

**Paper: Santa Fe New Mexican, The (NM)**

**Title: Watchdog groups sue to stop LANL weapons upgrade work**

**Date: March 18, 1997**

A coalition of nuclear watchdog groups including two Santa Fe organizations wants a federal judge to prevent \$300 million worth of planned upgrades at Los Alamos National Laboratory weapons facilities from going forward pending a legal action against the Department of Energy.

Among the projects that could be affected are planned upgrades to Technical Area 55, the lab's top secret plutonium research plant; to the Chemistry and Metallurgy Research building; and to the Nuclear Materials Storage Facility.

"We will seek an injunction of all activities related to the production of plutonium pits," Greg Mello, of the Santa Fe-based **Los Alamos Study group**, said Monday.

The hazardous work of building plutonium pits grapefruit-size metal spheres found at the heart of most nuclear bombs was recently transferred from the Rocky Flats plant near Denver to Los Alamos. The lab is expected to build from 20 to 80 pits per year far fewer than the more than 1,000 pits a year that were built at Rocky Flats during the Cold War.

In a March 14 letter to the Energy Department, the coalition of more than two dozen groups informed DOE attorneys that they are seeking to reopen a seven-year lawsuit between the agency and citizen organizations.

The groups say the agency has failed to live up to the terms of a 1990 settlement that required the DOE to conduct environmental studies of its plans to rebuild and clean up the U.S. nuclear weapons complex.

Energy Department officials were not reached for comment.

A laboratory spokesman declined comment.

The coalition is led by the National Resources Defense Council, a Washington D.C. organization, and includes groups from California, Nevada, Washington state, Tennessee, Utah and Texas. The other Santa Fe organization is Concerned Citizens for Nuclear Safety. Citizens for Alternatives to Radioactive Dumping, an Albuquerque group, is also part of the coalition.

The coalition's major claim is that the agency has failed to properly evaluate alternatives to its plan to spend \$40 billion over the next 10 years on revamping its nuclear weapons facilities.

The plan is controversial not just because of its cost. It is widely viewed as a political payoff to the nuclear weapons establishment, which was forced earlier in the decade to accept the termination of underground nuclear testing.

The coalition also says the DOE has fallen short in analyzing its plans to handle nuclear and chemical waste generated by future weapons work.

Christopher Paine, senior research associate with the National Resources Defense Council, said the agency has strayed so far from the 1990 settlement that its future plans "no longer add up to a coherent whole.

"They've confused themselves and the public," Paine said.

The stockpile stewardship and management program is designed to maintain the nation's existing nuclear arsenal in a state of readiness. This is to be accomplished in two ways: by replacing aging weapons components and by testing weapons without blowing them up in an array of new facilities.

The Los Alamos arm of the program is set to receive \$416 million in 1997, about a 10 percent increase from the previous year. The lab is also set to install new supercomputers as a way to simulate nuclear testing.

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Author: KEITH EASTHOUSE

Section: Main

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# Lawsuit To Be Renewed Over DOE Studies

## Group Targets Impact Statements

3/18/87

*Journal Staff Report*

Anti-nuclear activists plan to reopen a 1989 suit alleging the U.S. Department of Energy again has failed to perform adequate environmental studies on its largest nuclear weapons and waste-cleanup programs.

The renewed case will attack much of DOE's blueprints for post-Cold War work in weapons research and the cleanup and management of weapons-related radioactive wastes.

More than two dozen environmental groups nationwide — three in New Mexico — told the DOE on Monday that they view three key environmental-impact statements in those areas as deficient or nonexistent.

DOE officials could not be reached Monday night for comment.

One EIS on stewardship or caretaking of the nation's nuclear stockpile gives the green light to Los Alamos National Laboratory for an \$800 million program to begin building plutonium pits — the fission triggers for thermonuclear weapons — by 2003.

"We just think all of this is rushing forward all too fast," said Greg Mello, president of the Santa Fe-based Los Alamos Study Group, which opposes nuclear proliferation.

The groups settled the 1989 case with the DOE on the agency's promise to perform the elaborate environmental studies. The renewed suit will allege the result falls short of a comprehensive review.

For example, Mello said, the EIS on stockpile stewardship fails to study potential environmental impacts from the \$422 million Advanced Hydrotest Facility, planned for Los Alamos. Yet initial spending on the experimental machine already has begun.

The groups hope the suit will prompt the DOE and Congress to rethink the trend toward increased spending on weapons and reduced spending on waste cleanup, said Jay Coghlan, program director with another Santa Fe anti-nuclear group, Concerned Citizens for Nuclear Safety.

"Given the choice, would the taxpaying public choose to fund pork-barrel nuclear weapons programs producing more nuclear waste or would it choose cleanup programs?" Coghlan said.

"We think taxpayers are due the peace dividend they paid for long ago."

The groups say they will file to reopen the case after the 10-day notice period expires.

The motion will be reviewed by the original judge, Stanley Sporckin of the U.S. District Court for the District of Columbia, which handles appeals of actions by federal agencies.

# Watchdog groups sue to stop LANL weapons upgrade work

3/18/97

By KEITH EASTHOUSE  
The New Mexican

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## WEAPONS

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The groups say the agency has failed to live up to the terms of a 1990 settlement that required the DOE to conduct environmental studies of its plans to rebuild and clean up the U.S. nuclear weapons complex.

Energy Department officials were not reached for comment.

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# Anti-nuke groups reopen lawsuit

4/30/97

By STEPHEN T. SHANKLAND  
Monitor Managing Editor

Several environmental and anti-nuclear groups planned to reopen a 1989 lawsuit today against the Department of Energy.

Jay Coghlan of Santa Fe-based Concerned Citizens for Nuclear Safety said today that the groups planned to file a complaint and a motion requesting a preliminary injunction.

Coghlan said the complaint argues that DOE failed to live up to a 1990 stipulation that required two programmatic environmental impact statements (PEISs) dealing with the future of the nuclear weapons complex.

The complaint also argues that the Stockpile Stewardship and Management PEIS — one of the PEISs that resulted from the agreement — is inadequate.

Greg Mello of the Santa Fe-based Los Alamos Study Group, another group involved in the lawsuit, said the motion for preliminary injunction seeks to stop Stockpile Stewardship and Management Programs.

With regard to Los Alamos National Laboratory projects, the motion asks the court to enjoin preparation for nuclear weapon plutonium pit production and the Atlas project, Mello said.

The lawsuit, in addition to the complaint and motion for preliminary injunction, is filed in U.S. District Court for the District of Columbia. Judge Stanley Sporkin heard the case in 1989 and 1990, and will continue to hear this phase

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Los Alamos Monitor

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of it, Coghlan said.

DOE spokeswoman Chris Kielich said today that now that the matter is in litigation again, DOE won't comment.

However, Energy Secretary Federico Peña, during his visit to Los Alamos on April 18, defended DOE's environmental review of the future nuclear weapons complex.

Peña said he disagreed with the environmental groups' contention that the PEISs were inadequate.

Peña said DOE did "extensive work" on the environmental reviews and said DOE is "very confident" that DOE made the right decisions based on the best scientific data.

Peña also said there always are people who object to major policy changes, such as the post-Cold War switch to stockpile stewardship, which uses scientific means instead

of actual nuclear tests to keep nuclear weapons reliable and safe.

Coghlan said the 1990 stipulation required DOE to prepare two PEISs: a Waste Management PEIS and what was then called the Reconfiguration PEIS. The Reconfiguration PEIS was later split into several other PEISs, including the Stockpile Stewardship and Management PEIS and the Tritium PEIS.

Coghlan said DOE completed the draft version of the Waste Management PEIS in August 1995, but hasn't finished the document.

And, he said, one of the reasons the Stockpile Stewardship and Management PEIS is inadequate is because it depends on the incomplete Waste Management PEIS to describe how waste will be treated in the future.

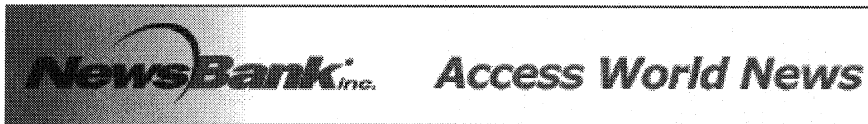
"DOE ... has not honored its court-recorded stipulation," Coghlan said.

Former Energy Secretary Hazel O'Leary, shortly before she resigned as energy secretary, signed a record of decision that approved the Stockpile Stewardship and Management Program.

Coghlan said the Stockpile Stewardship and Management PEIS fails to adequately consider alternatives to stockpile stewardship.

"DOE posts what it wants, and knocks down everything else," Coghlan said.

Coghlan said he objects to the fact that DOE argued some facilities were too far out in the future to be considered in the Stockpile Stewardship and Management PEIS. In the case of the Advanced Hydrotest Facility, being planned by LANL scientists, the facility wasn't considered in the PEIS, Coghlan said. However, he added, "Already, significant amounts of money are being spent" on it.



**Paper: Albuquerque Tribune, The (NM)**  
**Title: Environmental groups to file suit against DOE**  
**Date: April 30, 1997**

WASHINGTON -- A coalition of 40 environmental groups prepared today to sue the federal government, charging the U.S. Department of Energy broke its promise to study alternatives to expanding its nuclear-weapons program at Los Alamos, Sandia and other national labs.

The lawsuit, expected to be filed today in the U.S. District Court for the District of Columbia, also contends that DOE has refused to set national standards for its nuclear-waste cleanup program.

The environmental groups are to ask the court to take two steps:

- \* Ban DOE from the construction of any new facilities in its nuclear-weapons program until it analyzes "reasonable" alternatives. The ban would affect several hundred million dollars' worth of construction projects at Los Alamos and about \$100 million worth at Sandia National Laboratories in Albuquerque.

- \* Force DOE to determine the environmental impact of its nuclear-waste cleanup program.

Among the groups filing the lawsuit are two New Mexico environmental organizations: the **Los Alamos Study Group** and Concerned Citizens for Nuclear Safety.

The lawsuit is a sequel to one filed in 1990 by the environmental groups. At that time, DOE signed a legal agreement requiring it to analyze plans for new nuclear-weapons research facilities, as well as do an environmental-impact statement for its nuclear-waste cleanup program.

"Through this lawsuit, we are seeking to have DOE honor the agreement they made in 1990," said Jay Coghlan of Concerned Citizens for Nuclear Safety, based in Santa Fe.

"We also want to bring the whole matter before the public gaze, and reverse the situation where money for weapons takes precedence over money for cleanup."

DOE officials couldn't be reached today for comment on the lawsuit.

But the heads of the Sandia and Los Alamos labs recently have urged Congress to beef up funding for the nuclear-weapons program.

The lab directors contend their dollars are stretched too thin to keep up with current nuclear-weapons research as well as build the new research facilities they say they need to ensure the safety of the current stockpile.

Among the facilities to be built at Los Alamos is one that would make the lab the nation's only manufacturer of plutonium triggers needed to detonate nuclear weapons.

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*Author: Karen MacPherson TRIBUNE REPORTER*  
*Section: Local News*  
*Page: A3*  
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# Fund Crunch Halts Lab Renovations

## Officials Unsure Why First Phase Is \$8 Million Over

5/16/97  
BY IAN HOFFMAN  
Journal Staff Writer

Budget overruns estimated at \$8 million have forced Los Alamos National Laboratory to shut down renovations at its largest lab building.

Lab officials admitted Thursday to uncertainty over how much work remains and how they so quickly spent nearly all the \$51.6 million budget for initial renovations at the Chemistry and Metallurgy Research Building.

"It's unfortunate we didn't have people who could tell us those things," said T.J. Trapp, a manager in the lab's nuclear materials and stockpile management program who is responsible for major nuclear-facility upgrades.

"It happened late (in the renovations), and we don't have all the answers. We have to get those answers now," Trapp said.

LANL faces what could be months of figuring out what remains to be done at the building and lobbying the U.S. Department of Energy in Washington for money to do it.

The DOE's Los Alamos office was preparing to step in when Paul T. Cunningham, director of the lab's nuclear materials and stockpile management program, ordered the shutdown April 26. Work ended May 1.

"I don't think it was managed as it should be," said Jim Phoenix, the DOE's facility representative for the 550,000-square-foot building. "The laboratory was not watching over it."

The building, designed in 1949, began operations in 1952 as the lab's main facility for chemical research on radioactive materials and weapons components. Its wiring and much of the plumbing that carries acid wastes to a treatment plant are more than 40 years old. The renovations are intended to keep the building oper-

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# Fund Crunch Halts Lab Renovations

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ating for 20 to 30 years more.

Lab officials call the first phase of the renovations urgent maintenance, consisting mostly of electrical work, coupled with repair of its fire-suppression system and new air-quality monitors for glove-box exhausts, among other things.

The building plays a key role in testing and refurbishing the aging parts of nuclear weapons.

Workers found they had to perform more work than anticipated in areas believed contaminated with radioactive materials, Trapp said. And they found more outdated electrical components that required

replacement than anticipated.

"Many of those systems, you can't really tell their condition until you take the power down and open them up to look at them," Trapp said.

One anti-nuclear activist questions the \$122.5 million budget for the second phase of the building renovations, which include shoring up the building against earthquakes. About \$12 million of that goes to LANL staff for design and operator support, not including \$1.75 million for an operational readiness review and \$1.23 million for start-up costs.

The renovations' high costs, plus the overruns in the first phase, could undermine the lab's pursuit of

more funds for stockpile stewardship and management, its bread-and-butter fund source for at least the next 10 years, said Greg Mello of the Los Alamos Study Group. "It may cost them. It depends on the lab's ability to represent all of its expenses no matter how outrageous as essential for its plutonium-manufacturing mission," Mello said.

Trapp declined to comment on potential political fallout from the cost overruns. Lab officials are trying to work what they're learning from the renovations into other upgrades, such as those planned for its top-security plutonium facility at Technical Area 55, he said.

"What we're finding is it's costing us more to fix things in some of our nuclear facilities than we originally anticipated," Trapp said.

The lab will need several months to determine the cost of remaining work, which project officials estimate ranges from \$3 million to \$11 million, Trapp said. The lab faces internal scrutiny to find out why costs were unanticipated, why they mounted so quickly and why project managers kept spending as they closed in on the budget limit.

Asked whether any project managers would be disciplined, Trapp said, "We're still looking at issues associated with that."

# Judge dampens fight against nuke program

6/18/97 N.M.

By PHIL STEWART  
States News Service

WASHINGTON — In an apparent blow, a federal judge discouraged anti-nuclear activists Tuesday from seeking a court injunction on the Energy Department's \$40 billion program to manage the nation's nuclear weapons arsenal.

Instead, Judge Stanley Sporkin told environmentalists to work out their gripes with the Energy Department before the court reconvenes next week.

"It's clear that we have to do something," Sporkin said. "What I'm suggesting is that you talk to each other."

The suit, filed by 39 anti-nuclear organizations, charges that the Energy Department

failed to conduct environmental impact studies and to consider "reasonable alternatives" when developing its massive 10-year plan.

Slated plutonium projects at Los Alamos National Laboratory were the subject of repeated attacks by group attorneys. In court proceedings Tuesday, attorney Barbara Finamore said that LANL would face "extreme environmental dangers" under the DOE's plan.

Finamore said the same plutonium projects slated for LANL caused a test site in Colorado to shut down, after more than 700 plutonium-induced fires and several radiation leaks.

"One of the first defects (in the DOE plan) is that it doesn't take

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into account that the same accidents could happen at Los Alamos," Finamore said.

But Sporkin said delaying the nuclear weapons management plan could threaten national security. He also questioned whether Finamore would, if granted the court injunction, object to later DOE proposals.

"Is it the motive to really get them to do what you want," Sporkin asked. "Or is it to get them to give up (on the project) entirely?"

Justice Department officials said the DOE would consider

recommendations made by the coalition over the next week. But environmental attorney Lisa Dowden said that only a court injunction would alter the course of the nuclear weapons management plan.

"Without a preliminary injunction, (a settlement) is meaningless," Dowden said.

Sporkin scheduled a further hearing June 24 to allow the Justice Department to continue its argument. It is not known when a decision will be made.

Besides Washington-based NRDC, a leading environmental group, plaintiffs include 38 other

organizations, many of them grassroots groups that have been active near federal nuclear weapons production and storage facilities around the country.

Groups participating in the lawsuit include two from New Mexico — the Los Alamos Study Group and Concerned Citizens for Nuclear Safety.

Among other things, the lawsuit would halt new DOE facilities, affecting several hundred million dollars' worth of construction projects at Los Alamos National Laboratory and about \$100 million worth at Sandia National Laboratories in Albuquerque.

# Judge reluctant to stop weapons work because of suit

6/18/97  
By H. JOSEF HEBERT

Associated Press Writer

WASHINGTON (AP)—Lawyers for an environmentalist group contend the Energy Department failed to consider adequately the environmental impact of a program to revamp the way it manages nuclear weapons.

A lawsuit by the Natural Resources Defense Council asks the court to block parts of the weapons management plan including the construction of a \$1 billion laser laboratory in California that is key to simulating nuclear weapons tests.

But U.S. District Judge Stanley Sporkin, hearing arguments on the suit Tuesday, made clear he is hesitant

to block the program. He asked lawyers on both sides whether they would agree to a "dual track" in which the program would continue, but additional environmental assessment would be required.

"A judge can't shut down a country from defending itself," Sporkin said, alluding to suggestions by the government that the laser program might have national security implications.

But Sporkin also expressed some sympathy for arguments by NRDC lawyers that the Energy Department had not conducted adequate environmental impact assessments.

Lisa Dowden, attorney for the

NRDC, said the Energy Department, in developing the nuclear weapons stockpile management plan, did not consider "reasonable alternatives" and in many cases did not adequately examine potential environmental harm at various proposed facilities.

She also maintained that only a small fraction of the program even had an environmental analysis.

Martin LaLonde, a Justice Department lawyer, replied that alternatives were considered but did not meet national security needs.

He said the management plan, including the laser facility in California, are designed to assure that nuclear weapons in the post-Cold War years

are in proper condition.

The injunction requested by the NRDC also would halt planned tests later this summer at the Nevada Test Site in which small amounts of nuclear material would be used in a chemical explosion. The "subcritical" explosion is designed to gather information that would be used in analyzing weapons and warheads in the laboratory.

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7/20/97

## LANL, testing

We are writing to clear up any misunderstanding that may have been created by The New Mexican article of June 25, 1997, LANL Nuke Test Gets Go Ahead. The coalition of 39 peace and environmental organizations (which includes our groups) that is suing the Department of Energy on environmental grounds opposes the two subcritical underground nuclear experiments planned this summer at the Nevada Test Site. The coalition of plaintiffs has not dropped subcritical tests from the lawsuit, only from the request for preliminary injunction blocking expansion of the nuclear weapons complex until adequate public review has been completed. Our challenge to the underground subcritical nuclear tests slated as part of the DOE's Stockpile Stewardship and Management Program is very much alive.

The coalition charges that DOE failed to produce a legally adequate programmatic review of its proposed stewardship program for the nation's nuclear arsenal, including the subcritical tests. Regarding the subcritical experiments, these alternatives should certainly include conducting them above-ground, not conducting them at all, and closure or conversion of the test site itself. The coalition may still request the judge to issue, as part of his final ruling, an injunction permanently enjoining subcritical tests and other parts of the weapons complex until adequate analysis is completed.

At a hearing on the motion for preliminary injunction on June 17, Judge Sporkin appeared unwilling to undertake a detailed analysis of DOE's national security claims regarding the imminent subcritical test in his courtroom. While not persuaded there are any true national security concerns, in view of the judge's attitude, on June 24 the coalition limited its request for preliminary injunction to certain key facilities in DOE plans the \$1.3 billion National Ignition Facility at Livermore Lab in California and upgrades to the Chemical and Metallurgical Research (CMR) Building and the Nuclear Materials Storage Facility (NMSF) at Los Alamos. Because of Congress's own doubts about NIF and the CMR upgrade, the House of Representatives has recently proposed to fence appropriations for those two facilities. We believe that Congress will look skeptically at the NMSF as well. That facility, an underground storage vault for plutonium pits, was built in the mid 1980s for \$25 million, but never used because of fundamental design deficiencies and shoddy construction. LANL is now preparing to rebuild it for \$56 million, with possible storage capacity for 5,000 plutonium pits. Approval for the rebuild is exempted from public review on the basis of an environmental assessment over a decade old.

Scores of major public interest groups, including the plaintiffs in this case, also staunchly oppose the subcritical nuclear experiments as unnecessary, provocative to other nations, and contrary to U.S. nonproliferation and disarmament policies. These groups, including many of the plaintiffs, organized a national call-in day June 26 to DOE headquarters to call for cancellation of the subcritical tests, the National Ignition Facility, and other new weapons facilities and upgrades. This opposition is gaining momentum, and has spread to the Congress where 44 representatives recently sent a letter to the president urging that the tests be canceled. According to these representatives, the U.S. is unwisely creating a testing norm under which other nations could justify conducting similar underground nuclear weapons experiments at their test sites.

We co-plaintiffs believe that the United States is setting a terrible international example, so soon after the signing of the Comprehensive Test Ban treaty. Our opposition to these tests remains strong, and the future conduct of such tests as part of DOE's overall stockpile program remains a vital element in the environmental lawsuit.

Jay Coghlan

Concerned Citizens for Nuclear Safety

Barbara Finamore

Natural Resources Defense Council

Greg Mello

**Los Alamos Study Group**

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# Say a firm and joyful no to terrible weapons of mass destruction

*The bomb first was our weapon. Then it became our diplomacy. Next it became our economy. Now it's become our culture. We've become the people of the bomb. — E.L. Doctorow*

Nowhere is this more true than here in New Mexico, where the University of California (Los Alamos) and the Lockheed-Martin Company (Sandia) are fast becoming world leaders in the production — no longer just the design — of nuclear weapons. These products are “weapons of mass destruction,” a term that also includes chemical and biological weapons. Making weapons like this is not quite an ordinary job. Let's face it: making weapons of mass destruction is not a great deal different than making ovens in case a Holocaust is needed someday.

Even within the class of weapons of mass destruction nuclear weapons are uniquely destructive. Dr. Siegfried S. Hecker, LANL's director, told Congress in March that nuclear weapons “are unique in their ability to inflict massive damage to a target — swiftly and surely ... nuclear weapons are the ‘big stick’ that defends our homeland ...” And let no one doubt, Dr. Hecker said, that

“we” would be “unwilling or unable to use the nuclear weapons in our stockpile.”

This kind of bellicose rhetoric is new. It projects what the “warheads” hope will be a new consensus of legitimacy for nuclear weapons, a watershed shift in perception and hence funding. Already the nuclear weapons budget is considerably higher, in constant dollars, than it was on average during the Cold War. And it is growing. Hecker promotes weapons of mass destruction to keep the money flowing to his lab — by the truckload if possible.

Hecker is not alone. He is more than matched by Sandia director Paul Robinson, who told the *Los Angeles Times* that any further reductions in the U.S. arsenal would require, in his view, increased targeting of the Russian people.

These men are assumed to speak for all their employees. In the language of political pork, the *lingua franca* of Congress, they are assumed to speak for the rest of the state as well — we, the people of the bomb.

The labs' nuclear promotion begins, but does not end, with weapons of mass destruction. One of Los Alamos' tactical goals is now to create what it calls “Our

Greg Mello  
Commentary

7/2/97  
New Mexico

Plutonium Future,” in part through its “Global Nuclear Vision Project,” a series of meetings between the nuclear elite of many nations that is designed to work out an agenda to shape public policy and perceptions regarding “all things nuclear.”

Walking its talk, Los Alamos is now poised to begin manufacturing “pits,” the plutonium cores of nuclear weapons. But this too is just the beginning. Lab managers hope to please their “customers” (their term) in other ways as well, including establishing the capability to make complete thermonuclear explosives. These barbaric missions are painted with an Orwellian rouge that disguises self-serving manipulation; flashy euphemisms cover repulsive realities. Service, so to speak, with a sordid smile.

The fact that a university would stump for such work is an education in itself.

The labs' future thus looks a lot like

stump

the past, only more so. But what about the rest of us — downwind, downstreet and down dollar? What does our future hold?

I think you can see it, approaching from the next century like a highway sign: “Welcome to New Mexico! World Capital of Weapons of Mass Destruction.”

Whether visible or invisible, that would be our sign, our identity, our legacy to our children and to our land.

Not long ago a Hispanic farmer was asked: “What does the Rio Grande mean to you?”

“It is the river of righteousness,” was the reply. In these vivid, memorable words, we hear a heart and mind not separate from the world — a world which is flowing, intrinsically ethical and fundamentally Good.

That river will flow forever, but the path of nuclear weapons, the path we are choosing, does not lead by these waters. Where does it go? Through the Jornada del Muerto. I am afraid there will be nothing for us to drink there. And I am not sure tourists will continue to find it so very attractive either.

It is simply no good to try to build a

culture on weapons of mass destruction. These weapons do not deter threats to our “national security;” they are

threats to our security. They do not deter “rogue states;” they *define* rogue states. Those who make them do not protect us from terrorists; they are terrorists, witting or unwitting. These weapons deter nothing but the military budget cuts we so plainly need to finance our schools, care for our families and protect our communities.

More than this, these weapons corrode our conscience, undermine the authority of the state they supposedly protect, and attack the democratic freedoms they purport to guard. They and the fraudulent paradigm of “security” they embody distract us from the urgent cries of a world — our only world — being relentlessly crushed beneath the bulldozers of greed.

In a world of inverted values, where our local masters of war patriotically promote weapons of mass destruction, a firm and joyful “no!” from the barricades is a liberating “yes!” to human life and the generations yet to come.

Greg Mello of Santa Fe is a member of the Los Alamos Study Group.

# DOE arms program foes lose challenge

8/12/97

By RAY RIVERA  
The New Mexican

Environmentalists have lost a major battle to curb the Department of Energy's Stockpile Stewardship and Management Program.

A federal judge on Friday ruled against a consortium of anti-nuclear groups seeking to prevent increased plutonium pit production at Los Alamos National Laboratory and the creation of the National Ignitions Facility at Lawrence Livermore National Laboratory in Livermore, Calif.

But environmentalists say the ruling isn't a total loss.

The opinion issued Friday by U.S. District Judge Stanley Sporkin in Washington D.C. said national security concerns warranted the continuation of stockpile stewardship, a DOE program to maintain the nation's aging nuclear weapons arsenal. In the same ruling, however, he ordered the DOE "to perform a fuller disclosure of the environmental, health and safety risks asso-

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ciated with the plutonium pit fabrication program at Los Alamos National Laboratory and Lawrence Livermore National Laboratory."

"First of all, we're disappointed the judge didn't see the wisdom of stopping the construction or upgrading of DOE's facilities," said Jay Coghlin of the Santa Fe-based Concerned Citizens for Nuclear Safety. "At the same time, it's pleasing that he recognized that many of our concerns are real."

Concerned Citizens and the Los Alamos Study Group were among 39 groups nationwide to file the suit.

Coghlin referred to a passage in the judge's 24-page opinion that stated: "The court recognizes fully that there have been enough accidents involving nuclear programs to make Plaintiffs' concerns over the environmental, health and safety issues in this case real."

Sporkin cited the closure of the

Rocky Flats pit production plant in 1989 after more than 700 plutonium-induced fires and several radiation leaks.

Plutonium pits are the grapefruit-sized triggers at the heart of nuclear warheads. Pit production involves the processing of substantial quantities of plutonium, a highly toxic nuclear explosive material. The DOE's proposal to transfer Rocky Flats' production capability to LANL would increase both the number and types of pits LANL produces. The lab is currently able to produce about 20 pits a year.

A spokesman at Los Alamos National Laboratory referred questions to the Department of Energy in Washington. Officials there could not be reached late Monday.

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# Study group sues to get lab weapons information

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By STEPHEN T. SHANKLAND  
Monitor Managing Editor

The Los Alamos Study Group sued the Department of Energy Thursday in an effort to obtain information about Los Alamos National Laboratory listed in six requests.

The study group complaint asks U.S. District Judge Martha Vasquez to order the DOE "to produce immediately the documents sought by the Los Alamos Study Group" and "to commence an investigation to determine whether disciplinary action is warranted against any federal employee for DOE's unlawful pattern and practice

of withholding information...."

Greg Mello of the study group said today, "These six are ones that are, to our view, quite clear-cut instances of foot-dragging. They represent a constructive denial of our rights to get information."

The complaint said the Freedom of Information Act (FOIA) "requires federal agencies to respond to public requests for information within 10 days. In some cases, DOE's responses to the Los Alamos Study Group's 14 pending FOIA requests are more than five months late."

A news release said the study group

is requesting information on "the purpose, general description, and status of nuclear weapons projects at LANL; documents regarding LANL's program to develop a replacement warhead for the Navy's submarine-launched missiles; budget codes and general descriptions of current nuclear weapons projects; background documents relating to LANL's plans to upgrade its defunct Nuclear Materials Storage Facility...; travel records regarding thousands of trips LANL employees took to the Washington, D.C., area and to foreign countries in 1996; and budgets and personnel

involved in DOE and LANL public relations and 'corporate citizenship' activities in New Mexico."

However, LANL spokesman John Gustafson said today the delays in getting information to the study group are simply because of the amount of work needed to fulfill the complex requests, the limited number of people who fulfill the requests, and the fact that people at the lab have plenty to do as it is.

"The office that handles these information requests has two people working on them. Currently there are 50 open cases (requests), of which the study group represents 12," Gustafson

said.

And the lab is working on the requests, Gustafson added.

"Given the amount of staffing we have to direct to these requests, and given the complexity of Greg's requests, it's not surprising it takes a little bit of time to fulfill it," Gustafson said.

In the case of the travel information, the request produced a 1,100-page document that somebody has to go through to screen out confidential information such as employee addresses or credit card numbers, Gustafson said. This work must be done by Trav-

el Office employees who have their regular jobs to worry about. "When are they supposed to do it? They have to find time amidst their normal job activities," Gustafson said.

FOIA requests submitted to DOE are referred to LANL, said Gustafson and DOE spokesman Al Stotts.

Mello said that DOE-Albuquerque FOIA personnel "have told us that LANL is uniquely unresponsive" to FOIA requests.

Stotts said LANL accounts for 30 to 40 percent of the FOIA requests sent to DOE-Albuquerque — more FOIA

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### FOIA

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requests than any of the other facilities DOE-Albuquerque oversees. In addition, many of the LANL FOIA requests are for historical documents that require manual searches through archives. And about 60 percent of the LANL FOIA requests produce material with classified information, which means the document must be analyzed line-by-line by a single classification officer at LANL, Stotts said.

Because of frustrations in getting information from the lab, the study group has ratcheted its requests to increasingly formal levels such as FOIA requests, Mello said.

Mello also complained that many of the requests could be handled informally by simply asking the LANL employees involved. Instead, the study group is forced to have its requests channeled through the Community Involvement and Outreach (CIO) Office. "It's kind of a make-work deal and it's kind of a filtering deal," Mello said.

Gustafson responded, "The people that have documents have jobs that they are hired to do. Their job is not to make people (like Greg Mello) happy. That's why we have an organization like CIO, to work with these outside groups."

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