

Montee, Pat  
 Cullowhee, NC  
 Page 1 of 3

February 11, 2001

Gary Hartman  
 U.S. Department of Energy  
 Oak Ridge Operations, DP-80  
 P.O. Box 2001  
 Oak Ridge, TN 37831

Dear Mr. Hartman:

I am almost overwhelmed at the idea of commenting on the draft environmental impact statement for the proposed "National Security Complex" in Oak Ridge, TN.

For starters, the magnitude of the pollution the present complex has imposed on the area in and around Oak Ridge is staggering. Then we have the spectre of \$4 billion dollars MORE of our taxes going into the creation of an even bigger factory for dealing death to mankind. Add to this the arrogance of the draft EIS which: 1) Sidesteps the law governing environmental impact statements by breaking the proposal into pieces and ignoring half the pieces; 2) Establishes a false "baseline" for determining environmental impacts; 3) Ignores critical issues that even governmental oversight agencies have pointed out.

President Eisenhower was so right about the military industrial complex of this country requiring our vigilance and our action. Ever since my family moved here downwind of Oak Ridge twenty years ago we have been reading of Oak Ridge mercury spills, radionuclides and hazardous chemicals drifting into water supplies, containment pools that don't contain, and attendant "coverups". A succession of contractors there have left a succession of so many problems that finally a local peace environmental group was formed in Oak Ridge. Thanks to their tireless efforts the DOE has had to respond to the public. Frankly, that response is so far insufficient.

For example, the DOE still does not actually know how much highly enriched uranium it has in Oak Ridge. Still, after all that probing into the ground with engineering expertise, they don't know! Are we to believe that the same outfit which hasn't found THAT out yet should now use \$4 billion more of our tax dollars to build a new bomb building facility?

The EIS ignores historic contamination and uses figures generated in more recent times for its "baseline" for determining environmental impact. How can factors that make Y-12 an EPA Superfund Site not be covered in an environmental impact statement?

The EIS makes no reference to the findings in April of 2000 of the government oversight agency, the Defense Nuclear Facility Safety Board, of serious problems with faulty pipelines and other poor work by the contractor at Y-12. It doesn't reflect that after sixty years of denials, including fighting workers in court, the DOE acknowledged in January of 2000 that workers at its three Oak Ridge plants were deceived about exposures they received on the job.

**Comment No. 1**

**Issue Code: 25**

There are no plans or proposals in the Y-12 SWEIS to build a new bomb plant or new nuclear weapons to increase the nuclear weapons stockpile. Y-12 is supporting the dismantlement of nuclear weapons and the maintenance of the remaining stockpile in order to meet safety, reliability, and security requirements.

Segmentation involves separately analyzing connected actions in order to reduce the significance of the environmental impacts of an action as a whole. CEQ's regulations are directed at avoiding improper segmentation, and the Y-12 was prepared in accordance with CEQ regulations. The proposed action and alternatives in the Y-12 SWEIS are independent of other potential future modernization actions at Y-12, and do not trigger other actions that may require EISs.

While the proposed HEU Materials Facility and the Special Materials Complex have progressed to the conceptual design level, other facilities at Y-12 considered for modernization are still in the very early planning phase and are not ripe for decision at this time. Table 3.3-1 provides a summary of the potential new facilities. None of potential future modification projects are included in the No Action - Planning Basis Operations Alternative. Two modernization projects are included in the action alternatives for the Y-12 HEU Storage Mission and Special Materials Mission as discussed in Sections 3.2.3, 3.2.4, and 3.2.5. As new modernization projects are proposed for Y-12, separate NEPA analyses will be conducted. Sections 1.1.3 and 3.3 discuss the Y-12 Modernization Program.

The effects due to past releases are reflected in the No Action - Status Quo Alternative. Volume I, Chapter 4 of the Y-12 SWEIS describes the current affected environment (baseline) which includes the effects of past operations and environmental contamination. DOE recognizes that it has facilities and sites which require some level of environmental cleanup. Most of the facilities at Y-12 were designed and constructed in the 1940s and 1950s, prior to today's environmental requirements.

1/25

2/12

3/14

Montee, Pat  
Cullowhee, NC  
Page 2 of 3

-2-

I'm an elderly law-abiding citizen. I'd much rather be out digging in my garden than writing to you. One might even ask, why bother? --writing the DOE about this is surely like addressing the fox at the hen house. But I just can't believe that people working for the DOE are any different from me. Surely you too have children or grandchildren? Surely you too want them to grow up believing in the word of their governmental agencies?

Why, in a world which shows such promise for diminishing need for nuclear weapons, does the DOE maintain this mindless march to more weaponry? More nuclear pollution to spread around the world, more weapons material to fall into the hands of terrorists. Why should your and my government's previous international agreements be put at risk by your planned research on new weaponry?

There seem to be plenty of Tennessee politicians, who feel that upgrading DOE's Oak Ridge facilities is in order. "Time to invest in security" they say. Pardon me, but I can't help laughing. What other single element have we been investing more in for the past 50 years?

Mr. Hartman, it's time to look at more constructive uses to put our \$4 billion to. The evidence is all around us of human and environmental needs that if met will provide security of a more lasting and less deadly nature. Let's not leave our children a polluted landscape behind a nuclear fence. I wish to register a resounding NO to the DOE's plans for the new National Security Complex at Oak Ridge.

Sincerely,



Pat Montee

P.O. Box 149B  
Cullowhee, N.C.  
28723

4/16

**Comment No. 1 (cont.)**

**Issue Code: 25**

Much of Environmental Management (EM) work done on the ORR is performed as a result of the requirements of the *Federal Facility Compliance Act* and CERCLA. The Federal Facility Compliance Agreement (FFA), which preceded the Act requires that all DOE facilities manage and dispose of waste in accordance with their respective Site Treatment Plans. The Legacy Waste Program was established to address, in accordance with the Site Treatment Plan, waste generated and stored on the ORR from past operations. Another large part of EM work conducted at Oak Ridge is done according to the requirements of CERCLA, which is implemented by the FFA in Oak Ridge. The FFA is an agreement signed by DOE, TDEC, and EPA to address contamination resulting from past activities of DOE operations that remain in structures, buildings, facilities, soil, groundwater, surface water, or other environmental media. Most of the remaining part of EM's work is operating and maintaining waste treatment, storage, disposal, and recycling facilities that support EM activities, and other DOE programs as well.

Over the past several years, DOE has had a very aggressive clean-up program and has worked with EPA, the states, stakeholders, and the general public to clean up ORR to acceptable levels. Environmental clean-up activities (see Section 2.2.2.2) is an ongoing activity at Y-12. To date DOE has completed numerous cleanup activities and is aggressively working toward the cleanup of its remaining environmental problems. Actions taken to continue Y-12 operations would not be inconsistent with nor impact these ongoing clean-up activities.

See response to Comment No. 3 below concerning oversight agencies.

**Comment No. 2**

**Issue Code: 12**

(See comment No. 1 above for response to historic contamination and the baseline used in the Y-12 SWEIS). DOE believes that it has adequately addressed impacts to the environment that could result from implementing the proposed action and alternatives. Volume I, Chapter

**Comment No. 2 (cont.)**

**Issue Code: 12**

5 of the Y-12 SWEIS addresses impacts from the proposed action and alternatives; and Volume II, Appendices D and E provide further detailed analyses related to human health effects from normal operations/facility accidents and air quality, respectively.

**Comment No. 3**

**Issue Code: 14**

Defense Nuclear Facility Safety Board reviews are part of the ongoing process to ensure the operational readiness and safety of the Y-12 facilities and activities. Findings issued by the Defense Nuclear Facility Safety Board are taken very seriously by DOE and appropriate mitigation and conservative actions are implemented.

DOE believes that it has adequately addressed impacts to the environment and worker/public health and safety that could result from implementing the various alternatives. Appendices D and E provide further detailed analyses related to human health effects from normal operations/facility accidents and air quality, respectively.

**Comment No. 4**

**Issue Code: 16**

Since the end of the Cold War, the United States has significantly reduced the size of its nuclear weapons stockpile and DOE has dismantled more than 15,000 nuclear weapons. At the present time, the United States is further downsizing its deployed nuclear weapons stockpile consistent with the terms of START I and START II. Although Russia suspended its nuclear weapons dismantlement activities on January 20, 2001, DOE has continued weapons dismantlement activities. While future arms control reductions may change requirements for maintaining the weapons stockpile, DOE is responsible for meeting the current requirements set forth by the President and Congress. The need for nuclear weapons and the issue of how many nuclear weapons the United States maintains as a nuclear deterrent are beyond the scope of the Y-12 SWEIS.