or are there more
8 important priorities for us at this point in time?
9 I think without question, if you ask every person in
10 the country what their priority is, building more
11 nuclear weapons or taking care of disaster relief
12 and educating our children and converting to a
13 sustainable economy, I think overwhelmingly people
14 would say, yes, of course.

15 But that's not really the point. The real
16 point here is: What are we trying to do? We are
17 trying to make more nuclear weapons. We are talking
18 about not just like we need them immediately, but we
19 are building a facility that won't even be doing it
20 for a long time, investing a lot of resources in
21 that, because somehow we believe that in the
22 long-term, in the future, we are still going to need
23 nuclear weapons. And for what?

24 I mean, I really thought at some point --
25 a long time ago I had a lot of hope in our country

727-1 727-1

NNSA notes the commentator's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs (for example, education) and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

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1 as I was growing up, because it really seemed like
2 we were moving in a good direction. I thought that
3 once we used nuclear weapons, that we really had
4 learned our lesson. We were going to move away from
5 that.

6 Instead now, at a time when we have no --
7 I mean, I don't know if we are expecting these are
8 going to be useful against some theoretical opponent
9 that's going to come from outer space. I really
10 don't see what the point is. Who wins with a
11 nuclear weapon? Who wins when even one nuclear bomb
12 ever goes off for any reason? Nobody really wins.

13 I really think there are three things we
14 really need to think about. One is, this is crazy.
15 Just, I mean, most people when I talk to them about
16 it, they say, well, what's it for? And when I say
17 just to build more nuclear weapons, they are like, I
18 didn't think we were still doing that. I thought we
19 were dismantling our arsenals.

20 But then when you get it back to the
21 amount of money that's involved. Take it back to,
22 even if it were a great idea and we are at the peak
23 of our economy, we had all the resources in the
24 world, why in the world would we stick it on that
25 banister where it's so likely that there is a

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Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 problem. If we had to, if we really had a need for
2 nuclear weapons and we had to build them, why in the
3 world would we choose this place to do it? It just
4 doesn't make any sense from the very top to the
5 bottom.

6 So I really hope we can stop this. I hope
7 there is a real reason for this hearing, that this
8 hearing is really an opportunity, well, everybody
9 here was against it. Okay, here we go. We are not
10 going to do it. I suspect that's not the case. So
11 I hope -- I hope our congressional representatives
12 not only go back there and fight for this, but make
13 sure that the awareness is there for the whole
14 congressional delegation, that if you want to save
15 money, here is a great place to start. (Applause)

16 MR. MacALLISTER: Sam Hitt followed by
17 Reverend Holly Beaumont.

18 MR. SAM HITT: Thank you very much. My
19 name is Sam Hitt, and I am a concerned citizen with
20 a long time interest in the NEPA process.

21 Just to remind us all, that NEPA is the
22 charter for the protection of our environment passed
23 in 1969. It's really the software that we have in
24 our democracy to avoid tragic mistakes, to make
25 informed decisions, and to create a future for our

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Albuquerque, NM 87102
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1 children that is long-term and sustainable.

2 And key to the implementation of NEPA, as
3 contained in the implementing regulations, is this
4 phrase that I think everyone should keep in mind,
5 that public involvement will occur, shall occur, to
6 the fullest extent possible. This is legal
7 language, to the fullest extent possible.

8 Now, to me that means not a highly managed
9 process like we are having tonight, where we are
10 limited to five minutes to make our dog and pony
11 show. No, no. It's when we sit down with the
12 drafters of this document, with the people who are
13 putting together this project, who are making key
14 decisions every day, and discuss and sit at the
15 table with and have access to the information that
16 is behind the words, so we really can be informed
17 citizens, so we really can exercise this function of
18 directing our democracy, of not just being pawns and
19 not just being little cogs in the machine, but
20 actual actors with a great deal of power.

21 I have reviewed somewhat the Supplemental
22 Draft Environmental Impact Statement, as in most
23 cases, there is an emphasis on the direct impacts,
24 but there is very, very little discussion of the
25 indirect impacts or the cumulative impacts. These

728-1

728-1

NNSA notes the commentator's concern regarding the discussion of cumulative impacts. Chapter 4, Section 4.6, of the *CMRR-NF SEIS* addresses cumulative impacts of LANL and regional activities on key environmental resource areas, including electrical use, water use, waste management and health and safety.

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FAX (505) 820-6349



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Albuquerque, NM 87102
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 are key to the environmental consequences that have
2 to be evaluated. So I would urge that this document
3 be reformatted, and that every time there is an
4 issue, cumulative indirect impacts are discussed, as
5 many other agencies do in their NEPA process, so the
6 public really has a chance to evaluate, particularly
7 the cumulative impacts.

8 Now, we can't just rely on local
9 government and state agencies and others to respond
10 to letters and inquiries about what they think the
11 cumulative impacts would be. No, no. We have to,
12 the laboratory and citizens have to go out and seek
13 out that information. We can't just be passive
14 recipients, and I did not see that in the current
15 document.

16 Also key to me is the evaluation of
17 alternatives. There are three alternatives being
18 evaluated in this case. I think a very reasonable
19 alternative would be to look in detail at abandoning
20 the current structure and not building the new
21 structure. That's more than just no action, which
22 is required by the regulations. That's actually an
23 affirmative alternative that would implement, I
24 think, what would be desired by most taxpayers in
25 this country and, of course, many people in this

728-1
cont'd

728-2 728-2

Although many commentors expressed a preference for an alternative of taking no action at all, that is, neither operating the existing CMR Building nor constructing a new CMRR-NF, such an alternative does not meet NNSA's stated purpose and need to continue to provide mission-critical analytical chemistry and materials characterization capabilities beyond the present time in a safe, secure, and environmentally sound manner (see Chapter 1, Section 1.3, of the CMRR-NF SEIS). The No Action Alternative included in the CMRR-NF SEIS is based on the 2004 ROD for the 2003 CMRR EIS (69 FR 6967). See Section 2.11, Alternatives Considered, of this CRD for more information.

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
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1 room.

2 So I think that's about it. Thank you
3 very much. (Applause)

4 MR. MacALLISTER: Thank you, sir.
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Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 MR. MacALLISTER: Reverend Holly Beaumont,
2 followed by Rebecca Ortega.

3 REVEREND BEAUMONT: Good evening.
4 I'd like to start this evening by thanking
5 Nuclear Watch and Concerned Citizens for Nuclear Safety
6 and also Cultural Energy. I don't know if we have
7 written checks recently for these organizations, but I
8 think it's one of the best ways you can invest in
9 helping us to create the kind of community that we hope
10 to achieve, by doing more than just this. These
11 organizations really need money.

12 I also want to thank all of you for being
13 here. I know there was a debate going on about whether
14 we were wasting our time or not, and I was reminded at
15 an event earlier today that was held by Department of
16 African-American Affairs, a quote from Martin Luther
17 King, Jr.: "Our lives begin to end the day we become
18 silent about things that matter." So thank you for
19 being here.

20 In 2006, Los Alamos National Laboratory
21 became a stunning example of privatization of public
22 property when the Bush administration handed it over to
23 Bechtel. The lab's historic record of patriotic service
24 to this country, however misguided, was replaced by a
25 maniacal, insatiable drive for profits.

729-1 729-1

DOE and NNSA continue to provide oversight of LANL as in the past. The managing and operating contract for LANL was openly competed in 2005 for the first time in the 63-year history of the LANL site. Through 2005, the University of California had been the sole managing and operation contractor for the LANL site since its creation in 1943. The new managing and operating contractor, Los Alamos National Security, LLC, began managing LANL in June 2006. The selection of a new managing and operating contractor did not change the DOE and NNSA work performed at LANL.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 So who is Bechtel? Well, I've been using
2 this as an opportunity. I clearly am opposed to the
3 project, but I'm increasingly concerned to learn about
4 our new neighbors. I call them -- well, I call them
5 "Bechtel on the Hill." That's one of the friendlier
6 names. But who are these people?

7 Bechtel Enterprises is headquartered in
8 San Francisco and is a privately held firm and the
9 world's largest engineering construction company. There
10 are just -- oh, Bechtel estimates that it has built 40
11 percent of U.S. nuclear capacity and 50 percent of
12 nuclear power plants in a developing country. God bless
13 them. Bechtel received a ten-year contract in December
14 2000 with the U.S. Department of Energy to design, build
15 and start up waste treatment facilities at Hanford that
16 will transform liquid radioactive waste into a stable
17 glass form, a process known as vitrification. And I'm
18 just beginning to learn about this, but it's scary.
19 These are just a few -- these are a few more of the
20 notable Bechtel projects.

21 Bechtel built the San Onofre, California
22 Nuclear Plant on a major earthquake fault line, and
23 installed the seismic braces backward, meaning the
24 braces will increase the impact of an earthquake rather
25 than reduce it. Good work.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 Bechtel has also been sued by former
2 employees of the plant for exposure to radiation.

3 Three Mile Island cleanup. Bechtel was
4 invested [sic] by the Nuclear Regulatory Commission, who
5 found that -- was investigated by the Nuclear Regulatory
6 Commission, who found that Bechtel -- I quote --
7 "improperly classified modifications to the plant as not
8 important to safety in order to avoid safety controls."
9 In 1985, the NRC fined Bechtel for harassing and
10 intimidating workers who complained about these lapses.

11 The Radioactive Campaign reports that their
12 sampling efforts along the Hanford Reach of the Columbia
13 River, begun in 1983 with Greenpeace, has revealed
14 evidence of Hanford's still secret production of
15 uranium-233 for many nuclear battlefield weapons.

16 In 2001, TRAC found that 60 percent of the
17 Hanford Reach and seven out of ten major salmon spawning
18 grounds were contaminated with by-products from U-233
19 production.

20 In 2002, TRAC discovered a previously
21 unreported discharge pipe that may have been used to
22 discharge radioactive waste directly into the Columbia
23 River.

24 Now, I wanted to say something about water,
25 based on Joni's concerns -- raising those concerns.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 Through subsidiaries and joint ventures in
2 the U.S., Europe and, infamously, in South America,
3 Bechtel was also involved with over 200 water and
4 wastewater treatment plants; the privatization of water
5 in Cochabamba, Bolivia resulting in exorbitant water
6 prices, as much as 1- to 300 percent increase. Mass
7 demonstrations in Bolivia in opposition to the water
8 system eventually forced the reversal of the contract,
9 and then Bechtel attempted to sue Bolivia, an
10 impoverished nation, for \$50 million because they were
11 losing \$30 million in profits they spent cleaning up
12 what was left behind by the previous owner. \$30 million
13 is, for Bechtel, one half of their daily profits.

14 I will close.

15 If the CMRR is, in fact, necessary to our
16 national security, then it is far too important and, in
17 light of Fukushima, potentially far too dangerous to be
18 entrusted to a corporation like Bechtel, with your [sic]
19 abysmal, indeed criminal record of environmental
20 degradation, human rights abuses, cost overruns at
21 taxpayers expense and the privatization of community
22 commodities -- public commodities.

23 Thank you.

24 MR. MacALLISTER: Rebecca Ortega, and then
25 I will begin calling people who had stepped out or who

729-2 729-2

Regarding the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL, there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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201 Third NW, Suite 1630
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(505) 843-9494
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 had yielded their time.

2 MS. ORTEGA: (Greeting in Native American
3 language; no translation.)

4 It is with respect that I come here today.
5 My name is Rebecca Ortega, and I am from the Pueblo of
6 Santa Clara. I'm a tribal member from Santa Clara
7 Pueblo.

8 Our pueblo sits directly downwind from
9 Los Alamos, and, you know, it's really, really sad that
10 all of this stuff that's going on at Los Alamos is
11 contaminating the water, the air, the land.

12 And on top of that, Bechtel, which the
13 young lady just mentioned, is here -- it's a for-profit
14 organization. They're not here for us. They're not
15 here to give us jobs. They might say, Yes, we're coming
16 to bring you jobs. But guess what kind of jobs?
17 They're giving us janitorial, secretarial, all the
18 low-end jobs. I know for a fact that they are bringing
19 their own top people that they're paying top dollar,
20 \$300,000 a year, \$200,000 a year, you know. They're
21 bringing their own people.

22 But why do we live in New Mexico? Why do
23 so many people come to New Mexico? Because they love
24 New Mexico; because it's beautiful; it's clean. You
25 know, we have a lot of culture here. It's peaceful.

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(505) 843-9494
FAX (505) 843-9492
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1 But guess what? If we don't stand up to what's going to
2 be coming up in Los Alamos -- it doesn't matter if it's
3 scheduled for 5 years or 10 years or 15 years. If we
4 don't stand up for it, our children and grandchildren
5 and our great-grandchildren will not enjoy the same kind
6 of life and beauty that we are living in right now. And
7 it's going to be our fault.

8 Yes, I know a lot of people say, Well, you
9 know what, you can go there and talk against whatever
10 the government wants, but you know what, I had to come
11 today to say how I feel and what's in my heart and what
12 I see. Because if I don't -- yes, maybe Los Alamos
13 Labs -- maybe they're still going to do what they want,
14 because just look at what they're doing to us right now.
15 The government -- the government does whatever they
16 want.

17 If they want to raise the prices to us for
18 \$3.73 a gallon, \$4.00 a gallon in some places -- I went
19 up to TA for jury duty about two, three weeks ago:
20 \$4.05 a gallon up in Chama.

21 Now, then about two, three weeks ago, I'm
22 watching World News, Diane Sawyer. Diane Sawyer says,
23 Well, you know what, Exxon, Chevron and all these oil
24 companies have already, the first quarter, made a \$32
25 billion profit. And guess what? On the backs of all of

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(505) 843-9494
FAX (505) 843-9492
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3-1419

Section 3
Public Comments and NNSA Responses

Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 us Americans.

2 If this was happening in some other
3 country, wouldn't we be the first ones to say, Why are
4 those poor people losing their houses? Why are people
5 being thrown out, in foreclosures? Why are they being
6 charged exorbitant prices for food? Why are they being
7 charged exorbitant prices for gas? You know, I'm just
8 wondering about all those kind of things.

9 And like I said, I am from the Pueblo of
10 Santa Clara. I am from Santa Clara Pueblo. And the sad
11 thing is that -- we have to live together. We live
12 together, what, 2-, 3,000 people. The reason we live
13 together is because that is the way we can maintain our
14 traditions, our culture, our dances, our language. We
15 cannot -- we cannot go away and try to get together and,
16 oh, yeah, you know what, we're going to have a corn
17 dance today; oh, yeah, we're going to have this dance
18 today. How can we? That's why we live together,
19 because we come together; we practice our dances; we
20 practice our songs, our traditions, our culture, our
21 language.

22 If -- and which I'm saying probably not
23 even if, but when all of our land, our water and our air
24 is contaminated, where are we going to go? What city,
25 what state is going to accept 2-, 3,000 Native Americans

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FAX (505) 820-6349



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(505) 843-9494
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1 to come there to live together to continue the culture?
2 It isn't. And what's going to happen? It's another
3 form of let's get rid of those Indians. Terminate, you
4 know. This has been going on for a lifetime, and this
5 is just another form. Except this time, it's not just
6 going to be the Native Americans that are going to be
7 driven away from their homelands. It's going to be
8 everyone else that's in this room that came here from
9 somewhere else because they wanted to live in peace and
10 beauty. You know, it's just really sad.

11 And not only that, look what happened in
12 Japan. Did we not learn from that? Did we not learn
13 from that? That is just crazy.

14 You know, I just feel like in the next few
15 years, when our land is contaminated, what are we going
16 to tell our children, our grandchildren when they have
17 major health problems, when there is no clean water,
18 when there is no clean air, no clean land? And the
19 government's going to say, Hey, guess what, your land is
20 condemned; you have to move away from there. Like I
21 said, where are we going to go? They'll tell us, You're
22 on your own, buddy.

23 You know what, we have no money. We have
24 no money for health care even for us now. But guess
25 what? Congress has the best money [sic] for themselves,

730-1 730-1

Regarding the commentor's concern that an accident similar to that which occurred recently in Japan at the Fukushima Daiichi Nuclear Power Plant could happen at LANL, there are fundamental differences between the functioning of a nuclear reactor and activities at LANL. The type of radiological accident that occurred at the Fukushima Daiichi Nuclear Power Plant requires a large source of energy that is produced from the fissioning of nuclear fuel. The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. Refer to Section 2.8, Nuclear Accidents, of this CRD for more information.

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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 but what about for the rest of us? Nothing.

2 MR. MacALLISTER: Your time is up, ma'am.

3 MS. ORTEGA: Okay. One more sentence.

4 MR. MacALLISTER: Sure.

5 MS. ORTEGA: I absolutely do not want to
6 see any more plutonium labs built up in Los Alamos. We
7 have to have respect for life. We have to have respect
8 for each other. We have to have respect for our
9 children. We have to have respect for our mother earth.
10 And we have to have respect most of all for what our
11 Lord God has given us, and he has given us this planet
12 to cherish, to use and respect.

13 MR. MacALLISTER: Thank you, ma'am.

14 (Applause.)

15 MR. MacALLISTER: Thank you, ma'am.

16 I will cycle back through the people who
17 may have stepped out or they may not be here or people
18 who have yielded the floor in the order in which I had
19 originally called them.

20 The first person I'm calling is Jennifer
21 Sequeira. Is Jennifer here?

22 The next person is Bridjette Kennedy? Is
23 Ms. Kennedy here?

24 MS. KENNEDY: I had deferred my time to
25 Robert Gilchrist.

730-2 730-2

NNSA notes the commentator's opposition to more plutonium labs. Refer to Section 2.1, Opposition to the CMRR-NF, Nuclear Weapons, and Nuclear Technology, and Section 2.4, CMR Mission, of this CRD for more information.

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1 MR. MacALLISTER: Yes. And we're now
2 through everybody, so if you want to speak now, you're
3 welcome to.

4 MS. KENNEDY: Okay. Yeah. Thanks for
5 coming to speak your heart for -- for the love of this
6 beautiful place. And a social responsibility of money
7 is a good one. Jobs for a peaceful economy is better
8 than to proliferate wartime, the nuclear and military
9 industrial complex. Over 50 percent of our tax-paying
10 money goes there, and it's -- it's a very powerful thing
11 to come up against and say that it's wrong.

12 My father was involved with the nuclear
13 industrial -- military industrial complex, being
14 involved with engineering intercontinental ballistic
15 missiles, radio tracking devices and Star Wars. And I
16 give thanks to my father, who recently died, to teach me
17 the importance of the social responsibility and how you
18 earn your living. So I became a landscape architect,
19 thinking I love the planet and I want to make it whole
20 and beautiful again and help heal the planet.

21 And so the first job that I was given was
22 the design -- being involved in the design of a military
23 base for the nuclear weapons on submarines, a military
24 support base in Kings Bay, Georgia. And so I told them,
25 Yeah, this is a great landscape architecture office, but

731-1 731-1

NNSA does not make decisions on the funding priorities of the U.S. Government. Funding decisions on major Federal programs (for example, education) and projects at LANL are made by Congress and the President, and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for additional information. The purpose of the *CMRR-NF SEIS* is to evaluate the environmental impacts of alternatives related to the proposed CMRR-NF. Refer to Section 2.7, Economic Impacts, of hit CRD for information on the economic impacts as evaluated in the *CMRR-NF SEIS*. Refer to Section 2.5, Cleanup and Waste Management, of this CRD for information about LANL environmental remediation activities.

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FAX (505) 820-6349



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Albuquerque, NM 87102
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Comments from the Santa Fe, New Mexico Public Hearing (May 26, 2011)

1 I have to quit because I believe in social
2 responsibility.

3 And, you know, my dad did it because he
4 wanted to put us through college. Money is important,
5 but social responsibility means living the truth of your
6 conviction of life-affirming processes. And I hope that
7 we have a future in this world to have a peaceful
8 society where love and helping others is a priority and
9 destruction and pollution and hazardous waste and --

10 The peacemakers of the Hau de no sau nee
11 people created the first democracy in America. And his
12 premise is to bury all weapons under the Sacred Tree of
13 Life and let those roots grow in four directions for the
14 seventh generations, as well as Hau de no sau nee
15 premise that was -- that the peacemakers spread the word
16 of peace in Upstate New York. And I hope -- I hope for
17 a future of peace and burying all weapons and letting
18 that grow in the four directions. And this is a great
19 place to start right here, where we live in the shadow
20 of -- of a defunct nuclear and military industrial
21 complex.

22 Thanks.

23 (Applause.)

24 MR. MacALLISTER: David Bacon.

25 MR. BACON: The fact that I've only heard

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1 two other people from Santa Clara, but I think if we had
2 maybe 25 more out, we could win this thing tomorrow.
3 It's got to be a very impressive community.

4 We heard from Marian Naranjo and her
5 grandson from Espanola, and it was a powerful --
6 empowering testimony.

7 I think that part of the difference we're
8 seeing tonight is some -- some fascinating struggle that
9 I see, having been to the Espanola, Albuquerque and then
10 this hearing. And there is a tremendous struggle going
11 on here that we don't really see very clearly. The labs
12 are involved only, basically, in massive -- the most
13 massive violence and brutality imaginable to man.

14 I have a prayer here from -- Chatral
15 Rinpoche's is a 90-something-year-old lama now. And I'm
16 not going to read it, but I have it out back for those
17 of you who are interested. And in it, he prays for the
18 end of this demon war, this violence that goes so far
19 beyond anything that any of us could imagine as simple
20 human beings. And yet within this struggle, we have
21 these voices that we're hearing from our community that
22 are so powerful, so clear, so right down the line in
23 terms of truth, truth at every level, the spiritual
24 level, the emotional level, the data level. It's an
25 astonishing and wonderful thing to see.

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1 And I was thinking of the difference
2 between the terms "power" and "empowerment," and the
3 labs do not empower. They hold power over. They hold
4 power over us, over the planet.

5 A nuclear weapon is simply the most violent
6 form of power that anyone could hold over anything on
7 this plant. As Shannon said, it's just a -- it's just a
8 massive form of tyranny, and yet our stories clash,
9 because the lab's story can never be told honestly.
10 They will never allow it to be told as an honest,
11 straightforward story, that we are only involved in the
12 destruction of all life on the planet. This is a story
13 that is too monstrous to even begin to tell.

14 So our stories -- there's a -- there's a
15 question as to. As to whether these -- these hearings
16 are legitimate, but I was telling Zubie [phonetic] of
17 the radio show, activists don't participate in
18 legitimate stuff. Activists participate against
19 illegitimate stuff. That's what we do.

20 And what I'm hearing from the activist
21 community up and down the Rio Grande, I feel maybe we
22 should tip our hat to Bechtel because I feel that what
23 Bechtel woke up in Bolivia, they're finally waking up
24 here in Northern New Mexico.

25 And what about our communities -- the

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(505) 989-4949
FAX (505) 820-6349



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(505) 843-9494
FAX (505) 843-9492
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1 pueblo and communities that suffered the initial hit
2 from this thing, because there weren't many other people
3 living in the area back then? And as Erwin Rivera so
4 eloquently stated, the land grant communities on the
5 Pajarito Plateau. So it's the older communities, the
6 deeper communities that I feel are going to take -- that
7 are going to guide us now, that are going to show us
8 where we need to go. And the growth from just a few,
9 50, 60, people at these hearings who speak so
10 eloquently, I feel it's going to grow now. And I feel
11 we're seeing a movement evolve in Northern New Mexico.
12 And where I see the difference in the movement from the
13 past to now is that people are not only saying no to
14 things like the CMRR building, which is a fairly prosaic
15 argument, but they're saying yes to the life on the
16 planet and to the life of the communities that exist up
17 and down the Rio Grande now. They're saying yes to the
18 wisdom of the people. And they're saying, That money
19 that you're throwing away on nuclear rat holes belongs
20 rightly to us and has to be put to use for life now,
21 life on the planet, restoring the planet, cleaning up
22 the mess of Los Alamos and completely eliminating what
23 my good friend Kathy Sanchez calls the culture of
24 violence.
25 And she said last night, in Espanola, that

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(505) 843-9494
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Section 3
Public Comments and NNSA Responses

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1 we're all so blown out by the culture of violence
2 because alone we hardly ever confront it as what it is.
3 Together, in rooms like this, our legitimacy can begin
4 to come forward in so many different ways that we then
5 confront the culture of violence, and it's where this is
6 going to go that I think is so exciting now and it's
7 real. This isn't make believe.

8 We have a lot of work to do, but it's
9 really the only work that we have right now. It's the
10 only legitimate work that we really have. And I feel
11 that in Northern New Mexico, we can begin to focus on
12 this issue, our bioregion, the damage done to it and the
13 political reality that can come out of healing our
14 bioregion, and it'll be wonderful.

15 Thank you.

16 MR. MacALLISTER: Thank you.

17 MR. BACON: By the way, anyone who doesn't
18 know Robin (indicating)? He's like Bodhisattva
19 reporting these meetings; Cultural Energy from Taos.

20 (Applause.)

21 MR. MacALLISTER: John Withan.

22 MR. WITHAN: John Withan with Nuclear Watch
23 New Mexico.

24 As part of an organization that's really
25 trying to do an analysis of this document, as blah as it

732-1

732-1

NNSA notes the commentor's opposition to the CMRR-NF

NNSA notes the commentor's concern regarding the funding priorities of the U.S. Government. Funding decisions regarding major Federal programs and projects at LANL are made by Congress and the President and are not within the scope of the *CMRR-NF SEIS*. Refer to Section 2.3, Programmatic Direction and Decisions, of this CRD for more information.

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Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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(505) 843-9494
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1 seems to be, I'd like to point out that the numerous
2 references that were cited in the document were not only
3 cited by a generic name that sometimes points to a 1400
4 page document that's a photocopy without any page
5 reference, and many of the reference documents were not
6 placed online at the time that the SEIS came out.

7 So in doing formal comments and doing
8 research for the formal comments, it makes it difficult
9 if not all the references are available, and when
10 references are cited, they are cited so generically that
11 if one cannot actually do a word search on that
12 document, it takes a vast amount of time to find what
13 that reference is. And that's all I have to say right
14 now.

15 MR. MacALLISTER: Thank you, sir.

16 Liz Rando? Liz Rando?

17 She had yielded earlier to David McCoy.

18 Liz, are you here?

19 Is there anybody who has not had a chance
20 to speak yet who would like to speak at this point?

21 Is there anybody who would like to make a
22 follow-up statement at this time?

23 And one thing, when you make your follow-up
24 statement, it's very important to give your name so that
25 the court reporter can have it, since I won't be

733-1 733-1

Problems with links to references that may have been experienced during the public comment period were corrected as soon as they were identified. In addition, the references were placed in a number of libraries in the area surrounding LANL as identified in Chapter 9 of the *CMRR-NF SEIS* and the Notice of Availability for the *Draft CMRR-NF SEIS* (76 FR 24018) published on April 29, 2011. Regarding the references cited in the comment, LANL 2010d was checked on the NNSA website and the link labeled "LANL 2010d" in the "References" page NNSA's *CMRR-NF SEIS* page (<http://nnsa.energy.gov/nepa/cmrrseis>) connected to "http://nnsa.energy.gov/sites/default/files/seis/CMRR%20NF%20Project%20and%20Environmental%20Description%20Document%20Final_LA-UR%2010-07497.pdf," which brought up a copy of the correct reference document, "CMRR-NF Project and Environmental Description Document (LA-UR-10-07497)." LANL 2011 is included at the bottom of the reference list on the NNSA website because it is broken into a number of sections.

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



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Albuquerque, NM 87102
(505) 843-9494
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1 announcing people. Thank you.

2 MR. McCOY: Dave McCoy.

3 One thing I'd like to mention is, we're
4 focused on the CMRR, which is one little piece of the
5 planet. We've got 104 nuclear reactors operating.
6 There are 444-odd nuclear reactors in the whole world,
7 38 of them sited in highly dangerous seismic areas.
8 We've got White Sands, Alamogordo, Sandia Laboratories,
9 Kirtland Air Force Base. What we're doing is making
10 atomic deserts all around the planet day after day, year
11 after year.

12 An 8-million gallon jet-fuel spill at
13 Kirtland Air Force Base. They've trashed the aquifer
14 for Albuquerque. They're not really telling you how bad
15 it is.

16 568 nuclear and hazardous waste dumps
17 across Sandia Labs and Kirtland Air Force Base and
18 Albuquerque. You've got the mixed-waste landfill,
19 million and a half -- 1,500,000 cubic feet of hazardous
20 waste over Albuquerque's drinking water in unlined pits
21 and trenches. Other sites at Sandia dump billions of
22 gallons of contaminated water.

23 The NMED doesn't really look closely at
24 this.

25 You've got TA 54, Areas G, H and L up at

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FAX (505) 843-9492
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1 Los Alamos.

2 You think people are going to be able to
3 live on those sites? They're not. Nobody's living
4 where they exploded the first atomic bomb. Nobody's
5 living out at the Nevada Test Site, you know. We're
6 doing this all around the planet. This is like a
7 terrible, terrible cancer that's spreading. Fukushima
8 is just an example.

9 Roger Snyder, back there, he says -- I
10 mean, this guy only takes notes when you attack the NEPA
11 process or the SEIS. He doesn't care about values or
12 how heartfelt we feel about this. He's only listening
13 to NEPA arguments or arguments as to why the SEIS is not
14 an effective valid document. Okay? But you hear them
15 talk about, well, we can't change the goal of national
16 security. And why can't we? Well, because the
17 President and Joe Biden have said that we've got to have
18 this pit production. Okay?

19 Well, I submit to you that this is too much
20 power to be placed in the hands of one person or two
21 people in the first place and that we have to get to
22 President Obama and tell him that we don't want this.
23 But also the Roger Snyders and the others out there at
24 LANL have to be honest for a change and go to the
25 President and Senator Biden -- or Vice President Biden

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SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
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1 now and say, Look, we don't need these. This is a
2 dangerous area. It's just going to create more
3 contamination.

4 What would the explosion of 13,000 pounds
5 of plutonium be like? I keep wondering about what that
6 would be like if that came together.

7 Now, we've got this enormously hefty
8 building that's sitting there, and they expect it to
9 float on this soft volcanic ash. Well, this is really
10 ludicrous, you know. Inside they're going to have these
11 huge tanks of water; they're supposed to suppress the
12 plutonium fire if they have one. But in an earthquake,
13 we know what happens. Equipment isn't available. Are
14 all the components and the pipes and the backup
15 generators going to be available to release this water?
16 Well, there's what you call hydro wetting, you know.
17 Once all that water might escape from the building, it
18 gets down in that volcanic ash, you're going to have --
19 you're going to have first-rate slush.

20 So the heat from all this plutonium; the
21 plutonium's got to be kept in some kind of tanks, cooled
22 with water. That's going to be an incredible weight in
23 its own right.

24 How much is this building going to weigh,
25 by the way? I never did find that number in the SEIS.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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705-4

Fire protection water storage tanks would be located inside the Modified CMRR-NF. The building and its components would be designed to survive earthquake damage. The fire suppression system would be operated by backup generators in case of a power outage.

Subsequent to the original proposal for the CMRR Facility and preparation of the 2003 *CMRR EIS*, updated seismic hazards analyses of the LANL region were issued (LANL 2007, 2009) and site-specific geotechnical evaluations of the proposed CMRR-NF construction site were performed (Kleinfelder 2007a, 2007b, 2010a, 2010b). The updated seismic hazard analyses (LANL 2007, 2009) provide a better understanding of the ground motion and seismic behavior of various geological material layers occurring at LANL. The Kleinfelder reports provide additional detailed information and structural evaluation of the proposed CMRR-NF building site. This information translated into design changes related to the structural requirements for the proposed CMRR-NF so that the building and equipment within the building would be able to withstand a design-basis earthquake without major damage. The design of the CMRR-NF is still under way and will continue to evolve. The revised design is reflected in the revised cost estimates. Per DOE Order 413.3, Program and Project Management for the Acquisition of Capital Assets, final or detailed design cannot be started until the NEPA document (Final SEIS in this case) has been completed, so as not to prejudice the outcome, or restrict or narrow the range of alternatives to be considered.

Site specific geotechnical investigations have been completed for the proposed CMRR-NF project site for both the Shallow Excavation Option and the Deep Excavation Option and recommendations issued related to the design of the CMRR-NF (Kleinfelder 2007a, 2007b, 2010a, 2010b). Such recommendations take into consideration potential sinking, including seismically induced and non-seismically induced settlement, and lateral shifting of the foundation. The *CMRR-NF SEIS* has been revised to include this information. Refer to Section 2.6, Seismic Concerns, of this CRD for more information.

The Kleinfelder report accounts for the weight of the building and demonstrates that the bearing capacity of the soil (20,000 pounds per square foot [97,600 kilograms per square meter]) is substantially greater than the pressure due to the building (4,850 pounds per square foot [23,700 kilograms per square meter]) for the Shallow Excavation Option (Kleinfelder 2007a). Under the Deep Excavation Option, the addition of 60 feet (18 meters) of low-slump concrete would increase

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1 Write that down. We want to know what the weight of the
2 building is going to be when you finally get done with
3 it.

4 Do you know?

5 MR. KOVAC: Yes.

6 MR. McCOY: What is it?

7 MR. KOVAC: 400- -- 490 million pounds.

8 MR. McCOY: 490 million pounds. And an
9 earthquake occurring, and we don't even know what the
10 size of it potentially is.

11 I want to tell you something. I dealt with
12 Bechtel when I was 27 years old as a -- as a nuclear
13 intervenor. They wanted to expand spent fuel storage at
14 the Trojan Nuclear Reactor. And I found secret
15 documents from the state geologist that were suppressed,
16 and those documents said they could have an earthquake
17 twice what the Trojan Nuclear Power Plant was designed
18 to withstand on the Columbia River. Okay? That's
19 Bechtel.

20 You're right, Holly.

21 (Applause.)

22 MR. MacALLISTER: Thank you, sir.

23 We've got time for another speaker or so,
24 depending on how long people go. Is there somebody else
25 who would like to speak?

705-4
cont'd

the weight of the building by about 980 million pounds (440 million kilograms). The weight of the soil that would be removed for this deeper excavation is estimated to be about 740 million pounds (340 million kilograms). Under the Deep Excavation Option, the building would sit on rock and there are not similar concerns related to allowable bearing pressure of the soil under this option as opposed to the Shallow Excavation Option. A draft slope stability analysis has been prepared and determined that indicated that global slope stability is not an issue for the Deep Excavation Option (LANL 2011a:LANL site, 028). If the Deep Excavation Option were selected, as part of the ongoing design and evaluation process, studies would be completed to verify that all geotechnical stability issues had been addressed.

The plutonium metal and oxide used at LANL cannot produce a sustained nuclear reaction by themselves and do not produce large amounts of decay heat that require the use of active cooling systems. For more information on this issue refer to Section 2.8, Nuclear Accidents, of this CRD.

SANTA FE OFFICE
119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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1 Anybody else who would like to speak?
2 All right. Then at this point, I will
3 officially close the meeting.

4 And thank you-all for your attendance, and
5 I thank many of you for your attendance multiple times.
6 Your stamina is applauded. Appreciate it.

7 (The public hearing concluded, 8:56 p.m.)
8 (5:46 p.m., non-public comment of Doug
9 Doran provided to Court Reporter Mary C.
10 Hankins.)

11 MR. DORAN: I would like to read four
12 comments written by Bob Walsh, W-A-L-S-H, of Santa Fe.
13 So I'll just read them as they're written here.

14 "I now provide" -- if I go too fast -- "I
15 now provide the following four comments on the Draft
16 Supplemental EIS.

17 "Number one: Please provide a reference to
18 an analysis that substantiates that the probability of
19 an airplane crash during overflight does not exceed ten
20 to the negative sixth/year, conservatively calculated.

21 "Number two: Please provide a rigorous,
22 independent review of this document by an independent
23 professional organization in order to increase public
24 confidence in the conclusions.

25 "Three: Please provide an unclassified

719-2

719-3

719-4

719-2 In response to similar comments, the text in the *Final CMRR-NF SEIS*, Appendix C, Section C.3.2, has been revised to more clearly reflect the consideration of an airplane crash into the CMRR-NF. The largest aircraft that is considered to have a conservative probability greater than 1 in 1 million per year of accidentally crashing into the CMRR-NF is a general aviation aircraft. References were added to support this conclusion, including the *DOE Standard: Accident Analysis for Aircraft Crash into Hazardous Facilities* (DOE 2006) and a site-specific technical evaluation of the potential for aircraft crashes (LANL 2011i).

719-3 NNSA and DOE engage their own technically qualified staff and subject matter experts to prepare the SEIS along with qualified contractors. The analyses include the evaluation of accidents and intentional destructive act impact analyses. NNSA does not intend to pursue an independent external review of the analysis in the *CMRR-NF SEIS*.

719-4 As indicated in Chapter 4, Section 4.2.10.3 of the *CMRR-NF SEIS*, substantive details of terrorist attack scenarios, security countermeasures, and potential impacts are not released to the public because disclosure of this information could be exploited by terrorists to plan attacks. NNSA considered a range of possible terrorist or intentional destructive acts and performed a detailed analysis of selected scenarios. Selected scenarios provide a reasonable range of events, including those with the largest expected impacts. NNSA and DOE engage their own technically qualified staff and subject matter experts to prepare the SEIS along with qualified contractors. The analyses include the evaluation of accidents and intentional destructive act impact analyses. NNSA does not intend to pursue an independent external review of the analysis in the *CMRR-NF SEIS*.

NNSA has an extensive program related to preventing terrorist threats. This includes ongoing evaluations of facilities and security forces to prevent successful attacks. In evaluating intentional destructive acts, the probability of a given scenario occurring is not a factor in the analysis. Therefore, the programs and funding of other entities, such as the Transportation Security Administration is not a relevant factor. The intentional destructive acts appendix presents consequences projected to occur in the event of a successful attack. The results of these analyses will be reviewed and considered by NNSA in making its decision on the CMRR-NF and are shared, as appropriate, with senior Administration officials and Congress.

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1 overview of the classified appendix omitting details but
2 including at least answers to the following questions:
3 (A) does the appendix include consideration of attacks
4 using aircraft?; (B) in determining risks from terrorist
5 attacks, does the appendix assume continued funding for
6 government agencies other than NNSA, such as the
7 Transportation Security Administration?; (C) does the
8 appendix estimate the consequences of a successful
9 terrorist attack? If so, have these potential
10 consequences been brought to the attention of the
11 President and Congress for consideration in decisions on
12 nuclear weapons policy?

13 "And four: Please provide a rigorous,
14 independent review of the classified appendix by an
15 independent professional organization with appropriate
16 clearances, and include in the SEIS an unclassified
17 summary of that assessment. Please include the identity
18 of the organization and the amount budgeted for the
19 review as an assurance that the review is independent
20 and thorough."

21 And that's all I'd like to say.
22 (Conclusion of Mr. Doran's comments, 5:48
23 p.m.)
24 (5:57 p.m., non-public comment of Lawrence
25 Quintana provided to Court Reporter Mary C.

719-4
cont'd

719-3
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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
e-mail: info@lisupport.com

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Section 3
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1 Hankins.)
 2 MR. QUINTANA: Lawrence G. Quintana.
 3 I'm very much so in favor of the CMRR
 4 Project going forward. I think that every delay is
 5 wasting a lot of resources, and it's actually creating
 6 large problems. The research and the development that
 7 this facility can do to help mankind is unbelievable,
 8 and if they'd just give it a chance, I think they can
 9 get it done. These study groups that keep studying just
 10 don't seem to get it together. You can't confuse the
 11 facts because your mind is made up.
 12 The facts are that this facility is needed.
 13 The research and development needs to go forward. The
 14 benefits to the public is immense, and it's proven time
 15 after time. So I am very much for the CMRR going
 16 forward.
 17 (Conclusion of Mr. Quintana's comments,
 18 5:58 p.m. and conclusion of non-public
 19 comments.)
 20
 21
 22
 23
 24
 25

734-1

734-1

NNSA acknowledges the commenter's support for construction of the CMRR-NF.

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 119 East Marcy, Suite 110
 Santa Fe, NM 87501
 (505) 989-4949
 FAX (505) 820-6349



MAIN OFFICE
 201 Third NW, Suite 1630
 Albuquerque, NM 87102
 (505) 843-9494
 FAX (505) 843-9492
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 e-mail: info@btsupport.com

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1 STATE OF NEW MEXICO
2 COUNTY OF BERNALILLO

3 CERTIFICATE OF COURT REPORTER

4 I, SALLY PETERS, New Mexico Certified Court
5 Reporter No. 57, and Registered Professional Reporter,
6 and I, MARY C. HANKINS, New Mexico Certified Court
7 Reporter No. 20, and Registered Professional Reporter,
8 do hereby certify that I reported the foregoing public
9 hearing comments in stenographic shorthand and that the
10 foregoing pages are a true and correct transcript of
11 those proceedings that were reduced to printed form by
12 me to the best of my ability.

13 I FURTHER CERTIFY that I am neither
14 employed by nor related to any of the parties or
15 attorneys in this case and that I have no interest in
16 the final disposition of this case.

17
18 _____
19 SALLY PETERS
20 Bean & Associates, Inc.
21 New Mexico CCR No. 57
22 Date of CCR Expiration: 12/31/2011

21
22 _____
23 MARY C. HANKINS
24 Bean & Associates, Inc.
25 New Mexico CCR No. 20
Date of CCR Expiration: 12/31/2011

24 (1127K) SP/MCH
25 Date taken: May 26, 2011
Proofread by: RP

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119 East Marcy, Suite 110
Santa Fe, NM 87501
(505) 989-4949
FAX (505) 820-6349



MAIN OFFICE
201 Third NW, Suite 1630
Albuquerque, NM 87102
(505) 843-9494
FAX (505) 843-9492
1-800-669-9492
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SECTION 4
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