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COMPLEX TRANSFORMATION  
DRAFT SUPPLEMENTAL PROGRAMMATIC  
ENVIRONMENTAL IMPACT STATEMENT (SPEIS)  
PUBLIC HEARING, PUBLIC COMMENT PORTION

March 10, 2008

7:40 p.m.

Macey Center

801 Leroy Place

Socorro, New Mexico

Reported by: Sally Peters

(6040A) SP

1           MR. HOLMES BROWN: It's now time to receive  
2 your formal comments on the supplemental PEIS. This  
3 is your opportunity to give DOE your views on the  
4 draft document. The court reporter is ready to  
5 transcribe your statements.

6           Let me review a few ground rules for the  
7 comments. Please step up to the mike over there when  
8 your name is called. Introduce yourself, providing  
9 an organization affiliation where appropriate. If  
10 you have a written version of your statement, please  
11 provide a copy to the court reporter after you have  
12 completed your remarks. I will call two names at a  
13 time. The first is the speaker. The second is the  
14 person to follow.

15           In view of the number of people who have  
16 signed up to speak tonight, I believe that if you can  
17 you confine your remarks to a five to ten minute  
18 period, that should provide sufficient time for folks  
19 to complete their statement and also to allow  
20 everybody an opportunity to speak. I will let you  
21 know when you have a minute remaining. Ted Wyka will  
22 be serving as the hearing officer for the Department  
23 of Energy during the formal comment period.

24           So with that, let me call our first  
25 speaker. Terry Wallace is first, and Terry will be

1 followed by Doug Beason.

2 MR. TERRY WALLACE: Well, my name is Terry  
3 Wallace, and I am the principal associate director at  
4 Los Alamos for Science, Technology, and Engineering,  
5 and I appreciate the opportunity to provide some  
6 brief remarks tonight.

7 Let me begin by stating my personal and  
8 professional belief, based on many years of research  
9 in national security science, is that the preferred  
10 alternative outlined by the department's Complex  
11 Transformation PEIS, is the best choice for our  
12 nation and our national security interests. I  
13 strongly encourage the department to adopt the  
14 preferred alternative in the final record of  
15 decision.

16 Let me briefly explain why I believe the  
17 preferred alternative should be adopted. First, the  
18 department's proposed distributed centers of  
19 excellence approach for modernizing the United  
20 States' weapons complex makes the most efficient,  
21 effective use of the existing natural resources,  
22 while it also ensures the evolution necessary to meet  
23 national security needs in the 21st century and  
24 beyond. For decades, every US president and congress  
25 has recognized its support of the need for an

1 effective nuclear deterrent and our military leaders  
2 believe so also.

3 I will refer to remarks made just last week  
4 by the head of the US Military Strategic Command, Air  
5 Force General Kevin Chilton, who stated very clearly  
6 and simply, that "While nuclear disarmament is a  
7 desirable goal, the US will need to maintain an  
8 effective supply of nuclear weapons to act as a  
9 deterrent from attacks from other nations for the  
10 remainder of the 21st century. Given the recognition  
11 and the reality, although harsh, we are obligated to  
12 maintain and continuously modernize the scientific,  
13 the technological, and the production infrastructure  
14 that supports our nuclear weapons deterrent  
15 capability, while working toward having a minimum  
16 number of weapons necessary to maintain a safe and  
17 reliable deterrent."

18 That is precisely what the department has  
19 laid out in the Supplemental Programmatic EIS and the  
20 plan to both meet our nation's obligations and move  
21 us forward. Within the overall weapons complex, Los  
22 Alamos National Laboratory has been designated as the  
23 preferred alternative for a number of areas. These  
24 areas affirm Los Alamos' role in research and  
25 development and the importance of science in

1 maintaining the capability for deterrence.

2           LANL has been identified as the preferred  
3 alternative for work on plutonium research,  
4 development, and manufacturing, as well as nuclear  
5 weapons design, engineering, and super computing.  
6 There is no question in my mind that the laboratory's  
7 extensive expertise in the production, handling, and  
8 processing of nuclear and non-nuclear materials makes  
9 this the best and most logical site for future  
10 limited plutonium manufacturing, and this work cannot  
11 effectively be done elsewhere.

12           Key to this capability is replacing several  
13 critical facilities at Los Alamos National Laboratory  
14 that are outdated and in need of replacement. The  
15 replacement facilities will be smaller and more  
16 modern and use the 21st century security technology.  
17 They will consolidate functions, and they will allow  
18 several locations to be collapsed to one.  
19 Modernizing the Los Alamos National Laboratory will  
20 reduce the overall footprint by approximately  
21 20 percent, and the nuclear operations footprint by  
22 over half. This will result in a cost savings  
23 through greater workplace efficiency, increased  
24 safety through the use of state of the art equipment,  
25 and reducing the movement of nuclear materials, and

1 enhancing the ability to meet the evolving national  
2 security challenges. Again, these important changes  
3 are exactly what the preferred alternative lays out.

4 Finally, let me note that maintaining the  
5 scientific capability associated with a nuclear  
6 deterrent is extremely important. It will be done by  
7 supporting a smaller scale of manufacturing of  
8 plutonium pits at Los Alamos, and allow us to  
9 continue scientific work on this in particular, not  
10 only the materials, but all of the effects, for  
11 example, on medicine and disease treatment.

12 Alternative energy and other science missions that we  
13 have at the laboratory are directly applicable to  
14 maintaining our nuclear deterrent. These important  
15 activities and the benefits they provide to society  
16 cannot and will not exist without a nuclear science  
17 capability that is at the heart of Los Alamos'  
18 mission.

19 Let me close with a personal note. As  
20 President Lopez noted, I was a graduate from New  
21 Mexico Tech nearly 30 years ago, and I am extremely  
22 proud of my classmates and the technical expertise  
23 that this university brings to bear upon national  
24 security problems. At Los Alamos, our single largest  
25 source of degrees coming to work at the laboratory is

1 New Mexico Tech in technical degrees.

2 Los Alamos National Laboratory and Sandia  
3 National Laboratory are the single largest source of  
4 employers of New Mexico Tech graduates. There is a  
5 strong synergy between the science, the technology,  
6 and the engineering that comes from this  
7 infrastructure and maintaining the national security  
8 posture and profile that we need to see in the  
9 future.

10 In closing, I would strongly encourage the  
11 department to adopt the preferred alternative, and in  
12 the final record of decision, and I thank you very  
13 much for your attention tonight.

14 MR. BROWN: Thank you. Doug Beason is next  
15 and Susan Gordon will follow him.

16 MR. DOUG BEASON: Well, thank you. I am  
17 Doug Beason, and I am the associate laboratory  
18 director at Los Alamos National Laboratory, and I run  
19 the threat reduction activities at Los Alamos. What  
20 that means is, I am charged with reducing and  
21 eliminating the threats of global weapons of mass  
22 destruction. My programs encompass about 25 to  
23 30 percent of the laboratory. It's about a  
24 \$700 million program, and what we do is we provide  
25 the defensive side of the laboratory. That is, we

1 run the nonproliferation programs, the counter  
2 terrorism programs, and the emergency response  
3 programs, all set to eliminate the threat of weapons  
4 of mass destruction.

5           What I can say is that all my programs  
6 depend upon the weapons complex to be successful in  
7 accomplishing my mission. And with that, as  
8 professionally and personally, I would like to give  
9 my support for the preferred alternative, and I urge  
10 that that be reflected in the record of decision.

11           The way that I came to this conclusion, is  
12 that, again, my programs, as they rely completely  
13 upon the weapons program. This is not just the  
14 weapons themselves, but it's the people, it's the  
15 infrastructure, it is the training, it is the  
16 equipment that reside at Los Alamos and the future at  
17 Los Alamos. We have a saying, that in order to catch  
18 a weaponaire, especially one that's on foreign soil,  
19 you have to know a weaponaire. And to know a  
20 weaponaire, you need to understand the manufacturing  
21 process, the materials, the transportation, the  
22 signatures that are related to it, the motivations  
23 behind the people. And I have five mission elements  
24 that illustrate this, and that' to be able to  
25 anticipate the threat, to be able to understand it,

1 to be able to detect the threat, deter it, and  
2 respond to it. All of these had their roots in the  
3 weapons program. And only by understanding this can  
4 I accomplish my mission of being able to eliminate  
5 and deter the weapons of mass destruction.

6 And so with that, I would like to go ahead  
7 and conclude and just once again voice my support of  
8 the preferred alternative. Again I urge that it be  
9 reflected in the record of decision. Thank you.

10 MR. BROWN: Thank you.

11 Susan Gordon, and Scott Kovac will follow  
12 Susan Gordon.

13 MS. SUSAN GORDON: Thank you. My name is  
14 Susan Gordon, I am the director of the Alliance for  
15 Nuclear Accountability, which is a national network  
16 of more than 35 organizations that work  
17 collaboratively on issues of nuclear weapons  
18 production and waste cleanup. Most of our member  
19 organizations live next door to the Department of  
20 Energy's nuclear weapons complex sites and are  
21 uniquely positioned to analyze the Complex  
22 Transformation Plan.

23 I wanted to specifically respond to the  
24 reference to Air Force General Kevin Chilton and his  
25 vision for nuclear weapons, and contrast that with

1 the recent editorial that was published in the Wall  
2 Street Journal by also eminent people -- George  
3 Shultz, William Perry, Henry Kissinger, and Sam Nunn.  
4 This is the second editorial that they have  
5 publicized, and they are calling for a nuclear free  
6 world. So I'm going to read some sections of their  
7 editorial and follow it up with some additional  
8 comments.

9 "The accelerating spread of nuclear  
10 weapons, nuclear know-how, and nuclear material has  
11 brought us to a nuclear tipping point. We face a  
12 very real possibility that the deadliest weapons ever  
13 invented could fall into dangerous hands. The steps  
14 that we are taking now to address these threats are  
15 not adequate to the danger. With nuclear weapons  
16 more widely available deterrence is decreasingly  
17 effective and increasingly hazardous.

18 "One year ago in this paper we called for a  
19 global effort to reduce reliance on nuclear weapons  
20 to prevent their spread into potentially dangerous  
21 hands, and ultimately to end them as a threat to the  
22 world. The interest, momentum, and growing political  
23 space that has been created to address these issues  
24 over the past year has been extraordinary, with  
25 strong positive responses from people all over the

1 world.

2 "Mikhail Gorbachev wrote in January 2007  
3 that, as someone who signed the first treaties on  
4 real reductions in nuclear weapons, he thought it his  
5 duty to support our call for urgent action: 'It is  
6 becoming clearer that nuclear weapons are no longer a  
7 means of achieving security. In fact, with every  
8 passing year, they make our security more  
9 precarious.'

10 "In June, the United Kingdom's foreign  
11 secretary, Margaret Beckett, signaled her  
12 government's support, stating, "What we need is both  
13 a vision, a scenario for a world free of nuclear  
14 weapons, and action, progressive steps to reduce  
15 warhead numbers and to limit the role of nuclear  
16 weapons in security policy. These two strands are  
17 separate, but they are mutually reinforcing. Both  
18 are necessary, but at the moment too weak.'"

19 And their editorial continues, "We have  
20 also been encouraged by additional indications of  
21 general support for this project from other former US  
22 officials with extensive experience as secretaries of  
23 state and defense and national security advisers.  
24 These include Madeleine Albright, Richard V. Allen,  
25 James A. Baker III, Samuel R. Berger" -- I always

1 fail on this one -- "Zbigniew Brzezinski, Frank  
2 Carlucci, Warren Christopher, William Cohen, Lawrence  
3 Eagleburger, Melvin Laird, Anthony Lake, Robert  
4 McFarlane, Robert McNamara, and Colin Powell."

5 So they held a meeting in Norway a couple  
6 weeks ago to follow up on a conference that had been  
7 held at Stanford University's Hoover Institution, and  
8 they have made a number of recommendations coming out  
9 of that, which I don't have, so I'm going to continue  
10 on with their editorial.

11 "The US and Russia, which possess close to  
12 95 percent of the world's nuclear warheads, have a  
13 special responsibility, obligation, and experience to  
14 demonstrate leadership, but other nations must join."

15 And parallel with the steps that they line  
16 out, the US and Russia, "In parallel with these steps  
17 by the US and Russia, the dialogue must broaden on an  
18 international scale, including non-nuclear as well as  
19 nuclear nations. Key subjects include turning the  
20 goal of a world without nuclear weapons into a  
21 practical enterprise among nations by applying the  
22 necessary political will to build an international  
23 consensus on priorities.

24 "There should also be an agreement to  
25 undertake further substantial reductions in US and

1 Russian nuclear forces beyond those recorded in the  
2 US-Russia Strategic Offensive Reductions Treaty. As  
3 the reductions proceed, other nuclear nations would  
4 become involved.

5 "President Reagan's maxim of 'trust but  
6 verify' should be reaffirmed. Completing a  
7 verifiable treaty to prevent nations from producing  
8 nuclear materials for weapons would contribute to a  
9 more rigorous system of accounting and security for  
10 nuclear materials.

11 "We should also build an international  
12 consensus on ways to deter or, when required, to  
13 respond to secret attempts by countries to break out  
14 of agreements. Progress must be facilitated by a  
15 clear statement of our ultimate goal. Indeed, this  
16 is the only way to build the kind of international  
17 trust and broad cooperation that will be required to  
18 effectively address today's threats. Without the  
19 vision of moving towards zero, we will not find the  
20 essential cooperation required to stop our downward  
21 spiral.

22 "In some respects the goal of a world free  
23 of nuclear weapons is like the top of a very tall  
24 mountain. From the vantage point of our troubled  
25 world today, we can't even see the top of the

1 mountain, and it is tempting and easy to say we can't  
2 get there from here. But the risk from continuing to  
3 go down the mountain or standing pat are too real to  
4 ignore. We must chart a course to higher ground  
5 where the mountaintop becomes more visible."

6 And the folks that participated in the  
7 Hoover Nuclear Threat Initiative Conference include  
8 another list of eminent people in the field.

9 How am I doing on time?

10 MR. BROWN: Four minutes left.

11 MS. GORDON: So there is a new national  
12 campaign called the Campaign for a Nuclear Weapons  
13 Free World, and it is a national NGO campaign to  
14 support the effort or support the vision that I was  
15 addressing in the paper by Kissinger and others. And  
16 their talking points include: Complex transformation  
17 reflects outdated thinking. Momentum is building  
18 behind a broad bipartisan consensus that it is in the  
19 security interests of the United States to pursue a  
20 nuclear weapon free world. A 2007 world opinion poll  
21 indicated that 73 percent of Americans support this  
22 goal. The US must get back on the path of a nuclear  
23 weapon free world by adopting a comprehensive and  
24 balanced nuclear nonproliferation strategy.

25 Complex transformation puts the cart before

1 the horse. The Department of Energy is proceeding  
2 with this proposal in the absence of a plan for the  
3 future role of nuclear weapons or the future size of  
4 the stockpile. It is unreasonable and premature to  
5 invest in a major overhaul of the nuclear weapons  
6 complex without a reexamination of the role of  
7 nuclear weapons in US security strategy. The next  
8 president should, and by law, will undertake that  
9 review.

10 Nuclear weapons serve no useful purpose in  
11 dealing with current international security dangers  
12 faced by the United States. Nevertheless, US  
13 military strategy calls for maintaining more than  
14 2,000 deployed strategic nuclear bombs two decades  
15 after the end of the Cold War, with thousands more in  
16 reserve. The US should work to achieve dramatically  
17 deeper reductions in US and Russian nuclear and  
18 missile stockpiles and engage other countries in  
19 negotiations to reach zero nuclear weapons.

20 The DOE's complex transformation proposal  
21 is inconsistent with the US national and  
22 international security goals, which depend upon  
23 improving the global system to stop nuclear weapons  
24 proliferation and moving toward nuclear disarmament.  
25 Through the 1968 nuclear nonproliferation treaty, the

1 United States has committed to implement deeper,  
2 verifiable, and irreversible nuclear weapons  
3 reductions, and to support the Comprehensive Nuclear  
4 Test Ban Treaty.

5 Failure to fulfill these obligations and  
6 renounce new warhead production erodes confidence  
7 that the nuclear weapons states intend to fulfill  
8 their NPT commitments and complicates efforts to  
9 repair the beleaguered nonproliferation system.  
10 There are practical steps leading to a world without  
11 nuclear weapons. The United States can lead the  
12 world in reducing the nuclear threat and earn the  
13 world's respect and goodwill as a result. The US can  
14 lead by example, renounce the development of new  
15 nuclear weapons, and ratify the Comprehensive Nuclear  
16 Test Ban Treaty. Thank you.

17 MR. BROWN: Thanks very much.

18 Okay. Scott is next and Kay Stillion will  
19 be next.

20 MR. SCOTT KOVAC: My name is Scott Kovac,  
21 K-O-V-A-C, with Nuclear Watch New Mexico. Thank you,  
22 thank you.

23 It seems to me that this SPEIS has at least  
24 two parts to it. One section or one part of it seems  
25 to be consolidation of materials, reduction of

1     footprints, behind this retracting back behind an  
2     easier, dependable security fence. This would all be  
3     good. This should have happened a long time ago at  
4     Pantex. They need to withdraw and consolidate and  
5     protect these materials.

6             Another part of the SPEIS seems to be all  
7     about expanded pit production, at Los Alamos in  
8     particular, or at Los Alamos. There are enough pits.  
9     We have enough pits. LANL has a 20 pit per year  
10    capacity. We also, the United States plans on  
11    reducing the stockpile, which means pits will be  
12    taken out of existing warheads, increasing the number  
13    of pits. There will be extra pits of all types of  
14    our existing weapons.

15            NNSA destructively analyzes one pit per  
16    type per year. I don't know exactly how many  
17    warheads there are of different types. Maybe there  
18    is eight, but LANL produces plenty of pits to cover  
19    any that are destructively analyzed each year.

20            It seems to me that this capacity at LANL  
21    is for new pits, for new weapons. What else could it  
22    be for? Stockpiled stewardship works. LANL has been  
23    great at certifying our stockpile of weapons every  
24    year without any tests in Nevada, without any nuclear  
25    tests. This is good. This is a great thing. We

1 love -- we love the nonproliferation efforts at Los  
2 Alamos. We think that's good. We think the science  
3 at Los Alamos is good. We just cannot understand the  
4 need for any more expanded pit capacity at Los  
5 Alamos.

6 As far as the future, what will happen in  
7 the future, well, this complex transformation, and in  
8 the book itself, it's mentioned many times, the 2001  
9 Nuclear Posture Review. This thing is driven by the  
10 2001 Nuclear Posture Review. We are due for a new  
11 Nuclear Posture Review in 2009. At the end of this  
12 year, we are also due for a report from a bipartisan  
13 committee, appointed by both Republicans and  
14 Democrats up at the Congress and Senate, to help us  
15 out and do a report on what the future of the  
16 stockpile should be. We feel that this complex  
17 transformation document is premature and should be  
18 withdrawn and re-released after the new Nuclear  
19 Posture Review in 2009.

20 A couple of things, just because the  
21 complex is reducing, there are several maps shown  
22 tonight, Xs, red Xs. One of the red Xs was the  
23 Hanford site, the scene of past weapons work, you  
24 know, for the weapons complex. That Hanford site is  
25 still there. It's being cleaned up. It may not be

1 an NNSA site, but it didn't go away. They are still  
2 cleaning it up.

3 I think that the unfunded environmental  
4 liability from legacy operations of the weapons  
5 complex is estimated at \$260 billion. We need to  
6 analyze the impacts of directing funds away from  
7 cleanup toward unnecessary weapons programs.

8 I also would like to introduce another  
9 alternative, the no production alternative. Under  
10 the no production alternative, the NNSA would  
11 continue to operate only those facilities required to  
12 achieve safe, secure, efficient disassembly and  
13 dismantlement of nuclear warheads and disposal of  
14 their constituent parts. Weapons assembly operations  
15 would cease and resources would transition to  
16 disassembly. Thank you.

17 MR. BROWN: Thanks, Scott.

18 Kay Stillion, and Kay will be followed by  
19 Steve Harrington.

20 MS. KAY STILLION: I am Kay Stillion, and I  
21 am just a citizen. I am not with any group. I  
22 wouldn't even have known about this meeting if I  
23 hadn't have just happened to have the radio on  
24 Saturday. And what I heard kind of scared me,  
25 because I live between White Sands and Albuquerque.

1 And I went, wow. So I called my friends before I  
2 went to work and at work. Only one person knew about  
3 it.

4 I am very grateful that I live in a country  
5 that does ask for public opinion, but I am saddened  
6 that so few of us know about it. And I don't want  
7 any more pits, and I want a clean environment,  
8 especially where I live. I bought 20 acres, and I  
9 enjoy it and I want it clean.

10 And I respect the military, because when I  
11 first moved about 14 years ago, there was an  
12 information meeting at the community center in  
13 Mountainair, and so there were booths, kind of  
14 similar to what is in the back, and I asked one  
15 officer. I said -- now, I live on top of a mesa, and  
16 these, and I live under the air space. And I said,  
17 "These planes are just skimming my mesa. They are  
18 getting as close as they can, and I don't know, some  
19 day my roof might go off."

20 And so he said, "Well, they're not supposed  
21 to do that. It's probably kids playing, and if you  
22 see that happen, call us." So I didn't even have to  
23 call them, because it stopped.

24 So I know that the public does have input,  
25 and it's important. So please don't make any more

1 pits. Thank you.

2 MR. BROWN: Thanks very much. Steve  
3 Harrington. And Greg Miller will be after Steve.

4 MR. STEVE HARRINGTON: Hello, and thanks  
5 for having these hearings, even though of course they  
6 are required by law. I am a person that hates public  
7 speaking, but I do it when I have to, and instances  
8 like this require it. Let's just start talking  
9 facts.

10 This proposal, first of all, we are given a  
11 preordained three choices. They purport to take  
12 citizen input on the choices. I would take issue  
13 with that. One of the choices I want to see is  
14 something along the lines of the gentleman from  
15 Nuclear Watch proposed is, some of the ideas in the  
16 proposal are good. Consolidating, downsizing, having  
17 fewer points of failure, fewer points that we have to  
18 protect for security reasons, those are good ideas.  
19 But then you throw in, oh, and by the way, we are  
20 going to produce some new warheads. Oops, where did  
21 that come from? Not such a good idea.

22 Let's have one of those preordained three  
23 choices include the good ideas, minus that major bad  
24 idea. Let's just do that, what do you say? The  
25 citizens might like that.

1           Now, this hearing here is required by the  
2 National Environmental Policy Act. NEPA, passed in  
3 1969 that law was. Well, incidentally, a year later  
4 in 1970, there was another law passed. I wonder what  
5 that was. I wonder if we are going to adhere to that  
6 law. I will tell you what that was. That was a  
7 treaty that the US ratified and the president signed,  
8 and it was called the Nuclear Nonproliferation  
9 Treaty. Well, what's in that treaty, I wonder? Is  
10 it still in effect? Well, yeah, actually it is. It  
11 is still in effect, and we re-ratified it -- I don't  
12 know if that's the technical term -- in 1995. So  
13 it's still in effect, and we reinforced it in 1995.

14           So in 1969, we passed the National  
15 Environmental Policy Act, and we are all here holding  
16 these hearings because of that law. In 1970, we  
17 passed a law that says -- well, it's a treaty, which  
18 is law. That law says that at the time in 1970,  
19 there were 188 nations that signed that treaty. The  
20 US was a signatory. At that time, there were five  
21 countries that had nuclear weapons, and there was 183  
22 that didn't. So we made a little bargain. We said,  
23 the five countries that have nuclear weapons will  
24 agree to, over time, get rid of their nuclear  
25 weapons. There wasn't a specific timetable, but it

1 was implied that it would be a reasonable amount of  
2 time. Those five countries had to disarm. The 183  
3 that didn't have nuclear weapons agreed, in exchange,  
4 not to seek out nuclear weapons.

5 Well, its hard to hold anybody accountable  
6 for breaking their part of the bargain when we are  
7 breaking our part of the bargain. It's true that  
8 since that time, several other countries have  
9 acquired nuclear weapons, but it's also true that the  
10 five that agreed to disarm, well, we kind of, sort  
11 of, started to, and kudos for kind of, sort of  
12 starting to, but now all of a sudden, we are kind of  
13 sort of starting to want to build more. Well, what  
14 happened to the treaty? Isn't it still in effect? I  
15 think it is.

16 Now, that's a legal issue. Now, the  
17 bureaucrats here -- and I don't mean that in a  
18 derogatory sense -- but the public officials here  
19 rightfully say, "Well, we don't set policy. We just  
20 implement it. So, you know, it's our job to just do  
21 what we are told, and we don't really get to say what  
22 the politicians tell us we have to do."

23 Kind of a fair point, sort of, but also,  
24 well, there's some personal responsibility, too.  
25 Remember after World War II, the Nuremberg trials, a

1 lot of the Nazi war criminals were tried in  
2 Nuremberg. The defense that most of them used or  
3 attempted to use -- it was so commonly used that it's  
4 now known as the Nuremberg defense -- and that was,  
5 the defense was, well, yeah, we did some things, but  
6 we were just following orders.

7 Well, you know most of these guys got  
8 convicted. Following orders is not a sufficient  
9 excuse. You have got to obey the law and you have  
10 got to obey common standards of ethics. So there is  
11 some personal responsibility, even if you don't set  
12 policy.

13 Finally, or not finally, third, this is  
14 simply unneeded, and some of the other speakers  
15 alluded to the fact that it's unneeded, and, gosh,  
16 liberal, you know, anti-war people like Kissinger  
17 even say it's unneeded. You know, if you have  
18 Kissinger saying a weapon is a bad idea, boy, that  
19 guy, he has rarely met a weapon he didn't like, and  
20 he has used a lot of them. One of the principal  
21 architects of the Vietnam war is saying this is a bad  
22 idea, I think you better listen.

23 Moreover, the question is, do they need to  
24 produce these pits? Think about that. Well, the  
25 argument is, we have got to produce these pits

1 because our stockpile is ageing. It's getting old.  
2 Sounds like grandpa. Grandpa is getting a little  
3 long in tooth. Well, their own scientists say these  
4 things have a shelf life of at least a hundred years,  
5 so they are not really all that long in tooth, folks.  
6 They have got a long shelf life. Their own  
7 scientists tell them that. So don't buy the spin.

8 I think a lot of these guys, when you are a  
9 bureaucrat, you want your agency to continue getting  
10 funding, and that makes some sense on an individual  
11 level. Back to the Nuremberg defense, there was a  
12 movie that came out about a year ago called, "Thank  
13 You for Smoking." I didn't see the movie, but it was  
14 based on a book. In the book the guy coined a term  
15 called "the yuppie Nuremberg defense." The yuppie  
16 Nuremberg defense is, well, it's not just, I am  
17 following orders. It's, "Hey, it pays the mortgage."  
18 You know, you can do something wrong, but, "Hey, it  
19 pays the mortgage."

20 Well, sometimes you have got to stand up  
21 and do the right thing. Now, its important that we  
22 know that -- and the gentleman from the nuclear watch  
23 alluded to this -- when they put in these pretty  
24 slides up here that talk about sites that have been  
25 closed down, they never tell you the history of those

1 sites. Boy, wouldn't it be interesting to know the  
2 history of some of those sites. Well, he mentioned  
3 the history of one of them and how they are still  
4 cleaning it up.

5 Well, I bet you, I'm willing to bet you  
6 money, dollars to donuts, that every site on that  
7 list that has been closed down had to have some of  
8 cleanup done, and I know a lot about one of them.  
9 It's called Rocky Flats in Colorado. Everybody here  
10 in the audience, if you are not sure about these  
11 things, whether they are a good idea or not, I  
12 encourage you to go home tonight and Google Rocky  
13 Flats. Google it and do some reading on it. Find  
14 out what happened at Rocky Flats. Find out about the  
15 tritium that got in the water supply. Find out about  
16 the sand that blew off site. Find out about how they  
17 had, the government, two or three times -- I forgot  
18 how many times -- bought land around it to expand the  
19 perimeter. Kind of like, well, we keep making these  
20 environmental problems. If we just buy more land, it  
21 will keep it safe. Unh-unh.

22 You know what finally happened? There was  
23 a class action lawsuit. 12,000 landowners formed a  
24 class, and there was a lawsuit against the government  
25 and its contractors. I think it was Dow and

1 Rockwell. There was a class action lawsuit which  
2 ultimately settled in court for all the environmental  
3 damage that was caused. Now, you should ask some of  
4 these bureaucrats if they would like to go live where  
5 Rocky Flats is. Some of them might even fib and say,  
6 sure, I would live there. Well, you can't. The  
7 government still has a couple thousand acres that are  
8 off limits to humans. So even if they fibbed, you  
9 know, it's illegal to live there because it's still  
10 contaminated.

11 MR. BROWN: You have about a minute left.

12 MR. HARRINGTON: Thank you.

13 Now, Dr. Lopez, who I guess kind of  
14 endorsed the idea of building new nuclear weapons --  
15 which, I don't know. That surprised me -- he  
16 mentioned that we should use fact and not emotions.  
17 Well, I am using both. I am emotional about this,  
18 but everything I said is fact.

19 Finally they use some warm, fuzzy words.  
20 They used warm, fuzzy words like stewardship. It's  
21 supposed to make us feel good. Centers of  
22 excellence. Boy, if it's got the word excellence in  
23 it, you know it's good. Well, sometimes if it's got  
24 the word excellence in it, they put it there for a  
25 spin. Or we only want reasonable comments. Well, I

1 would like some reasonable proposals. Thank you very  
2 much.

3 MR. BROWN: Thank you. Greg Mello, and Joe  
4 Martz will follow Greg.

5 MR. GREG MELLO: Good evening. It's a  
6 pleasure to be here, an unexpected pleasure to see  
7 George and Ted and our colleagues who have been  
8 working very hard and for a long time on this. Thank  
9 you for coming here, and thank you for the degree of  
10 open-mindedness that you are able to bring.

11 I don't want to pretend that I know more  
12 than any of you about this. I do have a different  
13 perspective, and I'm not as bound, as some of you  
14 are, by the language that you have to work with and  
15 the constraints that you have to work with in your  
16 jobs. I don't know exactly the boundaries of those  
17 constraints, and it's quite likely or possible that  
18 there are more degrees of freedom there than we know.  
19 That's usually true for most of us.

20 I would like to begin, I think, by  
21 endorsing what Scott said, the no production  
22 alternative. I don't know whether you want to make  
23 it an alternative, but that's what I would like you  
24 to do. We don't need to make pits. As the previous  
25 gentleman said, it's lasted a very long time. The

1 nation spent a lot of time learning this piece of  
2 information, a lot of money. We have spent tens of  
3 billions of dollars in the stockpiles stewardship  
4 program to learn this sort of thing, and it would be  
5 a shame if we didn't use this information to save  
6 money and to focus our investments and our expenses  
7 from this point forward.

8           That, however, is kind of what we are  
9 doing, and so I would like to make that a little bit  
10 more specific. Although it's not part of this  
11 particular NEPA process, the chemistry and metallurgy  
12 research replacement facility is really the elephant  
13 in the room here tonight. It is the largest  
14 facility, the largest project, capital project, in  
15 the history of Los Alamos lab in costs and dollars,  
16 and it is the biggest single issue in this  
17 Environmental Impact Statement, even though it's  
18 never mentioned. It's the pivotal facility for  
19 actually producing the new weapons, which are being  
20 discussed and are the driving force behind the  
21 responsive infrastructure that you would create.

22           This CMRR facility has an uncertain  
23 production capacity, but we all know that in any  
24 large production operation, that sort of capacity  
25 can't remain idle if it is going to be real. And I

1 don't mean to isolate the CMRR, both of the CMRR  
2 buildings from the existing PF-4 building, from the  
3 pit radiography facility, from the nuclear materials  
4 safeguard and security upgrades project, from the  
5 radioactive liquid waste treatment upgrades project,  
6 from the TA-54 waste upgrades project, all of which  
7 work together to dramatically expand the production  
8 capacity at Los Alamos National Laboratory.

9           Those who are nearing the end of their  
10 careers will not be around to help direct what all of  
11 this investment does after they retire, and most of  
12 the people -- I guess Joe Martz is here -- Joe will  
13 not have -- Joe does not now have any sort of span of  
14 control that will enable him to say what happens  
15 there or what does not happen there, as much as he  
16 would like to say one thing or another.

17           These facilities, once put in place can be  
18 put to other uses. That is what we mean by  
19 responsive. That's what the former NNSA  
20 administrator, Linton Brooks meant, when he said that  
21 we have to start building this infrastructure now to  
22 prepare for the nuclear arsenal that we want decades  
23 from now. He said, we will need new weapons for the  
24 new threats of the 21 century.

25           Stripping the euphemisms away, this means

1 preparing for nuclear war. There is no credible  
2 deterrent without a usable deterrent, without the  
3 adversary or enemy actually believing that the  
4 nuclear arsenal could be used. This means usable  
5 nuclear weapons. This means specific threats of  
6 which responsive infrastructure is supposed to be a  
7 major part.

8           This production complex at Los Alamos is  
9 going to cost more than \$3 billion from this point  
10 forward. The nuclear facility in the CMRR project,  
11 as NNSA has stated, it's more than \$2 billion. The  
12 radiological laboratory is 164 million plus its  
13 fixtures. The fence is 240 million. The pit  
14 radiography facility, I gather it's on the order of  
15 25 million. Someone here probably knows. In  
16 addition, there is, as Scott and the previous speaker  
17 alluded, there is always demolition, decontamination,  
18 clean-up costs, both for the old CMRR building, and  
19 then at the end of these buildings' lives, of these  
20 buildings. So there is a significant life cycle cost  
21 running in the tens of billions, somewhere in the 20,  
22 30, billion dollar range for these particular  
23 buildings.

24           These costs for construction and  
25 maintenance and safety operations are going to cut

1 into Terry Wallace's science programs at Los Alamos  
2 National Laboratory, and dramatically decrease them  
3 from their present, pathetic state. I disagree about  
4 what Scott said about science being good at Los  
5 Alamos. There are excellent scientists at Los  
6 Alamos, but from the very beginning of my involvement  
7 with the laboratory, it's also been clear there is  
8 also a lot of terrible science at the laboratory.  
9 And on a dollar per dollar basis, our society can't  
10 afford that kind of crappy science and combined with  
11 that much power.

12 I recall just recently one of Los Alamos'  
13 most senior scientists took us out to dinner and  
14 said, we can't get the C students from the third rate  
15 schools anymore. This place is just sliding down.  
16 And one of the reasons that it's sliding down is  
17 because of its emphasis on plutonium and plutonium  
18 manufacturing. If an educational institution in New  
19 Mexico wants to ally itself with good science, the  
20 good science lies in other fields.

21 We can't just cling to the coattails of the  
22 Cold War forever. This is the science of 50 years  
23 ago. As John Manley, Oppenheimer's deputy said,  
24 "There is only so many ways you can redesign a  
25 toothbrush." That's mostly what we are doing here,

1 is redesigning toothbrushes. My joke is that what  
2 Los Alamos does is learn how to crush things. They  
3 have been crushing things for 60 years.

4 I want to -- let's see, how much time do I  
5 have?

6 MR. BROWN: About a minute and a half.

7 MR. MELLO: About a minute and a half.

8 The previous speaker alluded to some big  
9 picture questions about nuclear weapons, and indeed,  
10 all of that was very well put, and so did Susan  
11 Gordon. And those who have been to international  
12 gatherings to discuss nuclear nonproliferation, for  
13 example, the NBT review conferences and preparatory  
14 conferences, have heard other countries laughing at  
15 the United States. We have a long way to go to climb  
16 back up in the world's eyes. Building new factories  
17 for nuclear weapons is not the way to do it. The  
18 CMRR facility was just recently mentioned in a "Times  
19 of India" article as requesting a \$100 million this  
20 year for a new plant, for new warheads in the United  
21 States. They read this in Iran. They read this in  
22 Muslim countries. They read this all over the world.  
23 How can we keep this country safe, if we are pushing  
24 ahead with these plans?

25 Finally, I guess, wrapping up quickly, all

1 of this is really still not the biggest picture. We  
2 face an energy and climate crisis, and we are  
3 embroiled right now in the first stage of a very  
4 serious economic downturn, all of which commands our  
5 very urgent attention, and that means our financial  
6 attention and our investment on really a massive  
7 scale. We need to build energy conservation and  
8 efficiency, protect the vulnerable in our society,  
9 build energy security for our households, and make  
10 millions of jobs and career pathways for young people  
11 in these fields. This is the cutting edge, not  
12 nuclear weapons, and we have a hard time, given that  
13 we all have a finite amount of attention, and our  
14 political system has a finite amount of attention, we  
15 need to move that attention into these new areas.

16 Thank you. Thank you very much.

17 MR. BROWN: Thanks.

18 Okay. Joe Martz.

19 MR. JOE MARTZ: I, too, would like to thank  
20 the organizers for the opportunity to speak. I am a  
21 plutonium metallurgist and chemist. I have worked at  
22 Los Alamos since the beginning of my career. And  
23 even though that's where I continue to work, my  
24 comments tonight are just my own as a private  
25 citizen.

1           I want to say I would like to support the  
2 preferred alternative as outlined by the NNSA and the  
3 Department of Energy, and I would like to see the  
4 record of decision reflect that alternative when that  
5 time comes due.

6           I would like to spend just a little bit of  
7 time explaining why I think the preferred alternative  
8 and the record of decision is the right decision for  
9 the country. But before I do that, I want to thank  
10 many of the prior speakers. I have been to a lot of  
11 these hearings. I have been attending them for  
12 almost 20 years. I have seen familiar faces here.  
13 As Greg Mello acknowledged me, I will acknowledge  
14 him. It's quite remarkable, actually, how we are  
15 coalescing to more and more common ground as the  
16 years go by. Certainly we are going to disagree on  
17 some things. As I have often told Greg, I think we  
18 are both headed toward the same objective. We just  
19 may differ on some of the means.

20           I have said since I was a graduate student,  
21 that I would like to see within my career a dramatic  
22 reduction, and perhaps even an elimination of nuclear  
23 weapons in my lifetime. I think it's a great dream  
24 and a great goal. I think the editorial we have seen  
25 from very preeminent former members of Presidential

1 administrations supports that goal as well. I have  
2 had the fortunate opportunity to speak with several  
3 of the authors of that editorial, including former  
4 Secretary of Defense, Bill Perry.

5 I believe that the preferred alternative,  
6 as outlined by the NNSA, actually provides the road  
7 map and means to implement much of what these authors  
8 have been suggesting. Complex transformation  
9 contains within it a very exciting and important new  
10 concept, the idea that our capability can become a  
11 key component of our deterrence. I would rather see  
12 capability stand in for deterrence, and to put that  
13 more directly, that's the work of myself and my  
14 colleagues protecting our security, rather than the  
15 need to deploy thousands of nuclear weapons to  
16 accomplish those same means.

17 I was born in 1965. From that period to  
18 today, we have seen a reduction of over 90 percent in  
19 our nuclear arsenal. To those that argue we have to  
20 provide a concrete sign to other countries of our  
21 commitment to disarmament, I will point you at that  
22 simple fact. In fact, that is an accelerating trend.  
23 It's not one that was started and stopped.  
24 Seventy-five percent of that reduction has occurred  
25 since the end of the Cold War in 1991, and indeed,

1 half of it has occurred since the Bush administration  
2 took office in 2001.

3           So let us discuss the facts that we see  
4 before us, and recognize the good that has been  
5 accomplished, oftentimes hidden by our rhetoric. And  
6 many of us here agree on other points as well. The  
7 consolidation of nuclear materials, improving the  
8 safety and security of those operations, reducing the  
9 footprint of our operations is something that I think  
10 I have heard every speaker here tonight support. So  
11 I would like to commend the NNSA for that visionary  
12 planning that they are conducting as part of this  
13 complex transformation process.

14           I still think we are on track to meet the  
15 vision that I have had for much of my life, to see a  
16 dramatic reduction in our reliance on weapons, and I  
17 am proud to work for a laboratory and complex that  
18 can support that decision by relying more on our  
19 capability and our competence. But I would also, as  
20 Greg brought it up, I will mention one side point.  
21 Greg, I disagree with your assertion of crappy  
22 science at Los Alamos. I may be a crappy scientist,  
23 but I think some of our science is pretty good.

24           A number of speakers have alluded to the  
25 plutonium aging and the pit lifetime work. I will

1 note, I was one of the lead investigators for that  
2 work for over 10 years, and I hope I have some  
3 credibility with this audience, because I gave the  
4 answer that science showed, not the answer that  
5 politics demanded or an administration desired to  
6 hear. We provided the answer that we found, the  
7 truth that we found in our studies of plutonium.

8           So, Greg, I hope you would include the  
9 plutonium ageing and pit lifetime work in that small  
10 subcategory of good science that has occurred at Los  
11 Alamos.

12           I would like to make a few comments  
13 directed at the PEIS process, if I may. I have  
14 actually reviewed that document fairly carefully. In  
15 the preferred alternative, particularly the  
16 consolidation of nuclear materials and the lessened  
17 number of transportation that has to occur, it is my  
18 belief that you have not adequately represented all  
19 of the environmental benefits of that consolidation  
20 within your document. I think if you look closely  
21 and you perform a fair assessment of what  
22 consolidation will do, compared to the no action  
23 alternative, I think you will find just commonsense  
24 says, if we are reducing our footprint by a third, if  
25 we are moving from 60-year-old facilities into a

1 modern building, including modern safety features and  
2 modern standards, and we are reducing the transport  
3 and movement of nuclear materials dramatically, all  
4 of those things will add up to dramatically reduced  
5 environmental safety and security impacts. It is my  
6 belief that a thorough analysis of that in the final  
7 PEIS will show that to be a dramatic benefit.

8 My other comment related to the PEIS  
9 document is, it is narrowly constrained looking at  
10 NNSA facilities. As this enables future stockpile  
11 reductions, as this visionary plan lays out a means  
12 by which we can achieve the vision that was outlined  
13 in the Wall Street Journal editorial and others, that  
14 the reduced number of weapons that this will allow  
15 will have further environmental safety and security  
16 benefits, both within the NNSA complex and in DOD and  
17 elsewhere. It is my belief that the PEIS should  
18 reflect the sum total environmental safety and  
19 security benefits that that plan will enable, not  
20 just those narrowly confined within DOE sites.

21 Thank you very much for your attention.

22 MR. BROWN: Thanks.

23 That brings to an end the folks who had  
24 signed up ahead of time to speak. So let me ask if  
25 there is anyone in the audience who would like to add

1        comments at this point, just to raise your hand and  
2        please step forward. Dr. Van Romero.

3                DR. VAN ROMERO: My name is Van Romero, and  
4        I would like to first make a comment as a citizen of  
5        New Mexico whose family has lived here for over 200  
6        years. I certainly support the preferred  
7        alternative. I think it technically makes good  
8        sense, and I think also socially and economically it  
9        makes good sense. I base some of that decision on  
10       what I have heard today, but also living in New  
11       Mexico for as long as my family has, I think we are  
12       convinced that Los Alamos has done a good job of  
13       stewardship of the environment here in New Mexico, in  
14       that it has had an overall positive impact on this  
15       state in the past 60 years.

16               The next comment I want to make is as the  
17       vice president for research here at New Mexico Tech,  
18       and as someone who has done a lot of research in  
19       encountering terrorism, not just since 9/11, but  
20       since long before, I think this action is good to  
21       counter terrorism throughout the world. It is  
22       exactly what we need at this time.

23               I would also like to encourage Los Alamos  
24       to continue it's close working relationships with all  
25       the universities here in New Mexico, because I want

1 to see our students find good jobs and good jobs in  
2 New Mexico. I am tired of sending our students out  
3 of New Mexico to find places where they can do good  
4 science and good engineering. I know that Los Alamos  
5 has been a source for that, and I would like to see  
6 it continue into the future. Thank you.

7 MR. BROWN: Thank you.

8 Would anyone else like to add comments at  
9 this point? We are scheduled to remain available for  
10 comments through 10:00, so what we will do is recess  
11 at this point. You're welcome, again, to review the  
12 materials in the back, talk to the staff, and if  
13 anybody decides they would like to add a comment,  
14 please see me. We will reconvene and the court  
15 reporter and Ted Wyka will remain available for your  
16 comments. So we will recess at this point. Thank  
17 you.

18 Let me add, if there is anyone who would  
19 like to make a comment to the court reporter without  
20 the audience, you're welcome to do that as well, and  
21 Ted will be available to listen in.

22 (A recess was taken between 8:38 p.m. and  
23 9:54 p.m.)

24 MR. BROWN: I am reconvening this meeting  
25 at 10:00. And asking if any other members of the

1 public would like to add a comment. Noting that no  
2 one has indicated an interest in further comment,  
3 this meeting is officially adjourned.

4 (The hearing concluded at 9:54 p.m.)

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1                                   COMPLEX TRANSFORMATION  
2                                   DRAFT SUPPLEMENTAL PROGRAMMATIC  
3                                   ENVIRONMENTAL IMPACT STATEMENT (SPEIS)  
4                                   PUBLIC HEARING, PUBLIC COMMENT PORTION  
5                                   March 10, 2008

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9                                   REPORTER'S CERTIFICATE

10                                 I, Sally Peters, RPR, CCR #57, Certified  
11                                 Court Reporter in the State of New Mexico, do hereby  
12                                 certify that the foregoing pages constitute a true  
13                                 transcript of proceedings had in the matter herein  
14                                 stated.

15                                 In testimony whereof, I have hereunto set  
16                                 my hand on March 18, 2008.

17  
18  
19  
20                                   \_\_\_\_\_  
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