

Tri-Valley CAREs  
Livermore, CA  
Page 1 of 3

**Tri-Valley CAREs**

**Communities Against a Radioactive Environment**

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February 22, 2001

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

Dear Mr. Hartman,

Subject: **COMMENTS FROM TRI-VALLEY CAREs REGARDING THE OAK RIDGE Y-12 SITE-WIDE ENVIRONMENTAL IMPACT STATEMENT**

The Y-12 Site-Wide Environmental Impact Statement (EIS) considers four possible alternatives for Y-12 modernization.

Tri-Valley CAREs (Communities Against a Radioactive Environment) believes the preferred alternative is *No Action*--leave things like they were in 1998, at 40% capacity. One modification we would add to this alternative is to urge you to invest the four billion tax dollars that would have funded bomb plant capacity upgrades to fund, instead, an accelerated cleanup of the Oak Ridge facility, the cleanup of the surrounding area and better and more complete remediation at other contaminated Department of Energy (DOE) sites across the country.

As part of our modified preferred alternative, we urge you to prioritize cleanup of polluted areas near the Y-12 site, such as in the African-American community of Scarboro. We know from our own experience with another DOE nuclear weapons facility, the Lawrence Livermore National Laboratory (LLNL), and from a study conducted by the California Department of Health Services, that people who live close to LLNL are more likely to develop malignant melanoma. Livermore has elevated levels of plutonium in its public parks and residential properties. Scarboro has elevated levels of highly enriched uranium in the soil, which, like plutonium, is both a hazardous and a radioactive pollutant.

**Comment No. 1**

**Issue Code: 18**

Comment noted. The No Action Alternatives for the Y-12 SWEIS tier from the original ROD for the Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management (SSM PEIS) (6-FR 68014). In the SSM ROD, the Secretary determined that DOE would continue the assigned weapons mission at Y-12. Discussion of alternative uses of the Nation's funds is beyond the scope of the Y-12 SWEIS.

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Environmental cleanup is ongoing at Y-12 and would not change under any of the alternatives analyzed in the Y-12 SWEIS (see Section 2.2.2.2). DOE recognizes that it has facilities which require some level of environmental clean-up. Most of the facilities at Y-12 were designed and constructed in the 1940s and 1950s, prior to today's environmental requirements when the understanding of waste management principles was not what it is today. Over the past several years, DOE has had a very aggressive facility upgrade and clean-up program and has worked with EPA, the states, stakeholders, and the general public to clean up its facilities to acceptable levels. To date, DOE has completed numerous clean-up activities and is aggressively working toward the cleanup of its remaining environmental problems. Actions taken to continue Y-12 weapons support missions, and construction and operation of new facilities for the HEU Materials and Special Materials missions at Y-12 would not be inconsistent with nor impact these ongoing clean-up activities.

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**Comment No. 2**

**Issue Code: 13**

DOE is committed to compliance with provisions of Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*. The environmental justice analysis was prepared in accordance with CEQ's guidelines of environmental justice under NEPA. The Y-12 SWEIS addresses the issue of whether implementation of the proposed action or alternatives would result in disproportionately high and adverse environmental effects on minority or low-income populations. As discussed in Volume I, Chapter 5, Sections 5.12 and 5.13 of the Y-12 SWEIS,

Adding the new facilities, suggested in the DOE's preferred alternative, would increase environmental degradation and, therefore, the ultimate cost of cleanup. Already groundwater to the west and east, and aquifers below the Y-12 plant have been contaminated by radionuclides, metals, and hazardous chemicals such as trichloroethene. Contamination like this is an environmental and health challenge at LLNL as well -- at both its main site and its site 300 high explosives test range. Oak Ridge and the LLNL main site and site 300 are all Superfund clean up sites -- among the most polluted places in the nation and the most crucial locations to implement immediate and aggressive cleanup.

The DOE says the plant is necessary to maintain a stockpile of 6,000 nuclear weapons. We say the plant is unnecessary because of our nation's disarmament obligations. The United States is committed by federal and international law to honor treaties, including the Non-Proliferation Treaty requirement for disarmament that is codified in Article VI. Additionally, Russia and the US have agreed in principle to much smaller stockpiles in the first rounds of START III negotiations. In fact, Presidents Bush and Putin have discussed stockpiles of less than 1,500 bombs each. Furthermore, the US military has petitioned Congress for authority to reduce our nuclear stockpile, estimating that we can save \$9 billion a year if we retire unusable and unneeded missiles currently deployed.

If the Y-12 Site-Wide EIS is to be a "forward-looking" document, as is required under the National Environmental Policy Act, lower -- and potentially much lower -- stockpile numbers must be considered in assessing the "purpose and need" for the proposed action.

We also note with alarm that DOE documents we received through the Freedom of Information Act indicate that Y-12 could adopt a wholly new plutonium mission -- and a major plutonium pit production role -- in the future. It is possible that Y-12 could become central in the manufacture of several hundred pits per year. The document in which this scenario is not only outlined but proposed as "superior" and "preferred" is titled: "Rapid Reconstitution of Pit Production Capacity: Systems Studies Assessment and Recommendations," by L.J. Jardine, et al.

We believe that DOE's preferred alternative in this EIS makes it more likely that Y-12 will be adding a plutonium mission in the future. Conversely, our preferred alternative makes that possibility more remote. The potential for a future plutonium mission at Y-12 must be analyzed in the PEIS.

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

**Issue Code: 13**

implementation of the alternatives for the continuation of the Y-12's weapons support mission, and the construction and operation of new facilities for the HEU Storage and Special Materials missions at Y-12 would pose no significant radiological or non-radiological health risks to the public. The conservatively estimated dose to the MEI for Alternative 4 would be approximately 4.5 mrem/year, which is below the NESHAP standard of 10 mrem/year. The risks would not be significant regardless of the racial, ethnic, and economic composition of potentially affected populations. (See also the response to Comment No. 20 concerning the Scarboro Community on page 212.)

**Comment No. 3**

**Issue Code: 05**

Corrective actions, such as storm sewer cleaning and relining and mercury source removals conducted since 1985, have greatly reduced releases of mercury from former mercury-use facilities. The EM Program at Y-12 has an Integrated Mercury Strategy Program to achieve compliance with regulations and guidance addressing mercury contamination in EFPC. A description of mercury releases at Y-12 is provided in Volume II, Appendix D, Section D.3.7.1. Effects of mercury in the environment at Y-12 are monitored and reported in the ORR Annual Site Environmental Report. The discussion of mercury contamination as well as hazardous and radionuclide contamination in the environment at Y-12 is contained in Volume I, Chapter 4, Section 4.5, Hydrology and Section 4.7, Air Quality.

DOE believes that it has adequately addressed impacts to the environment that could result from implementing the various alternatives. The impacts on waste management activities associated with the proposed action, which includes continued operation of Y-12's missions, and construction and operation of new facilities for the HEU Storage and Special Materials missions at Y-12, are addressed in Volume I, Section 5.11 of the Y-12 SWEIS. Expected waste generation due to the proposed action and alternatives would not increase substantially, nor would any high-level waste be generated. There is sufficient existing capacity and capability to treat and/or dispose of waste generated at Y-12 during normal operations at on-site and off-site facilities.

**Tri-Valley CAREs**  
**Livermore, CA**  
**Page 3 of 3**

In closing, we encourage you to use the \$4 billion for needed cleanup instead of creating a new bomb making facility. Even more money would then be saved over time because new toxic wastes would not be produced.

Use these savings to convert the Y-12 facilities. Conversion would entail dismantling nuclear weapons, processing and storing highly enriched uranium in a non-weapons usable form, and would allow international inspections.

These actions will clean up Oak Ridge and the surrounding communities, responsibly reduce nuclear danger, contribute to national security, and strengthen the local economy by creating jobs.

Sincerely,



Marylia Kelley,  
 Executive Director  
 Tri-Valley CAREs

MK:pao

cc: The Honorable Barbara Boxer of the United States Senate  
 The Honorable Diane Feinstein of the United States Senate  
 The Honorable Ellen Tauscher, of the United States House of Representatives

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**Comment No. 4**

**Issue Code: 16**

Parties to the Nuclear Nonproliferation Treaty agree not to directly or indirectly transfer nuclear weapons or other nuclear explosive devices or control over them to any recipient; and not to in any way assist, encourage, or induce nonnuclear weapon states to manufacture or alter use, or acquire nuclear weapons, or alter nuclear explosive devices or control over them. Continuation of the Y-12 mission, and construction and operation of the HEU Materials Facility and Special Materials Complex by the United States does not conflict with such an agreement. The proposed action, which includes continuing weapons dismantlement activities at Y-12, fully supports the goals of Article VI of the Nuclear Nonproliferation Treaty, in which signatory nations agree to work toward total disarmament.

Since the end of the Cold War, the United States has significantly reduced the size of the nuclear weapons stockpile and DOE has dismantled more than 15,000 nuclear weapons. At the present time, the United States is further downsizing the nuclear weapons stockpile consistent with the terms of START I and the recently ratified START II. Although Russia suspended its nuclear weapons dismantlement activities on January 20, 2001, DOE has continued its weapons dismantlement activities. The current and agreed to reductions in the stockpile levels are considered in the Purpose and Need for the proposed action and alternatives in the Y-12 SWEIS.

**Comment No. 5**

**Issue Code: 26**

There are no plans to introduce plutonium or to add a plutonium pit manufacturing component mission to Y-12 now or in the future. The ROD for the Final Programmatic Environmental Impact Statement for Stockpile Stewardship and Management (61 FR 68014, December 26, 1996) stated that the plutonium pit component manufacturing capability would be reestablished at the Los Alamos National Laboratory in New Mexico.