

LAWRENCE LIVERMORE NATIONAL LABORATORY
SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT
U.S. DEPARTMENT OF ENERGY
NATIONAL NUCLEAR SECURITY ADMINISTRATION

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MARCH 18, 2008

EVENING PROCEEDINGS

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1 Tracy, California

March 18, 2008

2 MR. LAWSON: Okay. Having dispatched with
3 those requirements, I will now begin the testimony part, and
4 I have the first three speakers. The first speaker will be
5 Jimmy Spearow and will be followed by Harry Wang and Robert
6 Gould.

7 Mr. Spearow, did I pronounce that correctly?

8 MR. SPEAROW: Hi there. My name is Jimmy
9 Spearow. I am a geneticist and also a toxicologist, and I'm
10 here to present testimony on behalf of the Physicians for
11 Social Responsibility.

12 No. 1: As required by the section 1508 of the
13 National Environmental Policy Act, in other words, NEPA, and
14 the Regulations for Implementing NEPA, this PEIS needs to
15 consider the direct, indirect and cumulative effects of the
16 proposed project in conjunction with the policies and the
17 reasonably foreseeable future actions of other agencies or
18 persons.

19 No. 2: Nuclear Proliferation. The proposed
20 NNSA Complex Transformation bombplex undermines and violates
21 the Non-Proliferation Treaty, in other words, NPT. Even
22 though the U.S. is demanding other countries to renounce
23 nuclear weapons, the bombplex plan would renege U.S.
24 commitments to non-proliferation.

25 NNSA needs to consider that the Complex

1 Transformation bombplex plan, along with U.S. preemptive
2 first-strike policies, will increase fears that U.S. nuclear
3 weapons will be used: No. 1, to preemptively attack other
4 nations; No. 2, to back up attacks with conventional weapons
5 to gain resources, i.e. oil.

6 Such fears of nuclear hegemony and
7 nuclear-backed imperialism will force many other nations to
8 build nuclear weapons; thereby, resulting in multilateral
9 nuclear proliferation and global insecurity.

10 NNSA must not violate U.S. commitments to
11 international treaties, including the NPT. Rather than
12 locking the U.S. and, therefore, the world into a policy of
13 continued nuclear proliferation, NNSA should examine and
14 debate how U.S. security can be maintained while meeting
15 Non-Proliferation Treaty commitments.

16 No. 3: Since our treaty commitments call for
17 reducing nuclear weapons, the argument that Complex
18 Transformation is needed to maintain future capabilities is a
19 red herring designed to lower the standard of proof that
20 additional nuclear weapons production will add value to U.S.
21 national security.

22 The JASON independent analysis suggests at
23 least 85 years of service remain in the existing plutonium
24 pits, and there's a growing consensus, even by Henry
25 Kissinger, that the most appropriate future number of nuclear

1 weapons is zero. There is no reason to believe that the
2 Complex Transformation proposal will contribute to national
3 security.

4 No. 4: Just as the U.S. is considering
5 attacking nuclear facilities of other nations, the PEIS needs
6 to consider and openly report the environmental effects of
7 other groups or nations attacking Complex Transformation
8 sites. The NNSA strategy for mitigating intentional
9 destructive acts or terrorism is woefully inadequate and
10 opaque.

11 What are NNSA's plans for providing timely and
12 adequate responses to emergency situations and progressive
13 recovery through long-term response in the form of monitoring
14 remediation support for the affected communities and their
15 environment?

16 The NNSA cannot hide under this cloak of
17 preventing terrorism. The NNSA bombplex plan makes nuclear
18 proliferation, nuclear terrorism and nuclear war more likely.
19 How will NNSA respond to an attack retaliation with a nuclear
20 weapon on one or all bombplex sites?

21 The public has the right to know the levels
22 and duration of nuclear fallout downwind of each bombplex
23 site in case of an attack with airplanes or the conventional
24 or nuclear weapons. These environmental consequences of the
25 bombplex are dire and need to be disclosed to the public and

1 openly discussed in order to more clearly reveal the
2 alternatives.

3 No. 5: The proposed Complex Transformation
4 program endangers the environment and life and human health.
5 Last summer the Rocky Mountain News reported the government
6 figures showing that the U.S. nuclear weapons program has
7 sickened 36,000 and killed more than 4,000 Americans. The
8 PEIS report for the Complex Transformation Program
9 underestimates and fails to adequately report the true
10 environmental and human health impacts of this plan.

11 To start with, cancer risk estimates from
12 different exposure, i.e. waste, water and air emissions
13 pathways need to be summed, not calculated separately. The
14 most recent national Academy of Sciences Biological Effects
15 of Ionizing Radiation, a report on radiation risk, estimated
16 that women, and especially pregnant women and small children,
17 are at much greater risk of radiation exposure than the
18 "reference man" considered by NNSA. So the NNSA fails to
19 adequately protect the vulnerable populations from radiation
20 exposures.

21 The Department of Energy, the DOE, continues
22 to underestimate the release of radioisotopes and exposure of
23 its workers and the public. The DOE's failure to correct the
24 high level of uranium, plutonium and other radioisotope
25 releases was a major reason for the FBI to force the closure

1 of the Rocky Flats facility.

2 Lawrence Livermore Labs has also released
3 approximately 800,000 curies of tritium since the
4 1960s -- this is according to Tri-Valley CAREs -- and would
5 continue to conduct R&D with relatively large amounts of
6 tritium in the highly populated San Francisco Bay Area.

7 NNSA also needs to reveal the full extent and
8 health consequences of human exposures to DU, tritium and
9 other toxicant releases from the Site 300.

10 The final PEIS should include the health human
11 risk assessment to take into account the newest research of
12 health effects of radiation exposure and risk for sensitive
13 populations on each proposed Complex Transformation site.
14 Since these issue are not addressed in the current PEIS, this
15 report is not adequate for demonstrating the safety of the
16 Complex Transformation plan.

17 Finally, the proposed alternatives offered by
18 the NNSA are not acceptable. Rather than proliferating by
19 building the proposed bombplex, the NNSA needs to consider
20 using a curatorship approach as proposed by Tri-Valley CAREs.
21 This curatorship approach would maintain and prepare U.S.
22 nuclear weapons to ensure their reliability without invoking
23 international fears of a renewed nuclear arms race.

24 Furthermore, any bombplex design should make
25 far less than the 50 nuclear weapons per year alternative

1 considered by NNSA so that U.S. commitments to the NPT are
2 not violated.

3 Thank you.

4 MR. LAWSON: Thank you, sir.

5 Our next speaker is Harry Wang, who will be
6 followed by Robert Gould and Marylia Kelley.

7 MR. WANG: Good evening. My name is Dr. Harry
8 Wang. I am the president of the Sacramento chapter of
9 Physicians for Social Responsibility, and I'm here to present
10 testimony on behalf of our 700-member organization.

11 I must say that it is chilling to sit in the
12 audience and hear in person about these plans to enhance U.S.
13 development and production of weapons of mass destruction;
14 especially, during times of terrorism and times where we as a
15 country are trying to influence other countries not to
16 develop nuclear capability or to produce nuclear weapons.

17 My first point is that the proposed Complex
18 Transformation Program endangers human life and health and
19 the environment. The supplemental PEIS report fails to
20 adequately report the true environmental and human health
21 impacts. The DOE has agreed to an unacceptable level of
22 exposure for both workers and surrounding communities. The
23 final PEIS should include a human health risk assessment that
24 takes into account the newest research on health effects at
25 varying levels of radiation exposure and characterizes the

1 risk for sensitive populations at each proposed Complex
2 Transformation site.

3 Since these issues are not addressed in the
4 current supplemental PEIS, this report is not adequate for
5 demonstrating the safety of the Complex Transformation plan.

6 Secondly, the assumed national security
7 benefits of the proposed Complex Transformation program do
8 not balance its environmental and public health dangers. The
9 Complex Transformation proposal assumes that the development
10 of a, quote, "responsive infrastructure," unquote, for
11 nuclear weapons production will contribute to U.S. national
12 security.

13 This assumption is false. In fact, it may
14 make our country more vulnerable to attack if we proceed with
15 these plans. There is no evidence to suggest that nuclear
16 weapons deter terrorism, the principle current national
17 security threat to the United States. Overwhelming nuclear
18 superiority did not protect us from September 11. If the
19 U.S. proceeds with its nuclear plans, more countries and
20 peoples will likely mistrust the intentions of our country.

21 The United States will become more secure if
22 nuclear weapons are eliminated world wide. The U.S. should
23 reaffirm its commitment to the nuclear Non-Proliferation
24 Treaty if it wishes to prevent other nations from developing
25 nuclear weapons. Complex Transformation is a major step in

1 the direction of new nuclear weapons production and
2 undermines the NPT.

3 Physicians for Social Responsibility
4 specifically request that, No. 1: A human health risk
5 assessment of a proposed nuclear weapons production
6 activities, future nuclear weapons testing, environmental
7 clean up of the legacy nuclear weapons production complex and
8 the future use of nuclear weapons be conducted.

9 No. 2: The future role of nuclear deterrents
10 and nuclear weapons in support of U.S. national security be
11 articulated by the U.S. Department of Energy with appropriate
12 support from other departments and agencies.

13 No. 3: That the U.S. Department of Energy
14 compile and disseminate the results of epidemiological
15 studies of radiation health of workers and communities,
16 updating its comprehensive epidemiologic research program of
17 the early 1990s.

18 No. 4: That the U.S. Department of Energy
19 abandon the effort to redevelopment nuclear weapons
20 production capabilities as costly, destabilizing unnecessary
21 and unhealthy and focus instead on the clean up tasks
22 necessary to respond to the significant environmental and
23 public health harms caused by the Cold War nuclear weapons
24 production activities.

25 Thank you.

1 MR. LAWSON: Thank you, sir.

2 Our next speaker is Robert Gould to be
3 followed by Marylia Kelley.

4 MR. GOULD: My name is Dr. Robert Gould, and
5 since 1989 I have been president of the 3,000-member
6 San Francisco Bay Area Chapter of Physicians for Social
7 Responsibility, and I've also had the privilege to be the
8 President of our National organization of 30,000 health
9 providers and physicians in 2003.

10 Our organization, as the previous speakers
11 have indicated, is committed to the elimination of nuclear
12 weapons and other weapons of mass destruction and have done
13 that as part of an international organization, the
14 International Physicians for the Prevention of Nuclear War
15 with whom we shared the Noble Peace Prize in 1985.

16 I am also in my daily work a full-time
17 pathologist at Kaiser Hospital in San Jose, and it's the
18 nature of my work that on a daily basis for the last 26, 27
19 years that I have diagnosed cancers and a whole variety of
20 chronic diseases that, unfortunately, are linked to the
21 legacy of DOE's practices over the last 60 years. And one of
22 our major reasons for opposing any of the plans for
23 restructuring the Department of Energy for a new generation
24 of nuclear weapons production is, in fact, the department has
25 been completely irresponsible in dealing with the large

1 legacy of messes that we've had up until this point and would
2 continue in these new manifestations to continue to endanger
3 the global environment and human life and health.

4 Beyond the 210,000 people who were incinerated
5 from the first nuclear detonation, we have to consider vast
6 populations of Americans who are subject to the legacy of the
7 previous operations of the Atomic Energy Commission and
8 Department of Energy. These include Native American uranium
9 miners, the various atomic veterans, the over 600,000 workers
10 in the Department of Energy facilities who inadequately
11 monitored and who came down with a host of dreaded diseases.

12 Dr. Spearow has mentioned the latest
13 statistics that came out of the Rocky Mountain News about the
14 thousands of people who have been harmed by these processes.
15 We also have to think about the over -- anywhere up to
16 212,000 excess cases of thyroid cancer from our period of
17 nuclear testing.

18 Overall as the National Academy of Sciences
19 registered a number of years ago, of the 144 sites, which DOE
20 and its predecessors processed nuclear materials. They said
21 that 109 would not be cleaned up enough for unrestricted
22 release, and at many sites, radiological and nonradiological
23 hazardous waste will remain posing risks to humans and the
24 environment for tens or even hundreds of thousands of years.
25 We do not think that we should proceed with the new

1 generation of nuclear weapons when we have not taken care of
2 the messes we have created up to this point.

3 I do not want to reiterate -- there's no need
4 to in the interest of time -- what Dr. Spearow and Dr. Wang
5 mentioned in terms of PSRs concerns about dealing with
6 cumulative doses, and as well, dealing with standards of
7 radiation protection that don't reflect the most vulnerable
8 populations of our society: children, immune compromised and
9 other individuals who will be much more vulnerable to these
10 types of operations, as well as dealing with what modern
11 understanding of what the cost of the effects of low levels
12 of radiations are.

13 I also would agree with the previous remarks
14 that there is no need from a strategic standpoint that we
15 have not heard evidence where any of this increased
16 production of nuclear weapons entertained on the Reliable
17 Replacement Warhead and other types of scenarios, would
18 provide any additional security for the United States at a
19 time when these nuclear weapons cannot deter current nuclear
20 terrorism, for example; and, in fact, send a signal to the
21 rest of the world that we think nuclear weapons are central
22 to security and lead to proliferation around the world.

23 I depart from my prepared remarks just
24 slightly to reflect on the fact that at the IPPNW meeting in
25 New Delhi about a week-and-a-half ago I had the privilege to

1 be on a delegation and meet with Prime Minister Singh of
2 India who basically took the line, like, look, you're asking
3 us to uphold Ghandi's remarks of 20 years ago to support a
4 nuclear-free world, but how do you expect us to do that when
5 the leading nuclear powers, such as the United States, Russia
6 and others continue to build their weapons? It is precisely
7 these types of arguments that we have to take the courage as
8 a nation to finally reject these failed policies, which
9 indeed have been taken on by many of the architects of our
10 Cold War policies, and we're thinking about Henry Kissinger
11 and their statement calling for abolition.

12 We also think that there needs to be much more
13 expert input and public deliberation to assess the underlying
14 assumptions of full environmental impacts of the Complex
15 Transformation Program. There has been recent information,
16 some presented at the India conference that I referenced,
17 about the continued proliferation and the threats of war in
18 South Asia, for example, could lead to situations if these
19 weapons were detonated to global famine and other deleterious
20 massive environmental effects.

21 I won't repeat the four points that Dr. Wang
22 had. We will have them in our written comments in terms of
23 calling for a human health assessment to really examine
24 critically what the role of nuclear deterrence is, etc., etc.

25 I will say in closing that I think it is

1 indeed time for our country to heed the recommendations of
2 the 2006 report of the Weapons of Mass Destruction Commission
3 headed by former IAEA chair, Hans Blix; that the nuclear
4 weapons powers must take the lead as promised in the 2000
5 Non-Proliferation Treaty Review Conference in moving towards
6 the outlawing of these dread weapons and not continue a
7 program to continue this for yet another generation.

8 Speaking from the standpoint of our
9 organization, Physicians for Social Responsibility, we are
10 above all physicians dedicated to curing, and above all
11 preventing illnesses such as cancer that stem from these
12 continued practices. We stand firmly with other health
13 organizations, such as the American Medical Association, the
14 California Medical Association, the American College of
15 Physicians and the American Public Health Association in
16 calling for the elimination of nuclear weapons.

17 To this end PSR joins many other organizations
18 in rejecting the Complex Transformation proposal, and as
19 others have already spoken, adopted a curatorship approach
20 that Tri-Valley CAREs and other organizations have put
21 forward. To do otherwise would serve to condemn ours and
22 future generations to a new era of global nuclear
23 proliferation conflict when our limited resources need to be
24 used to address the fundamental problems of our planet, such
25 as burgeoning environmental degradation and accelerating

1 global warning. Let's have the Lab do that. Let's have the
2 Lab put their real talents to the real problems that we face
3 and not accelerate our problems and continue to pollute our
4 environmental. Let's choose public and environmental health
5 over global annihilation. Thank you, for your attention.

6 MR. LAWSON: Thank you, sir.

7 Next speaker is Marylia Kelly and then Robert
8 Schwartz and Beverly King.

9 MS. KELLEY: I'm Marylia Kelly. I'm Executive
10 Director for Tri-Valley CAREs, which stands for Community
11 Against a Radioactive Environment. Tri-Valley CAREs has
12 about 5,600 members, most of whom live around the Livermore
13 Lab, either the main site in Livermore or Site 300 in Tracy.

14 I'm going to start tonight with talking about
15 some of the issues that will impact Livermore Lab main site
16 and Site 300 with Complex Transformation the way the DOE is
17 currently planning it. And I need to start out, Ted, by
18 taking issue with your slide that said that under the
19 preferred alternative, that tritium would be consolidate to
20 the Savannah River site. There is one notable exception to
21 that. Guess what site keeps tritium R&D emissions under the
22 preferred alternative? Lawrence Livermore National
23 Laboratory. It, essentially, will keep radioactive tritium,
24 which is the hydrogen of the H-bomb, at Livermore Lab
25 forever. The draft plan makes Livermore Lab a tritium

1 research and development site. And as some of you may know,
2 tritium is a radioactive gas that is difficult to contain.
3 As was mentioned earlier, at least 800,000 curies of tritium
4 have already escaped into our air from Livermore Lab. In
5 addition, tritium has gotten into our soil, tritium has
6 gotten into springs at Site 300, tritium has gotten into the
7 ground water at Site 300 and at the main site.

8 DOE is currently building a new tritium
9 facility at Livermore Lab. This is called the Tritium
10 Facility Modernization Project, and it is one among many
11 defects of the Complex Transformation plan, that it doesn't
12 even look at the environmental and other impacts of that new
13 tritium facility. It will nearly double the square footage
14 of the tritium facility at Livermore Lab. Half of it will be
15 used to create tritium targets for the National Ignition
16 Facility.

17 Now, some of you will remember when Mike
18 Campbell was the Associate Director for Lasers. He said
19 publicly and he said to me, "Marylia, we will never ever
20 produce the tritium targets in Livermore. It's too populated
21 an area. There will be too many emissions. We know that."
22 This plant has them producing the tritium targets in
23 Livermore.

24 The other half of the new tritium facility
25 will do actinide research, which, essentially, in this case

1 means plutonium. They're going to put plutonium with tritium
2 in the targets for the National Ignition Facility. Yet, this
3 isn't really analyzed in the Complex Transformation PEIS.

4 Livermore Lab must and the DOE must remove all
5 tritium from Livermore. It is a threat to our health. It is
6 a threat to our environment. Its main risk at Livermore Lab
7 is nuclear weapons work. And if we're really going to
8 consolidate the nuclear weapons complex, it's got to go.

9 No. 2: Let me talk about plutonium and highly
10 enriched uranium, and I will specifically talk a bit about
11 plutonium at Livermore Lab. This draft plan moves the
12 weapons usable quantities of plutonium, note they will leave
13 enough behind to make targets and do other experiments. It
14 only uses the weapons usable quantities category I and II by
15 about the end of 2012.

16 The plutonium is vulnerable today to a
17 catastrophic release in the event of an earthquake or
18 terrorist attack. Interestingly, with or without Complex
19 Transformation, the DOE must move Livermore's plutonium
20 anyway, because Livermore cannot meet the 2005 design basis
21 threat. Right now we're all living near a facility that got
22 a waiver.

23 So what's a design basis threat? I only have
24 a couple minutes, but it's, essentially, the document that
25 specifies what kind of terrorism threat the laboratory needs

1 to be safe against. And the one that the lab can meet only
2 has half the number of terrorists in it than the 2005 design
3 basis threat that the lab can't meet and got a waiver from.
4 So, hopefully, no terrorists will arrive before the end of
5 2012. That plutonium is vulnerable today. What the
6 Department of Energy and Livermore Lab must do today is begin
7 safe packaging of that material. If they do, they can remove
8 it certainly by 2010.

9 Secondly, that plutonium doesn't need to be
10 moved around the country twice, which is what this plan will
11 do. They plan to send it once to the Nevada test site for
12 interim storage, and then send it a second time to the Los
13 Alamos Lab to make plutonium bomb cores out of it.
14 Livermore's plutonium should be removed once. It should be
15 taken to the most safe, the most secure, most remote location
16 and kept there and kept out of the environment. It should
17 never be used in nuclear weapons experiments again, period.

18 No. 3: Let's talk about the bomb blasts at
19 Site 300, right down the street from where we're gathered
20 tonight. The Complex Transformation plan says they will
21 phase out the open-air tests at Livermore Lab Site 300; yet,
22 the same document totally ignores the fact that Livermore Lab
23 has applied for a permit to increase the bomb blast
24 eight-fold annually.

25 How can that be? It's because according to

1 Livermore Lab management, the Livermore Lab wants the permit
2 so it can do the open-air bomb blasts on four firing tables
3 under its work for other programs. So that means the
4 Department of Defense and the Department of Homeland Security
5 will be paying for them, not the Department of Energy.

6 So quite simply, those bomb blasts, according
7 to the permit, not just according to me, will contain up to
8 5,000 pounds a year uranium-238, it will contain up to 200
9 curies of tritium and will contain 60 other toxic materials.
10 But it's not being looked at in this Complex Transformation
11 plan because it's going to be paid for by another agency.
12 Our health doesn't care what agency paid for it. Depleted
13 uranium is equally hazardous to our health whether the DOE
14 pays for it or whether the Department of Homeland Security or
15 the Department Defense pays for it.

16 So what we're here tonight to say is that
17 closing open-air bomb test and the other bomb tests at Site
18 300 means closing them, period, to all agencies. How can we
19 tell? We will be able to tell when the Department of Energy
20 and Livermore Lab withdraw their permit application that is
21 currently sitting before the San Joaquin Valley Air Pollution
22 Control District.

23 MR. LAWSON: Miss Kelley, I don't want to
24 interrupt you. How much more do you have? A few minutes, a
25 couple minutes or what?

1 MS. KELLEY: Yes.

2 MR. LAWSON: Okay. Thanks.

3 MS. KELLEY: But I will not say everything. I
4 will say a few things and wrap.

5 MR. LAWSON: Okay, fine. Thanks.

6 MS. KELLEY: One more thing I want to talk
7 about locally. The Department of Energy's Complex
8 Transformation plan should focus on a different future for
9 Livermore Lab: One devoted to clean up of the toxic and
10 radioactive contaminants that are seeping into our
11 communities, and on civilian science initiatives for the lab
12 scientists, engineers, technicians and support personnel.

13 Right now Livermore Lab main site and Site 300
14 are both on the Environmental Protection Agency Superfund
15 list of most contaminated sites in the nation. If you look
16 at the Department of Energy's fiscal year 2009 budget
17 request, it has the lowest amount that they have requested in
18 the last 10 years for cleanup nationwide. If you look at the
19 money that the Livermore Lab main site got, it got only half
20 of what it needs in this year. If you look at Site 300, it
21 needs some additional money as well in order to do the clean
22 up adequately. That's a good mission for Livermore Lab.

23 We also need civilian science at Livermore
24 Lab; for example, global climate change. That's a huge
25 challenge. Livermore Lab has the right scientists and

1 engineers and the super computers to tackle it in a big way.

2 What about non-polluting renewable energy
3 resources? Isn't that a national security priority?
4 Livermore Lab has the right mix, material, scientists,
5 physicists, engineers, technicians to really take that on in
6 a big way.

7 So the alternatives in this document for
8 consolidation should not end up with two, essentially,
9 full-service nuclear weapon design labs. One should be a
10 green lab and one should simply do curatorship of the
11 existing arsenal until such time as it is dismantled pursuant
12 to the Non-Proliferation Treaty. And in particular -- and
13 this would actually be a good step in helping Livermore
14 become a green lab -- this PEIS must analyze the reduction in
15 overhead at Livermore Lab if it had no nuclear material or no
16 nuclear weapons or classified research.

17 Right now Livermore Lab scientists are great,
18 but they're having a hard time competing with other
19 universities and other research institutions because of the
20 high overhead. The high overhead is related to the security
21 because of the nuclear materials and the classified nuclear
22 weapons research. So this PEIS needs to look at what the
23 reduction in that overhead would be if it did become a
24 civilian science lab, and then we can take the steps to make
25 that happen. It would secure our science.

1 By the way, did you know that the nuclear
2 weapons activities in the 2009 budget are more than the DOE's
3 science request and the DOE energy request combined. That is
4 wrong priorities. This document is a chance for us to tell
5 DOE and for DOE to listen and to get the priorities straight.

6 There's a lot of science that needs to be done
7 that we can protect the work force literally in terms of
8 emissions and in terms of having employment. We can protect
9 the community, we can protect the environment, and we can
10 move our community, our nation and the world in a whole new
11 direction toward nuclear disarmaments, towards
12 non-proliferation, towards diplomacy, toward the
13 Non-Proliferation Treaty and toward actually getting along.
14 Thank you.

15 MR. LAWSON: Thank you. I'm bending the
16 rules, obviously, a little bit here tonight because I only
17 have 11 people who are speaking. If there are more people
18 who come, I am going to have to enforcement the five minutes
19 more strictly here than I have until now.

20 Our next speaker is Robert Schwartz, who will
21 be followed by Beverly King and Carl Anderson.

22 MR. SCHWARTZ: Good evening. My name is
23 Robert Schwartz. I'm the staff attorney for Tri-Valley
24 CAREs. Among my other duties, I facilitate a support group
25 for sick workers who have been made ill by on-the-job

1 exposures through their employment in the nuclear weapons
2 complex.

3 To begin, Complex Transformation, formerly
4 referred to as Complex 2030, involves important decisions
5 about the future of the nuclear weapons complex that should
6 not be made in the final days of the Bush Administration and
7 founded upon documents such as the 2001 Nuclear Review, who's
8 future viability is extremely suspect. These decisions will
9 have long-lasting consequences and should be subject to
10 vigorous national debate and congressional oversight. The
11 Department of Energy is avoiding such oversight in part by
12 attempting to implement Complex Transformation within its
13 existing budget.

14 Complex Transformation is not about true
15 consolidation of the nuclear weapons complex. In exchange
16 for giving up a number of outdated buildings that the
17 department no longer wants or needs, DOE will get a number of
18 new facilities that will pave the way for the development of
19 new nuclear weapons through the Reliable Replacement Warhead
20 program. DOE does not appear to have evaluated truly
21 consolidating the nuclear weapons complex, which would mean
22 closing down a number of sites. For instance, the department
23 did not seriously consider consolidating the Kansas City
24 plant with Sandia National Laboratory in New Mexico because
25 of the pressure to maintain jobs in the Kansas City area.

1 Similar arguments could be made regarding other sites in the
2 complex.

3 Furthermore, the Complex Transformation
4 Supplemental Programmatic Environmental Impact Statement is
5 legally inadequate in a number of respects. For instance,
6 the Kansas City plan just mentioned previously, was illegally
7 segmented from the Complex Transformation plan. There is no
8 rational basis for excluding this site from consideration as
9 part of Complex Transformation other than DOE's desire to
10 move forward with plans for a new Kansas City plant with a
11 lower level of environmental analysis and less public
12 involvement, such as public hearings.

13 Complex Transformation also does not
14 adequately consider all viable alternatives, in particular,
15 the curatorship alternative, which has been mentioned by a
16 number of speakers. The department claims that this
17 alternative is not distinctly different from the current
18 stockpile stewardship program. This demonstrates DOE's
19 fundamental misunderstanding of curatorship, which would
20 entail preserving the current stockpile as a museum and not
21 adding any new weapons capabilities, which is the practice
22 under stockpile stewardship. Moreover, significant
23 reductions in the size of the complex would be possible under
24 curatorship. On a related noted, the department is
25 prejudiced to the consideration for alternatives; for

1 instance, by delaying maintenance so as to increase projected
2 cost savings.

3 All open-air explosive testing at Site 300,
4 which is, as noted, right near Tracy, must end. Whether this
5 testing is done by DOE or another government agency, like the
6 Department of Homeland Security, the risk to the community is
7 the same. Tri-Valley residents and, in particular, those
8 from the fast-growing community of Tracy, should not have
9 their health endangered by these activities. Site 300 is
10 simply not an acceptable location for open-air tests
11 involving tritium and other toxic substances.

12 Finally, the Department of Energy should
13 embrace its mission to advance the national economic and
14 energy security of the nation instead of clinging to Cold
15 War-era notions about the importance of nuclear weapons.
16 This could be accomplished by diversifying the national
17 laboratory's missions in increasing research in the areas of
18 global warming and renewable energy. This would have
19 benefits for the laboratories themselves, the country as a
20 whole and the entire world. Thank you.

21 MR. LAWSON: Thank you, sir.

22 Our next speaker is Beverly King. And
23 Miss King will be followed by Carl Anderson and John
24 Morearty.

25 MS. KING: I'm a volunteer and a board member

1 of Tri-Valley CAREs. I was 15-years old when the atomic
2 bombs were dropped on Hiroshima and Nagasaki. It's hard to
3 remember now the shock and horror we felt at the splitting of
4 the bomb, but far worse was the horror of the destruction it
5 caused. The pictures were terrifying and unbelievable.
6 Since then the debate has raised, should we have or should we
7 not have? The point is mute. The fact is the lesson we
8 should have learned is never, never, never, ever again.

9 At that time the principles behind the
10 creation of nuclear weapons was secret. A half century
11 later, not only scientific but public knowledge has expanded
12 enormously. Science is an objective study and now
13 generations of students have learned the how's of nuclear
14 science with the same objectivity that they have learned
15 mathematics, and that's just fine as far as knowledge goes.
16 But radioactivity put to use has repercussions far beyond the
17 abstract knowledge. The fact of radioactivity does not
18 entail wisdom, nor does it take into account morality and the
19 consequences of the reality it imposes.

20 Simply put, when the atom is split, all the
21 minuscular particles seek a home, a place of stabilization:
22 Air, water, soil, plants, animals and humans are
23 indiscriminately invaded. This is true of radioactive
24 materials used in creating and experimenting of the bombs.
25 These particles upset the balance of the atoms or molecules

1 that have been invaded causing toxicity, disease and death.
2 With such potential destruction, we have a moral obligation
3 to consider the effects of our objective knowledge. And,
4 yet, we have continued to use that knowledge. We have a
5 stockpile of weapons that can destroy the world many times
6 over. We have nuclear waste which will be active for
7 thousands of years. We have polluted the environment and
8 living creatures to an extent we cannot even calculate. And
9 now the Department of Energy wants to recreate this monster
10 in spite of the fact that we know its destructive force.

11 The study of radioactivity theoretically and
12 mathematically is benign. To experiment with these materials
13 has lethal consequences, which must be the first, not merely
14 a secondary consideration. Using our knowledge without a
15 moral compass is as disastrous as choosing to drop the bomb
16 itself.

17 The world recognizes this in the
18 Non-Proliferation Treaty of which we are a part. Complex
19 Transformation is a euphemism for a destructive proposal
20 devoid of all human wisdom and values. We must remember the
21 lesson we should have learned 60 years ago: Never, never,
22 never, ever again, and discontinue any thought of proceeding
23 with Complex Transformation. Thank you.

24 MR. LAWSON: Thank you, ma'am.

25 Our next speaker is Carl Anderson. And

1 Mr. Anderson will be followed by John Morearty and Ria De
2 Groot.

3 MR. ANDERSON: Good evening. I have written
4 comments, but I am going to have to revise them, and I will
5 get you the revised version.

6 MR. LAWSON: Okay. All right.

7 MR. ANDERSON: Dear Department of Energy -- or
8 to be accurate, the Department of Bombs -- today I would like
9 to comment on tritium supply. Your SPEIS spends a lot of
10 time on tritium research and loading tritium into bombs, but
11 almost nothing on tritium production. Among the bomb
12 components one hears lots about plutonium and highly enriched
13 uranium, and they do matter. But as your SPEIS states,
14 quote, "Tritium, a radioactive isotope of hydrogen, is an
15 essential component, dot, dot, dot, of every warhead in the
16 current and projected U.S. nuclear weapons stockpile," end
17 quote. Pages S-53.

18 Note your word "essential." It seems to be
19 within the obvious scope of your SPEIS. For instance, quote,
20 "Programmatic alternatives involve the restructuring of
21 facilities that use or store significant, dot, dot, dot,
22 quantities of special nuclear material," end quote. From
23 page S-2, which goes on in the very next sentence to mention
24 plutonium and highly enriched uranium.

25 Now, considering tritium as essential to

1 bombs, radioactive and made in very particular facilities,
2 that makes tritium fundamentally like plutonium and highly
3 enriched uranium. The SPEIS is about producing what goes
4 into bombs, so tritium production ought to be covered at
5 great length; however, the SPEIS denies this. Quote, "The
6 Watts Bar Nuclear Power Plant in Spring City, Tennessee is a
7 commercial nuclear power plant, dot, dot, dot, produces
8 tritium, dot, dot, dot. As a commercial power station, the
9 Watts Bar plant is not considered part of the nuclear weapons
10 complex," end quote, page S-5.

11 Now, perhaps in bureaucratic understanding the
12 Watts Bar plant is not part of the nuclear weapons complex,
13 but bureaucracies are sometimes unrealistic. Sometimes
14 unrealistic. And this is one of those times. Watts Bar is
15 currently as essential as tritium to the nuclear bomb
16 business. In a realistic sense, as distinct from
17 bureaucratic niceties and distinctions that don't
18 fundamentally matter, when you say Watts Bar isn't part of
19 the nuclear weapons complex, you're wrong. You're wrong.

20 In the past, U.S. bombs got their tritium from
21 special reactors, clearly military in purpose at Savannah
22 River. They weren't DOD-owned, but they were clearly
23 military in purpose. No one would deny that.

24 Now, I oppose all forms of nuclear deterrents,
25 but I recognize that if nuclear deterrence is going to

1 continue, so much tritium production. Where does this lead?

2 There is an ongoing dispute over the role of
3 civilian nuclear projects between the government of the
4 United States and the government of Iran. Iran enriches
5 uranium. In the view of the Iranian government, this is a
6 civilian project. The United States government claims that
7 the Iranian facility isn't really civilian but for bombs.

8 There's a real danger of war here. The
9 Iranians are not dumb. Whatever excuse the U.S. may have had
10 in the past for producing essential nuclear weapons material
11 in a civilian power plant, we have to assume that sometime
12 soon the Iranians will notice. Why are you handing such a
13 strong argument to the Iranians?

14 Again, I don't favor nuclear deterrence, but
15 for those of you who want it, I can't see why you don't
16 insist on a special tritium production plant that is
17 unambiguously military. If you try to reply that the matter
18 is already settled -- and I think there was a reference that
19 it may have been supposedly settled in 1994 -- I will remind
20 you that the developments of the past few years are
21 unsettling. Peace, Carl Anderson.

22 MR. LAWSON: Thank you, sir.

23 MR. ANDERSON: And I will have a whole
24 different batch of comments tomorrow.

25 MR. LAWSON: Thank you.

1 Next speaker is John Morearty, who will be
2 followed by Ria De Groot and K. Leo Pullin.

3 MR. MOREARTY: On this beautiful spring
4 evening, I wish you peace, and that very much includes you,
5 Mr. Wyka.

6 MR. WYKA: Thank you.

7 MR. MOREARTY: I would like to begin by
8 offering you an image from James Carol's amazing history of
9 the last 65 years. It was published two years ago. It's
10 called The House of War, The Pentagon and the Disastrous Rise
11 of American power. The image that we are all floating
12 comfortably down the river, a very pleasant pleasure boat,
13 maybe sipping our beer or our wine, having comfortable
14 conversations, it's a beautiful day, and it's a quiet river,
15 almost. But somewhere out there we hear, almost below the
16 level of hearing, something that sounds like a roar, and the
17 name of the river is the Niagara.

18 I'm John Morearty. I'm 69-and-a-half years
19 old. I live in Stockton. Between us, my wife and I, she's
20 the next speaker, we have 10 grandchildren, ages 3 to 14.
21 They're the first of three reasons I'm here this evening. I
22 would like our grandchildren to have the same opportunities
23 which God and our beautiful country have given me: To live
24 in joy, contribute to building the earth community. But I'm
25 afraid they won't get that chance. And as the Chinese

1 proverb says, "If you keep on going the way you're going,
2 you're likely to wind up where you're headed."

3 The second reason I'm here is that I'm a Ph.D.
4 in social thought from the University of Chicago, trained as
5 a social historian. As a young guy I helped to found a small
6 liberal arts college in the University of the Pacific out in
7 Stockton, a college dedicated to global understanding. I
8 left academia in 1975 and became a carpenter, a licensed
9 general contractor and a peace activist. I got arrested
10 blocking the road to Livermore Lab in 1982 -- I know some of
11 you in this room were there -- and went to jail along with
12 thousands of others. I did the same thing again in 1983
13 incorrigibly, and then crossed the line out to the Nevada
14 test site a few times. I've worked for peace candidates for
15 congress. I created and hosted a public affairs cable TV
16 show every week for 14 years as a volunteer. I still help
17 publish a free monthly newspaper, "Connections" -- there's a
18 few copies there in the back -- published by the Peace &
19 Justice Network of San Joaquin County.

20 What happened to me at the age of 40 was it
21 dawned on me that the very existence of thousands of nuclear
22 weapons threatened the lives of my beautiful twin sons, who
23 were 14-years old at that time, and I realized I could not
24 tuck them under my arms and runaway anywhere and hide.
25 There's no place to high.

1 I don't know if any of you have read On the
2 Beach, by Nevil Shute or seen the movie. I recommend it.
3 It's about Australia in a nuclear war in the northern
4 hemisphere.

5 Nuclear explosives are not even properly
6 weapons. A weapon is something like a knife or a gun. You
7 use it and you may survive. But the intrinsic dynamic of
8 these clever and horrendous devices in a world full of them,
9 is that once some fool uses one, global catastrophe
10 threatens, and we all know that.

11 These nuclear things are the absurd
12 culmination and lynch pin of the imperial war system that has
13 dominated and bedeviled human kind for maybe 5,000 years.
14 But Martin Luther king was right. He called our country the
15 greatest purveyor of violence in the world today, and he said
16 our choice is no longer between violence and nonviolence; now
17 our choice is between nonviolence and nonexistence.

18 The third and final reason I'm here is that
19 the whole nuclear enterprise is so sad. It's a tragic
20 squandering and diversion of capital resources and human
21 ingenuity from the urgent problems that confront our species
22 and our planet. We're not ignorant of that. The economists
23 call this "opportunity costs." It's a very cold term, and it
24 runs very deep.

25 There are thousands -- and people have

1 acknowledged this this evening -- there are thousands of
2 brilliant scientists and meticulous engineers in the nuclear
3 system. I honor them. My sons are engineers, software
4 engineers, but they have never worked for the war system. We
5 need these scientists, our country needs them and the world
6 needs them to become green scientists and engineers.

7 Livermore and Los Alamos and the rest must
8 eventually, sooner rather than later, become green
9 laboratories, working not on bombs but on -- it's a long
10 litany: Clean sustainable energy, transportation systems,
11 medical technology, ways of cleaning up and cooling down the
12 rivers and the oceans, saving the forests and the topsoil so
13 our great, great grandchildren can live in peace and plenty.

14 The immense dangers of this planetary era
15 summon us to immense opportunities. We human beings are so
16 smart. We are so inventive. We are so creative. And now we
17 get to decide, in this time we get to decide, will we be
18 midwives of a new time on earth or hospice workers?

19 Again, I wish you peace.

20 MR. LAWSON: Thank you, sir.

21 The next speaker Ria De Groot followed by
22 K. Leo Pullin and Jackie Cabasso.

23 MS. DE GROOT: Good evening. My name is Ria
24 De Groot, and I immediately come with a disclaimer. I'm not
25 a scientist. I come not with that technical knowledge, and

1 that's the reason I decided to stand up. I come with a work
2 history as a farmer, as a businesses owner, as a teacher, as
3 an organizer, as a wife, mother and grandchildren of 10 and I
4 come from a family of 16 and I'm number 14.

5 I oppose this plan of the revitalization of
6 nuclear weapons here at Livermore Lab or at any of the other
7 eight locations that have been proposed. But the reason I
8 oppose this is more on ideology and moral grounds. I say
9 this because I believe that the public institutions and
10 government are here on this earth, I believe, to serve
11 citizens and to guard us and protect us for life, liberty and
12 the pursuit of happiness, as stated in our constitution. In
13 other words, anything that is enhancing and that brings life
14 and liberty into our society, we should support and stand by,
15 and it will enrich our lives.

16 The nuclear weapons complex that has been
17 proposed this evening brings us and pulls us to potential
18 death, illness, such as cancers for workers and citizens that
19 live in the area, sadness, loss of life, loss of the ability
20 to work and adds to the destruction of the life of families.

21 This nuclear weapons revitalization project
22 pulls us to a death quadrant like a black hole. Something
23 which is inherently opposite of what governments or other
24 agencies acting on behalf of government are intended to do.
25 This is not what I or I believe other citizens desire or need

1 in our lives. It does not provide a feeling of security or
2 of safety, a safety net as proposed by those that are
3 proponents of this idea.

4 We had the privilege two years ago to visit in
5 the Southwest, and we chose as part of our visit, besides the
6 fun, was to visit Los Alamos Laboratories because of what it
7 stood for. We wanted to know. We wanted to see that place.
8 We also visited the Navajo Nation and went to the legislature
9 there, Window Rock. And what did we learn? We learned that
10 that that's one of the spots where uranium is rich, many
11 fields, many lands, miles and miles, and we visited the
12 sites. And they have been in a big struggle for the last
13 five years, or maybe even more, deciding shall we toil and
14 get the uranium out of this land and have these jobs that
15 government might offer us, the pay? It was a big struggle.

16 The India nation, the Navajos at Window Rock,
17 have come to the conclusion and stood by each other at the
18 expense of good-paying jobs, no more mining of uranium. They
19 have said "bastia," (phonetic) "no." They have traveled and
20 gone to Washington D.C. over and over again saying, "no."
21 The government has not permitted them to end the mining. So
22 far they have not won this fight yet. But I need you to know
23 that this is what's going on. They have decided at the
24 expense of some very good opportunities, to stand together as
25 a nation and to oppose the mining of uranium. And as you

1 have been hearing this evening, uranium is one of the core
2 ingredients and one of the products that is highly sought
3 after.

4 So I ask you this evening to oppose this plan
5 and to object to it, to not support this here or elsewhere,
6 whether it's in Kansas or Livermore Lab, Washington D.C., Los
7 Alamos, New Mexico, Nevada, Texas or Georgia, some of the
8 places that the plants exist, where the sites are.

9 So with that, I would hope that all of you
10 just encourage others to write and to oppose this plan so
11 that we can work instead for life, liberty and pursuit of
12 happiness.

13 MR. LAWSON: Thank you.

14 K. Leo Pullin and Jackie Cabasso and Bob
15 Sarvey.

16 MS. PULLIN: Good evening. I'm K. Leo Pullin,
17 and I'm a citizen, resident of Tracy. My concern is always
18 when I come to these public hearings is to listen to the
19 environmental impact of the various alternative offered by
20 the NNSA in their EIS. I want to learn by coming to these
21 meetings what they're proposing, how it's going to impact
22 where I live, my air, my land; and how the preferred
23 alternative, as NNSA does have a preferred alternative,
24 specifically, will impact my environment.

25 However, tonight I feel that NNSA has pretty

1 much just lectured me on their role in the nuclear weapons
2 complex and justified their role in the nuclear weapons
3 complex as opposed to presenting their EIS.

4 Now, I disagree with the needs for nuclear
5 weapons, but I didn't come here to discuss my politics. I
6 came here to learn about this particular Environmental Impact
7 Statement. I would have appreciated it had NNSA spent more
8 time discussing the actual impact on our environment of this
9 proposed -- of the various proposed plans and of the
10 alternative that they prefer.

11 Now, in the actual few things that NNSA
12 presented on the environmental impact, sure, I understand the
13 broad appeal of a smaller footprint. When it comes to
14 nuclear weapons, it's pretty easy to say, smaller, less,
15 better. But it doesn't include the details that I need as a
16 citizen to inform a decision to give my opinion as a
17 stakeholder in my environment, in the air I breathe and the
18 water I drink and in the soil where my food is grown.
19 Telling me you're going to give me a smaller footprint is not
20 information. It's just a catch phrase. It sounds nice.

21 If you are charged with maintaining our
22 nuclear weapons deterrence capabilities and with
23 investigating environmental alternatives of transforming the
24 nuclear weapons complex, please have the courtesy to
25 correctly I.D. your target. This meeting is about the

1 Environmental Impact Statement, and I would like to think
2 that the people who are charged with any aspect of nuclear
3 weapons can aim well.

4 Is reducing the footprint and increasing the
5 concentration of nuclear materials environmentally sound? Is
6 plutonium or enriched uranium made safer by reducing its
7 footprint and concentrating it in one place? By driving it
8 multiple times all around the country, are these
9 alternatives, are these suggestions, are these plans, what
10 type of environmental impact do they have? Should we
11 consolidate all the tritium at Savannah River? Can their
12 aquifer handle this? These are the types of details I need
13 to be able to give my input on this proposal.

14 What does all this mean for the environment?
15 That's what I came here to learn. Well, maybe it is in the
16 secret appendix.

17 If you've come here to inform on the
18 Environmental Impact Statement, please, include details about
19 the environmental impact.

20 MR. LAWSON: Thank you.

21 Jackie Cabasso and then Bob Sarvey.

22 MS. CABASSO: Thank you. My name is Jackie
23 Cabasso. I'm the Executive Director of the Western States
24 Legal Foundation in Oakland, California, which has been
25 monitoring the Livermore Lab for more than 25 years.

1 We've been involved in this process starting
2 before the reconfiguration of the Nuclear Weapons Complex,
3 EIS Complex, Complex 21, stockpile stewardship, Complex 2030,
4 and now Complex Transformation. All of it amounts to complex
5 continuation. That's what it really should be called.
6 Complex Transformation is just the name of the latest
7 proposal to rearrange the deck chairs on the nuclear Titanic.

8 While the NNSA claims that it's intent is to
9 consolidate operations in the present nuclear weapons
10 research and manufacturing complex, it proposes merely to
11 relocate nuclear weapons activities among the existing sites
12 while modifying or constructing major new nuclear facilities.
13 Everyone of the alternatives presented will result in an
14 increase over current nuclear weapons production
15 capabilities. And in the meantime, with or with out Complex
16 Transformation, individual nuclear weapons research
17 production facilities are being modernized or being built at
18 nuclear weapons labs and factories across the country, and
19 the nuclear weapons juggernaut is forging ahead.

20 Tomorrow will mark the 5th anniversary of the
21 U.S. invasion and occupation on Iraq, a war launched on the
22 pretext of ending a nuclear weapons program that did not
23 exist. Tonight and tomorrow we are attending public hearings
24 in Tracy and Livermore on current U.S. plans to modernize the
25 very real laboratories and factors where the U.S. designs,

1 builds and maintains nuclear weapons.

2 Ladies and gentlemen, we have found the
3 weapons of mass destruction. This plan would allow the
4 government to keep thousands of nuclear weapons for many
5 decades to come and to build thousands more should it choose
6 to do so. And we're here to say -- to demand an end to the
7 nuclear surge. The purpose behind Complex Transformation is
8 to retain U.S. dominance in nuclear weapons for many decades
9 to come with the ability to expand production capacity and to
10 design and deploy new nuclear weapons if desired.

11 And this is not just a wish list. The
12 Commander of U.S. Strategic Command, General Kevin Chilton,
13 recently told reporters, "As we look to the future -- and I
14 believe we're going to need a nuclear deterrent for this
15 country for the remainder of this century, the 21st Century,
16 I think that what we need is a modernized nuclear weapon to
17 go with our modernized delivery platforms."

18 The EIS describes the Complex Transformation
19 strategy as requiring, quote, "A responsive infrastructure to
20 design, develop and field new weapon systems if needed." At
21 the same time, the missiles and aircraft that deliver nuclear
22 weapons to their targets also are being modernized, and new
23 generations of delivery systems are in development. That's
24 outside of this part of the complex that we're talking about.

25 The goal, as a 2002 Air Force planning

1 document put it is, quote, "To prepare a the U.S. for an
2 uncertain future by maintaining U.S. qualitative superiority
3 in nuclear war-fighting capabilities in the 2020-2040 time
4 frame." This is the smaller, cleaner, more efficient nuclear
5 complex we're talking about.

6 The endless quest for nuclear superiority is
7 part of the larger gamble that U.S. elites are making with
8 all our futures; that the pursuit of global military
9 dominance will allow them to shore up their slipping economic
10 hegemony for a few decades more. Nuclear weapons ultimately
11 back massive U.S. conventional forces and an aggressive
12 military posture worldwide.

13 Nuclear weapons are not useless. As the Air
14 Force Strategic Planning Directive for Fiscal Years 2006-2023
15 made clear, nuclear weapons provide, quote, "A credible
16 deterrent umbrella under which conventional forces operate
17 and, if deterrence fails, strike a wide variety of high-value
18 targets with a highly reliable, responsive and lethal nuclear
19 force. Desired effects include freedom for U.S. and Allied
20 forces to operate, employ and engage at will." This is what
21 our NNSA is telling us is nuclear deterrence. That's what it
22 really means.

23 All of this is taking place in the context
24 where the U.S. has a policy and a demonstrative practice of
25 preventive war-making with the proliferation of nuclear

1 weapons ranking first on the list of public rationales for
2 war. While it ignores its own nuclear nonproliferation
3 treaty obligation to negotiate the elimination of its nuclear
4 arsenal, the U.S. government claims the right to attack any
5 state it chooses to portray as a nuclear danger.

6 With the Iraq war, we saw how easily that
7 threat could be used as the core of a propaganda campaign for
8 a war of aggression. With the relentless effort to portray
9 Iran as an imminent nuclear threat, we see the arrogance of
10 violent, undemocratic elites who believe they can get away
11 with it again.

12 Nuclear weapons continue to pose fundamental
13 threats to human security. They play a key role in
14 sustaining the global climate of fear that justifies
15 militarism and military industrial complexes everywhere.
16 Their manufacture contaminates the earth with radioactive
17 materials that can last for thousands of years. Their
18 continued existence in a global context that increasingly
19 resembles those that have brought major wars between rising
20 and declining centers of economic power in the past poses a
21 risk of nuclear catastrophe that may be greater than we faced
22 during the Cold War.

23 And the only good thing about the Complex
24 Transformation draft EIS is that it reveals the tip of the
25 iceberg of the military industrial complex just for a moment.

1 These hearings, therefore, are an appropriate focus for
2 bringing some of the forces that drive us to war to light,
3 and to say, no, to this war and to the next.

4 And I would like to propose another
5 alternative that you haven't addressed. And that is
6 redefining security in human terms. This is what that
7 alternative would look like: The concept of security would
8 be reframed at every level of society and government with a
9 premium on universal human and ecological security, a return
10 to multi-lateralism and a commitment to cooperative
11 nonviolent means of conflict resolution. The United States
12 should make nuclear disarmament the leading edge of a global
13 trend towards demilitarization and redirection of military
14 expenditures to meet human and environmental needs.

15 And, finally, lest anyone forgets what nuclear
16 weapons actually are, which I think the DOE has, the posters
17 that I put up earlier are part of an exhibition that has been
18 provided to us by the Hiroshima Peace Museum. And if you
19 look at those horrifying images, think about the fact that we
20 are talking about, too, what would be considered now as
21 low-yield or mini-nukes. And when we talk about getting down
22 to just a few thousand nuclear weapons, every nuclear weapon
23 is a holocaust. Thank you.

24 MR. LAWSON: Thank you. Next speaker is Bob
25 Sarvey.

1 MR. SARVEY: Hello. My name is Bob Sarvey.
2 I'm a resident of Tracy, a businessman and taxpayer. I want
3 to thank all the citizens that come out here tonight from
4 their homes and Stockton, San Francisco, wherever you came
5 from to come support objecting to this proposal. It's hard
6 to get people out in Tracy, and it's good to see other folks
7 come from other ends of the state to help us out here.

8 Tonight at 7:00 o'clock our city council had a
9 regularly scheduled city counsel meeting, so I think if you
10 really wanted to hear from our elective officials, you
11 probably should have chosen a different time to come here,
12 and perhaps you will decide to visit us again. Pretty
13 inopportune time.

14 I think a lot of the points I wanted to raise
15 have been covered. I just want to talk about a little
16 parochial issue. Outside -- maybe a lot of you have
17 noticed -- there's maybe nine or ten police folks out there.
18 And I asked them, "What the hell are you fellows doing over
19 here?" You know, we've got a budget crises, and there's a
20 lot of crime in Tracy, and they're over here keeping an eye
21 on all us, which I think is pretty funny. I don't see
22 anybody here that looks too violent. But to have 10 cops out
23 here -- so I'm going to ask the NNSA to reimburse my police
24 department for those 10 people. I want to make sure that
25 that goes on the record. And I'm hoping that will happen.

1 The purpose here tonight and the purpose of
2 this plan is to create a new nuclear deterrence. We know
3 that's a joke. We have such a nuclear deterrence now we
4 can't even use it. We've used two bombs since 1945. It's a
5 joke. It's the biggest waste of money that's ever been in
6 the history of mankind. And, you know, the purpose is not
7 to, you know, consolidate all the nuclear materials. The
8 purpose here is to make money, and let's talk about making
9 money, because that's what this is all about.

10 This is the military industrial complex.
11 People making weapons of mass destruction. They want to make
12 money. We are not going to be safer by this plan, and, you
13 know, I'm glad to hear they're going to consolidate some
14 material and they're going to take it somewhere, but that's
15 just a NIMBY argument. Because we have been living on site
16 300, and they've been blowing up depleted uranium off there
17 since 1950. And, yeah, I'm glad to hear they're going stop
18 doing that, but they're just taking it to another community
19 and giving them the headache, and that's not fair. That's
20 not right. That's not something to support.

21 What we need to do is stop the open-air
22 testing. And right now before the San Joaquin Valley Air
23 Pollution Control District, the DOE still has a permit to
24 increase testing, and they're currently allowed a thousand
25 pounds per year of depleted uranium, and they want to

1 increase that to 8,000 pounds. They're currently allowed a
2 total of 100 pounds per blast, and they want to increase that
3 to 350 pounds per blast. So telling me that somehow you're
4 going to abandon Site 300, I'm not feeling real comfortable
5 with that as long as that permit exists at the San Joaquin
6 Valley Air Pollution Control District. So I would like to
7 see the lab, or whoever is in charge of that, withdraw that
8 permit. I will feel a little more comfortable.

9 And this was said earlier, the fact that the
10 DOE is not going to continue to blast stuff up there doesn't
11 make me feel any more comfortable either. Because the
12 Department of Homeland Security is the one who wants to do
13 these tests for. So, you know, I'm not too comfortable with
14 this plan. I'm not too comfortable with moving this to
15 somebody else's backyard. We need to stop it, and we need to
16 stop it right away.

17 The complex is already too large, and it's
18 unmanageable. And now we're talking about creating more
19 nuclear weapons. So we have to spend more money later on to
20 dismantle those? It's not making sense.

21 You know, like I said, I would like to see the
22 money that they're spending to create these new nuclear
23 weapons to clean up the mess they've already made up here on
24 the hill at Site 300, in Livermore and the Rocky Flats.
25 There's some terrible contamination, and all we do every year

1 is we fight to get the money to have that stuff hauled off,
2 and they just tell us, oh, we can't do it; our preferred
3 alternative or taking the stuff out and trucking it to a
4 disposable site is too expensive. But then you can turn
5 around and tell us you want to spend billions and billions
6 and billions of dollars to develop new weapons to contaminate
7 the ground some more? It's unacceptable.

8 So once, again, I want to thank all you folks
9 for coming out here to Tracy. I support the peaceful uses
10 that go on at the lab. There are some brilliant people
11 there. I'm glad they're employed here. I'm glad they live
12 here. They're a credit to our community. But they shouldn't
13 be developing nuclear weapons. Thank you.

14 MR. LAWSON: Thank you, sir. Well, thank you
15 all. At this point I have exhausted the list of people who
16 have signed up to speak. Did you sign up, sir?

17 MR. GREEN: No. I didn't know there was a
18 sign-up sheet, so if you do extend the time, I would say a
19 few words.

20 MR. LAWSON: Certainly. Let me just -- I
21 talked to the -- signaled with the court reporter about
22 taking ten quick minutes. Can we take one more person before
23 we break; is that okay?

24 THE REPORTER: Sure.

25 MR. LAWSON: Thank you. Yes, sir. Would you

1 like to come up, please. And, please, give us your name, if
2 you would.

3 MR. GREEN: Good evening. My name is Rex
4 Green. I'm up here from Fremont, so I'm one of these people
5 that's not local. I am going to move closer. I have a
6 property in the Hayward Hills I want to develop. I plan to
7 retire there. I'm a Ph.D. psychologist. I was a member of
8 the American Public Health Association until I left the
9 association recently. I tried to introduce the problem of
10 depleted uranium and all the weapons that have been fired in
11 Iraq of all different types, and I got nowhere with that
12 organization.

13 There is something going on in the mindset of
14 the leaders of this country that says nuclear weapons are a
15 good thing, they're a good business deal, they're a
16 deterrent, they're all these things that we have been
17 alluding to this evening. But if you were to visit Iraq and
18 look at pictures of some of the people that are living there
19 and the horror on their faces and the mutilated faces of
20 their newborn children, I think you would realize that the
21 issue is not just a matter of nuclear warheads on big bombs;
22 it's that our country is using weapons of horrible
23 destruction every time we go out and fight.

24 So to hear a proposal like this one that they
25 want to build a more modern facility for developing more

1 powerful nuclear weapons to increase their military
2 deterrence, strikes me as the epitome of the absurd. We're
3 the ones causing the wars. We're the ones attacking other
4 countries. We're the ones firing nuclear weapons every time
5 we do so.

6 So I came to this meeting curious to see what
7 was going to be discussed. I had no idea really, and I think
8 that it's telling, and I hope you notice this as well: No
9 one has gotten up here and spoken for the plan. Where are
10 the people who are for the plan? Well, they don't live here.
11 Why don't they live here? Well, because they don't want to
12 be contaminated, so they live somewhere else.

13 So let me show you something about your map,
14 Rick. I see you're getting rid of some of the sites that are
15 located near major metropolitan areas. You're also
16 down-sizing some of the capabilities of Lawrence Livermore
17 National Lab. These, I think, are very applaudable. And so
18 I see in your proposed set of sites you're going to keep
19 Lawrence Livermore National Lab, which is the only site that
20 was near -- and I mean really near -- a major metropolitan
21 area. I don't understand that. There's no one saying
22 anymore that these blasts are neutral to the environment.
23 They're harmful to the environment. People here have
24 obviously given you a lot of information tonight about how
25 harmful they are. And I was expecting, like the other lady

1 that mentioned, where's the environment impact information to
2 hear that, in fact, this has been notice by NNSA?

3 So I hope that in your further work on this
4 project you are able to demonstrate that the harm is there.
5 It's already trackable. It's already countable. It's been
6 counted in Chino, California. It's been counted near Sandia
7 Labs as well. This is a real concern of the people who live
8 here, and I think helps explain why you've got no support for
9 this plan here tonight, and I kind of feel sorry for you.

10 There's a lot more going on politically than
11 we know, and I just want to mention that when I hear about
12 this plan and the trade with old buildings to new buildings,
13 more science, more development of things we don't want and
14 don't need, I say why, you know, and why here? And it struck
15 me, you know, as I'm thinking about it. Yeah, this is a
16 liberal bastion, San Francisco, unions, all that stuff.

17 Well, sure, if we've got to have a place we're going to do
18 this crap, let's do it where we don't live. That's why the
19 people who are for this are not here. They're living in
20 Texas. Hey, you got rid of the one in Texas. I wonder why.

21 We don't have control of the government, but
22 maybe we'll win the election in 2008. You better believe
23 we're going to raise a stink about it if you leave it here,
24 because it's too near too many people. It's just not safe,
25 and we can't do it, and you've already been moving in that

1 direction. I don't know why you're putting out a new plan to
2 stay here with nuclear weapons development and testing and
3 open-air and hydro testing and all the other stuff. You
4 almost make me cry. Thank you.

5 MR. LAWSON: Thank you, sir.

6 Okay. I'm going to take a break now. I don't
7 have anybody else on my list, but I just want to say a couple
8 things before we do take that break.

9 First of all, we are going to be here until
10 10:00 o'clock. And so if other people come in or if any of
11 you would like to either add to comments already made or
12 perhaps make some comments for the first time, you're
13 certainly welcome to do that. And if you choose to do it,
14 talk to me or the registerer outside the door so we get your
15 name properly registered.

16 The second is that while we're taking a break,
17 there will be opportunity for more discussion at the back of
18 the room with some of the material that's there, perhaps to
19 talk to some of the DOE officials who are here to clarify any
20 points that you would like to make.

21 Third, is that I would like to thank you all
22 for coming, first of all. I know that when we have a recess
23 like this sometimes people choose to leave and I understand
24 that. We certainly encourage you to stay, and I don't want
25 you to leave without my telling you how much we appreciate

1 the time that you've taken not only to come but for those
2 people who have spoken; obviously, a lot of time and thought
3 has gone into the comments that you've made, and it's very
4 much appreciated.

5 At this point we will take a recess and we
6 will reconvene only when and if I have some people who would
7 like to speak, but we will be here until 10:00 o'clock.

8 (Recess taken from 8:57 to 9:16 p.m.)

9 MR. LAWSON: The speaker is Ria De Groot, who
10 spoke earlier.

11 MS. DE GROOT: Well, the addendum is really
12 short, but I just did want to say, because it was really part
13 of my point to bringing up the Navajo Nation and the mining
14 of the uranium and the reason that they have chosen to oppose
15 it as a group was because of the great increase in the cancer
16 rate. And so when they have discovered that that was the
17 result in their community, there was lots of conflict,
18 apparently, because some people had very good jobs, but it
19 was the increase in the cancer rate that, in fact, led them
20 to pull together as a nation in the legislature there at
21 Window Rock did decide to oppose it. And what's going to
22 happen further with that, I don't know.

23 And the other thing, one little question that
24 came up in my mind earlier that I was not able to bring up is
25 that in one of the statements that you did make when you were

1 making all your presentation was I kind of caught -- and I
2 have a question -- is there any intention of privatizing this
3 nuclear work? I know Bechtel has been sort of involved, and
4 I know that raises some concerns for me and a lot of
5 implications. But -- and I know this is not a time for
6 discussion. But I just caught -- and I don't know if I'm
7 making inferences or not, but I wanted to know very much is
8 this leading up to trying to privatize this whole work in the
9 future?

10 MR. LAWSON: Okay. Thank you. We also have
11 another person who would like to add to her comments, Marylia
12 Kelley.

13 MS. KELLEY: Just two quick things. I want to
14 make sure that it's recorded that these came up at the Tracy
15 public hearing. One is that I just received email that
16 Senator Binghamin and Representative Udall have requested
17 that the Department of Energy extend the public comment
18 period, which is now scheduled to end April 10th on this
19 Complex Transformation plan. So I would like to support
20 Binghamin and Udall in that request on behalf of Tri-Valley
21 CAREs and ask for the extended public comment period.

22 And, second, it quite struck me when you talk
23 about a classified appendix with the terrorism analysis, I
24 want to state that while some of the details of the terrorism
25 analysis are quite possibly appropriately classified, in

1 fact, what the national environmental policy act requires is
2 an analysis of the health and environmental impacts of
3 terrorism, and it is not appropriate, nor is it necessary to
4 classify what the impacts on the workers in the community of
5 a terrorist attack would be. And so we want to call on the
6 Department of Energy to put all of the information that can
7 be placed in the unclassified portion of the Complex
8 Transformation plan to do so and most certainly not to
9 classify the impacts of a terrorist attack.

10 MR. LAWSON: Thank you, very much.

11 Now that we're open, is there anybody else who
12 would like at the add comments before we go into recess
13 again? Yes, sir. Give us your name.

14 MR. DOAN: Sure. Hi. My name is Bien Doan,
15 and I'm a family man, father of three, live here in Tracy. I
16 just want to say, thank you, for the NNSA for looking into
17 the plan of reducing all of this nuclear stuff. But I don't
18 agree with the fact that we're going to do more open-air
19 tests or bring in more research and development with tritium,
20 not only in my community here, but in other communities.

21 And I would like to thank all of you out there
22 who have opened my ears and my eyes and my mind toward the
23 effect and what all these radiation are doing throughout our
24 community and our nation. Thank you.

25 MR. LAWSON: Thank you, very much.

1 Anyone else? Okay. It is now 9:20, and we
2 will continue to be here for another half hour or so. And,
3 again, we will now recess until somebody else would like to
4 speak. Thank you.

5 (Break in proceedings from 9:20 to 9:55 p.m.)

6 MR. LAWSON: It is now just before
7 10:00 o'clock, and we have had no other people come up to say
8 that they would like to comment, and so I will in a second
9 call this meeting over.

10 Now, before I do, I just want to thank, again,
11 people for their participation in today's meeting and
12 hearing, and to thank them for making the comments that they
13 have; remind people that there are two sessions tomorrow in
14 Livermore. And, finally, I would like to thank our court
15 reporter for her excellent work and say that this hearing is
16 now over.

17 (Whereupon the proceedings concluded at
18 10:00 p.m.)

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