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DEPARTMENT OF ENERGY
NATIONAL NUCLEAR SECURITY ADMINISTRATION

IN THE MATTER OF A PUBLIC COMMENT
HEARING TO PREPARE AN ENVIRONMENTAL
IMPACT STATEMENT FOR THE OPERATION OF
A BIOSAFETY LEVEL 3 FACILITY AT
LOS ALAMOS NATIONAL LABORATORY,
LOS ALAMOS, NEW MEXICO

TRANSCRIPT OF PROCEEDINGS
December 14, 2005
4:00 P.M.
Genoveva Chavez Community Center
3221 Rodeo Road
Santa Fe, New Mexico

FACILITATED BY: MARGO COVINGTON

REPORTED BY: Betty J. Lanphere, NM CCR #70
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A P P E A R A N C E S

FOR DEPARTMENT OF ENERGY:

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EIS Document Manager
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1 P R O C E E D I N G S

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3

December 14, 2005

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6

MS. CUMMINGS; I am Lisa Cummings,

7

I am with the Department of Energy, National Nuclear

8

Security Administration up in Los Alamos, and I am the

9

document manager for the environmental impact statement

10

for the biosafety level 3 laboratory.

11

It's about ten minutes after four right now,

12

and I can see that we still have some people coming in,

13

so we are going to go ahead if nobody objects, and just

14

wait a few more minutes before we get started and kind

15

of let everybody show up and wait for the sun to set.

16

17

(Recess taken at 4:15 p.m.)

18

19

MS. CUMMINGS: My name is Lisa

20

Cummings. I'm with the Department of Energy in Los

21

Alamos, and I'm the document manager for the

22

environmental impact statement for the biosafety level

23

3 laboratory. Can't hear me? Louder or is this okay?

24

Better.

25

First thing I would like to say with regards

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1 to this facility. Thank you for coming. As you know,
2 we are here to take your comments on the BSL-3. And
3 with regard to the facility I would like to tell you
4 that if you need to go to the bathroom, it's out that
5 door through the turnstile and just keep going that
6 way. I think the exit doors are pretty obvious. We
7 have a Spanish interpreter here tonight and if she
8 would come up.

9

10 (Comments given in Spanish.)

11 MS. CUMMINGS: Another thing I
12 would like to say is that Congressman Udall has sent a
13 representative. There she is back there. Michelle
14 Jacquez Ortiz. She is here representing Congressman
15 Udall to listen to the comments.

16 This is the scoping meeting, and this is a
17 term that is associated with the preparation of a
18 environmental impact statement. This is the process to
19 allow DOE to identify information on environmental
20 impacts on the alternatives that should be considered
21 in preparing the environmental impact statement, and we
22 will use these comments to set the scope for the EIS.
23 I think everybody knows these terms. I think we have a
24 pretty savvy crowd here.

25 Our format tonight is that we are going to

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1 have two parts to the meeting. We are going to give
2 three very brief presentations.

3 I am just going to talk a little bit about,
4 you know, I am here to thank you and to talk about what
5 has happened in the past with the NEPA process on this
6 facility.

7 And then Chuck Pergler is with Tetra Tech.
8 He is with the contractor who we hired to prepare the
9 environmental impact statement.

10 And Nathan Schwade is with the University of
11 California, and he can give some information about the
12 BSL-3 facility.

13 The purpose of these presentations is to give
14 you a basis to understand exactly what is going on and
15 to allow you to formulate comments that you may have.
16 That will be the second part of the meeting that we are
17 going to have tonight. That will be the vast majority
18 of the meeting tonight is to just listen to you, hear
19 your comments, want to hear the concerns and issues
20 that you have that we should be talking about, we
21 should be considering addressing in the environmental
22 impact statement, and so that way the majority of the
23 evening - this will be very brief.

24 We are going to do this again at 6:00 these
25 three brief presentations because we realize that not

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1 everybody might be here tonight that might want to hear
2 these presentations so we will continue taking comments
3 after our presentations and then around 6:00 we will
4 probably stop for a little while to allow us to give
5 the presentations again and then we will continue on
6 with comments.

7 We want to make sure everybody has an
8 opportunity to speak, and so what we are going to do is
9 set the three minute time limit, although if it's a
10 very limited number of people that want to speak as it
11 appears it might be right now, that is certainly
12 flexible.

13 I want you to know that the written, the oral
14 comments that we hear tonight will be given the same
15 weight as any written comments that we may take. We do
16 have a court reporter that will be recording everything
17 that is said tonight. So when you come up, it will be
18 helpful if you identify yourself, identify any
19 affiliation with any organizations that you might have
20 that would be useful for us to know, and if you would
21 just speak clearly and we will take down your
22 comments.

23 We also have some sheets at the table out
24 front. We have informational sheets, and we have a
25 sheet out there that tells you how to make further

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1 comments. With that, I think I am going to shut up and
2 sit down, and I am going to let Chuck Pergler with
3 Tetra Tech give you a little bit more information on
4 the process.

5 MR. PERGLER: Thank you, Lisa.
6 First and foremost, I would like to thank each and
7 everyone of you for being here tonight. The NEPA
8 process is a public process and we thank you for taking
9 time out of your busy schedules to come here tonight.
10 We know the time of year is not always the best for
11 many people so again thanks.

12 I am the NEPA program project manager for the
13 preparation of the BSL-3 EIS, and I work for Tetra
14 Tech, the firm contracted by NNSA to prepare the EIS.

15 One of the most important things for you, the
16 audience, to understand is Tetra Tech has no vested
17 interest in the outcome of this EIS.

18 We are there to provide the scientific
19 information and other information that is necessary for
20 NNSA to reach their decision.

21 Part of that decision making process is
22 public comment, and identification of perhaps other
23 alternatives that we have not identified and issues
24 that we need to address throughout the process.

25 The preparation of an EIS is not a trivial

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1 matter. Our team consists of approximately 30
2 interdisciplinary scientists and engineers that will
3 conduct the analysis and prepare and present the
4 information.

5 We do not take part in or recommend what the
6 NNSA decision will be. The foremost scoping process
7 commenced on November 29th with the publication in the
8 Federal Register of NNSA's intent to proceed with an
9 EIS.

10 The current schedule where we are working to
11 is to have a draft EIS available for public review and
12 comment in spring 2006, followed in late 2006 by the
13 final EIS and subsequent record of decision.

14 We value your comments and insights to help
15 NNSA to determine the issues to be addressed. This
16 part of the NEPA process is designed to allow you, the
17 public, to influence EIS content and analysis. Your
18 comments here tonight are being recorded by a court
19 reporter and become part of the formal EIS formal
20 scoping process.

21 Additionally, your written comments
22 throughout the scoping process are also part of the
23 administrative record, and partially drive the content
24 of the EIS. It is important to note that all comments,
25 both written and those received verbally during the

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1 scoping meetings, are given equal weight and all
2 comments will be considered during the EIS process.

3 The formal scoping process ends December 29,
4 2005. However, comments received after that time will
5 be considered to the extent practicable. This is not
6 the only time that the public will have an opportunity
7 to comment, and I will a speak to that a bit later in
8 my presentation.

9 Now I would like to provide an overview of
10 our EIS task and then speak to you again, the public,
11 on how you can most effectively comment thereby
12 influencing the EIS process. There are several
13 important facets to this EIS.

14 We will rely heavily on information, data and
15 analysis in existing documents including a BSL-3 EA
16 previously prepared for this project. However, all
17 documents used will undergo an independent review so
18 that we are not blindly accepting previous work.

19 Wherever there is a lack of information
20 and/or data we will perform the analysis.

21 The EIS will start off with a description of
22 the purpose and need the NNSA is responding to,
23 followed by a description of the alternatives and the
24 operational details associated with each alternative
25 including an overview of the treaty, laws, regulations

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1 and procedures that the work would be conducted under.

2 The environmental consequences presentation
3 in the EIS will compare the alternatives to the no
4 action alternative in neutral terms and wherever
5 possible compare the operations with existing standards
6 or quantify the environmental consequences such that
7 the reader can have a scale to compare with.

8 For generic example of the language that
9 would be contained within the EIS, it would be
10 something to the effect operations will result in the
11 employment of X number of personnel, generate X number
12 of gallons per month of waste, or disturb X number of
13 acres.

14 Currently the NNSA has identified three
15 alternatives to be included in the EIS. The no action
16 alternative. The no action alternative is defined as
17 using the current structure as office space or a
18 library or perhaps other laboratory space for
19 nonbiosafety laboratory operations.

20 The preferred alternative as identified by
21 NNSA is to operate the facility at the BSL-3 level.

22 The last alternative identified is to down
23 scale operations within the facility such that BSL-2
24 work would be performed there.

25 It's important to realize that the

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1 construction of the facility has already been covered
2 under previous EA and finding of no significant
3 impact.

4 This condition limits alternatives such as
5 don't build the facility, or build it somewhere else.
6 The question to be addressed is what kind of
7 operations, if any, should be conducted in the existing
8 facility.

9 Now, for the scoping process and how to
10 effectively comment. The question put forth by NNSA is
11 what kind of operations would be conducted in the BSL-3
12 facility. The most effective comments will explicitly
13 identify other reasonable alternatives or modifications
14 of the existing alternatives that address the operation
15 of the BSL-3 facility and reach into the heart of the
16 issues you have interest in.

17 For example, a comment such as, don't operate
18 the facility would be too general to provide us the
19 necessary guidance to address your issue. If restated
20 to, I am concerned about the operation of the facility
21 on air quality affecting our health so that -- such
22 that I don't believe that the facility should operate.
23 This comment provides us with the necessary information
24 to address your specific issue, air quality and human
25 health and safety.

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1 You will have another opportunity to comment
2 after the draft is issued, and that document in effect
3 or your comments effectively become our score card on
4 how well we listened during the first round. The
5 publication of the draft EIS will give you the
6 substantive detail for you to further provide comments
7 regarding how well we did the analysis, how well we
8 addressed your issues, how well we listened and
9 developed other alternatives based on input received
10 from you.

11 Your feedback will be accomplished again in
12 public meetings and also by the written response that
13 you turn in.

14 In closing, and prior to listening to your
15 comments, I would like to point out that additional
16 information regarding the NEPA process and comment
17 response forms are located on the table as you walk in
18 the door.

19 Additionally, there are posters in the back,
20 the major one showing the NEPA process for those of you
21 that may be unfamiliar with the details of NEPA.
22 Additionally, we have a call-in line where you can
23 request further clarification or ask questions
24 regarding the NEPA process. That information is also
25 contained in the fact sheets.

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1 Again, I would like to sincerely thank each
2 and everyone of you for attending and now I would like
3 to open it up for clarifying comments on anything that
4 I have said here.

5 If you would go to the mike that would be
6 very helpful and state your name and organization.

7 MS. SULLIVAN: My name is Kathy
8 Sullivan and I am with Nuclear Watch of New Mexico.
9 And just with reference to your comments, I was
10 interested in your comment that should thereby some
11 question about the content of the EA that you would
12 revisit with expert input sort of the paper trail that
13 you will begin building on.

14 Could you say a little bit more about who
15 works with your organization, sort of the
16 qualifications of the engineers and scientists that
17 might be reviewing that same questions that come from
18 the EA that you suspect need more substantiation before
19 you fold them into the EIS?

20 MR. PERGLER: Okay. Regarding the
21 team. Each member of our team, obviously, has a
22 college degree. Each member of the team that is
23 responsible for a particular section, say accident
24 analysis, has credentials in that field and experience
25 in that field.

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1 The team that we have put together is by and
2 large the same team that we have had for other BSL
3 work, so they are experienced in that regard.

4 Tetra Tech and the team that I have
5 assembled, we have actually prepared two environmental
6 impact statements regarding BLS-4 operations which is a
7 much greater step, requires much greater bio
8 containment and much more rigorous operational
9 standards as well.

10 One of the members of our team, Dr. Carl
11 Johnson, has also been part of NIH's review team on the
12 design and operation of BSL-4 facilities. Dr. Johnson
13 also has a long history and recommendation with CDC.
14 He was one of the original disease chasers, if you
15 will. One of the first people to ever work in a BSL-4
16 facility. One of the people that actually came down
17 working with the disease caused by an organism that we
18 will not be working with, but why that is important is
19 we know the consequences of not performing a rigorous
20 examination of the proposal.

21 Dr. Carl Johnson having had personal
22 experience in this realm regarding health, will treat
23 it with utmost care.

24 You had another question vetted in there and
25 I am sorry, I am grappling with it.

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1 MS. SULLIVAN: That basically
2 covered it, your team composition.

3 MR. PERGLER: Okay, thank you.

4 MR. COGHLAN: I am Jay Coghlan with
5 Nuclear Watch New Mexico. Chuck, you laid out the
6 three alternatives in this pending environmental impact
7 statement, and there are no actions which could be
8 office space, library, the preferred alternative to run
9 the facility at a BSL-3 level, and then the third to
10 down scale it to BSL-2 level.

11 My question concerns the preferred
12 alternative. And actually they have a BSL-3
13 designation that can allow for a broad range of
14 activities.

15 Now that earlier environmental assessment
16 explicitly stated there wouldn't be any aerosolized
17 experiments, so in short my question is, is an expanded
18 set of operations under consideration in this EIS
19 expanded relative to the old environmental assessment?

20 MR. PERGLER: What we are, and you
21 are tasked with in front of us, is to analyze the
22 operations of the facility at the full BSL-3 level. It
23 would be looking at national guidelines that drive
24 that, we will be looking at the institutional
25 procedures that would allow that.

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1 In regards to specific questions such as
2 aerosolization, we will an address those activities
3 that are allowed under the BMBL, biomedical biosafety
4 and microbiology and biomedical laboratories. We have
5 excerpted parts of this document and put it on the
6 table. These are a part of what we are looking at in
7 order to define what operations at a BSL-3 level would
8 be.

9 MR. COGHLAN: So it would be fair
10 to say we as previously in explicit light as you have
11 stated prohibition against aerosolized experiments as
12 stated in the old EA that that prohibition isn't
13 necessarily in effect and that indeed these things
14 might be considered?

15 MR. PERGLER: Operations that may
16 require at some point as specified again under these
17 guidelines could be performed. As I understand it, the
18 NNSA has no requirement at this time to do that. But
19 it's important to realize that options can change, and
20 as long as they are within the envelope as analyzed
21 within the EIS and that is going to be a BSL-3 level,
22 those activities could be performed.

23 MR. COGHLAN: Thank you.

24 MR. PERGLER: Any other questions?

25 I am going to turn it back over to Lisa for a

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1 clarifying comment, and please correct anything that I
2 may have said regarding the scope and if I was remiss
3 to indicate that when we are going to be taking
4 comments.

5 We do have a facilitator that we have hired.
6 Tetra Tech has hired her and her name is Margo
7 Covington, so when we get to the comment period she
8 will be helping to keep track of the questions and make
9 sure everybody has a fair opportunity to speak.

10 Another thing that I neglected to emphasize,
11 I think everybody is aware of is that the facility has
12 already been built and there was an EA done on it. So
13 the EIS is only going to be on the operation of the
14 facility and not anything on the construction of the
15 facility. Thanks.

16 DR. SCHWADE: My name is Nathan
17 Schwade, and I am here from Los Alamos representing the
18 programmatic side to answer any questions that you
19 might have about the programmatic work that will be
20 going on in the facility.

21 I am going to just have some very brief
22 comment at the beginning and then I really want to
23 spend the time interacting, take as much time as needed
24 to answer your questions, and we will before we go into
25 comments, there will be time to ask questions one on

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1 one. So just be aware but I will be able to answer
2 your questions if you feel more uncomfortable than a
3 one on one basis.

4 Let me talk a little bit about why Los Alamos
5 is interested in --- let me tell you about me first. I
6 have only been here two years. I have a Ph.D. in
7 medical sciences, pharmacology and toxicology, and I
8 was on the faculty at Southwestern Medical School and
9 came to Los Alamos to work on national security work
10 and human health.

11 Los Alamos has a long history in human health
12 research which often times is confused. People only
13 consider Los Alamos a weapons laboratory. That's
14 unfair because we have many programs that go on at the
15 laboratory that have nothing to do with weapons. The
16 bioscience program is one of those.

17 We started in 1945 looking at human ionizing
18 effects of radiation, and they have had a long history
19 of major milestones, and I am going to outline a few.
20 The bioscience work at this laboratory isn't new. They
21 are known for, as I said, the human health effects of
22 ionizing radiation that started in 1945. In 1953 they
23 moved on to develop a new method to look at essentially
24 radiation in the blood.

25 It was a new found method that was called

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1 scintillation. Then there is a program that actually
2 still exists here today which is a stable isotope,
3 medical stable isotope fabrication at the laboratory so
4 what this is is that they are able to take molecules.
5 Let's say someone is interested in a drug that someone
6 has developed and the biochemist can put a tag on the
7 drug and ship it back to the researcher and the
8 researcher can follow that in whatever experiment they
9 are interested in. That is called stable isotopes and
10 that is still going on at the laboratory today.

11 In 19756 they invented something called the
12 floctometer which is in almost every biomedical
13 hospital that we have today. It sorts cells, moves
14 cells around inside after you have drawn your blood.
15 You may or may not know that Los Alamos and the
16 national labs were chosen to participate in the human
17 genome project. This was cataloguing the human genome.
18 The reason the national labs got into that was they
19 were known for multi discipline high throughput
20 problems.

21 Los Alamos has very strong computing
22 capability. You have probably heard they have a
23 database for AIDS and many other things where they have
24 a lot of information storage that is utilized by
25 researchers and physicians all over the world and that

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1 it was able distinguish the databasing and high
2 throughput in the laboratories to start the human genome
3 project for the National Institutes of Health and we
4 have had an ongoing national institution of health for
5 a long time and those continue. And we continue to
6 sequence.

7 And now Los Alamos is also, because of their
8 strong interest in molecular biology, had had a very
9 interesting forensics component so this is detective
10 work that we do looking at genetic material inside
11 cells. Los Alamos has an expertise in that particular
12 area.

13 So now I want to focus on a, bring you into
14 this new work. Now, why Los Alamos? The reason that
15 why Los Alamos is because of the people that we have
16 there. As you see on your handout, there are over 350
17 of these facilities across the nation. They are a tool
18 that are used by researchers for many different tasks
19 and medical schools in particular have these
20 containment facilities.

21 The containment facilities allow us to work
22 with organisms at a higher safety level where we are
23 looking at the sections of public health and now
24 intersection into national security, so the actual
25 mission of this laboratory is to allow our researchers

1 to do forensic types of strain identification and
2 culture cells and genetic pathways and support of
3 technologies.

4 So it's the people that we have at Los Alamos
5 who need this to take their part to make their
6 contribution to the larger biomedical research
7 community.

8 Los Alamos also does quite a bit of work in
9 hardware development as you might imagine, so one of
10 the things that this group is interested in developing
11 is detectors. You may or may not know detectors
12 currently exist across major metropolitan areas in the
13 country. Major substations.

14 Unfortunately, we are in an era where people
15 wish us harm and some people are taking diseases that
16 are normally present in the population in a benign form
17 and package them away so that they can be used against
18 other people. So we have a great interest in being
19 able to look at those kinds of things as far as growing
20 the material and looking at genetic fingerprinting
21 ID's.

22 What is a BSL-3 facility? A BSL-3 facility
23 is really a containment laboratory that is designed to
24 protect the worker, the public and the environment from
25 the microbes that are in the facility. It's important

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1 to understand, as Chuck mentioned, the bounding
2 conditions of the BSL-3 laboratory are spelled out in
3 the industry standard that the NIH and CDC has come up
4 with and there is a list in here of organisms and how
5 they can be worked with safely and effectively in a
6 BSL-3 facility.

7 In regard to the BMBL, the biosafety manual,
8 that is what our landlord has required us to do. If
9 you rent a house, there are certain rules that you have
10 to do. You can't smoke, can't have pets, whatever
11 those rules have to be. We have oversight and rules of
12 what we are allowed to do and not do in the facility.
13 Not only do we have NNSA oversight, we have oversight
14 by the Centers for Disease Control. We have licensure
15 if our license is revoked and we are shut down.
16 Furthermore, we have an institution that for all the
17 work that goes on into the laboratory the people in the
18 laboratory undergo rigorous training before they are
19 allowed in the operations of the laboratory should it
20 actually open, and operate as a BSL-3 lab.

21 They undergo psychological testing, they
22 undergo random drug testing, and actually undergo
23 physical examinations to assure that their access is
24 controlled tightly as far as who can get into and out
25 of the facility. So the facility is a containment

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1 vessel.

2 I think an analogy is if you think about
3 driving a car and you are trying to keep your chest
4 away from hitting the steering wheel, you have several
5 mechanisms in your car that prevent that from
6 happening. The first is the seat belt, the second is
7 an air bag. The third are side impact air bags. Every
8 barrier of protection to keep your chest from hitting
9 the steering wheel which is a source of cardiac
10 damage. The containment facilities are designed the
11 same way.

12 Towards, one of the questions that was asked
13 is the current aerosolization isn't in the program
14 interests of what we are planning to do in the
15 facility. Caveat that with the fact that we are using
16 the entire BMBL as abiding principles but the way the
17 programmatic needs are set up right now aerosolization
18 or getting a bug into your lung, and I think of a
19 sneeze or if you are spraying aerosols, that is what we
20 are talking about. This is an off normal event and
21 everything in the facility is designed to actually
22 prevent that from happening. Hoods, HVA system,
23 personal training, personal protective clothing.
24 Aerosolization is going to be an off normal event as we
25 see in the current horizon. We can't predict it has

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1 changed since the EA obviously with what happened in
2 September of '05. Let me open it up for questions so I
3 can answer any questions that you have about the
4 facility.

5 MS. SULLIVAN: Kathy Sullivan. You
6 used a phrase I didn't recognize. Genetic pathways,
7 and I don't know what a genetic pathway is.

8 DR. SCHWADE: Let me clarify it.
9 It's just sequencing just like we did with the human
10 genome project. It's nothing more complicated than
11 that. We will not do any biowarfare activities in this
12 facility. Any other questions I can answer?

13 MR. COGHLAN: Question, Jay
14 Coghlan, to my previously asked question and you said
15 that any aerosolization events would be off normal
16 events. Of course, the reason why I attempt to express
17 the question is because as you surely know the
18 Livermore BSL-3, you know, states explicitly that it's
19 going to conduct aerosolized experiments on rodents so
20 that, of course, leads me and others to wonder whether
21 or not Los Alamos will do the same if its sister lab
22 already plans on doing so.

23 DR. SCHWADE: I can't comment on
24 what, I can't represent what Livermore is doing but I
25 can say our laboratory does not have animal facilities

1 in it. In contrast to other laboratories, we do not
2 have a vivarium. It is not in our charter to bring
3 animals into the facility and the actual rooms that are
4 developed for the BSL-3 work, they are small, 300 square
5 feet, and there is no room to bring in animal
6 facilities. Animal facilities, that has to be a design
7 concept from the start, and it was not in this facility
8 and it would be extremely difficult to retrofit.

9 A more reasonable thing that may happen in
10 the future, and again this is not planned, but I can
11 imagine somebody spraying something in a glove box for
12 a measurement, not for infections to infect another
13 animal but again it's not in our immediate program
14 planning. We want to be honest.

15 If you read the BMBL, there is a possibility
16 the building isn't built to handle animals. No
17 vivarium.

18 MR. MECHELS: The question I would
19 have is being somewhat familiar with Los Alamos
20 operations is that they have a very high overhead,
21 meaning like very high overhead. They have a high
22 overhead compared to the rest of the DOE labs, so what
23 are you doing as far as keeping, I would like to see
24 the involvement of this laboratory kept to a minimum
25 because it's probably one of the more expensive places

1 in the country to do biological research. Are you
2 trying to keep it to mission objectives because it cost
3 a heck of a lot of money, and I hate you to see a lot
4 of stuff that can be more reasonably done anywhere
5 else. Are you trying to keep a quote, missions that
6 demand particular expertise at Los Alamos in this
7 facility and if not why not?

8 DR. SCHWADE: I think that question
9 might be a little bit outside the scope of this
10 discussion, but let me just say that there is most of
11 the work for others, almost a hundred percent of it
12 goes through competitive peer review and the agencies
13 who are funding it have determined that this is the
14 place to do it so they are aware of the costs and NIH,
15 for example, we have quite a bit of NIH funding and the
16 taxpayers dollars are well spent in this area.

17 MR. KOVAC: Scott Kovac. Is there
18 a list of agents that will be used in the facility?

19 DR. SCHWADE: It's in the BMBL
20 handout as a public document.

21 MR. KOVAC: Thank you. I didn't
22 see it.

23 MR. FORD-SCHMID: Ralph
24 Ford-Schmid. So most of my questions will be based on
25 environmental releases. What are, how do you treat,

1 first of all do you have internal waste treatment
2 facilities in there?

3 DR. SCHWADE: I might have to get
4 my help.

5 MR. KOVAC: And do you use
6 incineration as one of your internal treatments?

7 DR. SCHWADE: Are you asking in the
8 facility or laboratory?

9 MR. KOVAC: Facility autoclaves.

10 DR. SCHWADE: There are everything
11 in the facility to double door interlock system.

12 MR. KOVAC: How about waste water
13 treatment? Do you do any contamination of waste
14 water?

15 MR. PERGLER: I expect these will
16 be addressed in detail in the EIS so you will have the
17 opportunity, especially as an agency representative, to
18 look over the equipment to be used and the estimated
19 waste generation, the quantity of waste, what kind of
20 waste, what techniques are used to decontaminate.

21 All of that will be great scoping comment and
22 the answer back to you is yes, we are going to cover
23 all of that and cover it in detail.

24 Right now we have an ongoing operation and we
25 haven't looked into all the operational parameters.

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1 Nathan can probably answer some of those but the point
2 is that for the NEPA scoping process the answer back to
3 you is that we are going to address that.

4 MR. FORD-SCHMID: So I should wait.

5 MR. PERGLER: If you have further
6 questions and if they are simple to answer, that is one
7 thing, but in terms of operational quantities that is a
8 fairly rigorous analysis that we have to go through.
9 We have to look at all the programs that are projects
10 that are planned to come in there and get a handle on
11 that sort of thing. What we will look at is maximum
12 rates that the facility can handle. All of those sorts
13 of things, that drive the operations that can be
14 conducted in a safe and secure manner.

15 MR. FORD-SCHMID: I am not actually
16 asking for quantities. I am asking for the process
17 that you would use. What type of process would you use
18 to treat your effluent say from your showers prior to
19 sending it to a sewage treatment plant?

20 MR. PERGLER: Do you want to answer
21 this?

22 DR. SCHWADE: The facility, the way
23 it's designed there is no holding tank treatment
24 required before release. That is a requirement for a
25 BSL-4 facility, it's not a requirement for a BSL-3

1 facility, but the water, the only water that would go
2 down the drain it would never be in contact as bio
3 material. That would all be autoclaved so you wouldn't
4 pour something down the sink.

5 MR. SNODGRASS: To operate at the
6 facility you would generate liquid wastes and solid
7 waste?

8 DR. SCHWADE: Which would all be
9 autoclaved.

10 MR. FORD-SCHMID: Autoclaved.

11 DR. SCHWADE: Biological material.

12 MR. FORD-SCHMID: Okay. What type
13 of air monitoring network would you use if you had a
14 HVAC system failure?

15 DR. SCHWADE: So there is a very
16 sophisticated, I am not qualified to go in great
17 detail. I can get you in touch with the engineers who
18 can explain to you how it works. It is alarmed. It
19 has a backup generator.

20 MR. FORD-SCHMID: And this is the
21 basis of my questions is as an independent oversight
22 agency task to monitor, to verify that. Are you a
23 detective of the public? What would we be monitoring
24 for? What techniques would we use to monitor your
25 effluent to assure that it is safe?

1 DR. SCHWADE: I am not the right
2 person to answer that.

3 MR. PERGLER: One of the things I
4 am reacting to is your comments are valuable and
5 helpful but if you could save them for when we open it
6 up for scoping comments.

7 MR. FORD-SCHMID: That's not what
8 this is?

9 MR. PERGLER: These are meant to be
10 clarifying comments on what Nathan has just presented
11 and then we are going to transition over to our
12 facilitator where we are going to ask people to come
13 up, and exactly what you have just said so we can be
14 sure and address them in the EIS process.

15 One of the things is we don't have the
16 technical people here to make sure we are answering you
17 precisely and accurately but we do have the capability
18 of capturing your concerns so we can answer you
19 precisely and accurately in the EIS process.

20 MR. FORD-SCHMID: Thank you.

21 MR. PERGLER: Any other clarifying
22 comments for Nathan? What we would like to do now is
23 turn it over to our facilitator, Margo Covington, who
24 will now conduct the formal public comment period.

25 MS. COVINGTON: Thank you, Chuck.

1 Thank you very much. So here is where this is where it
2 gets a little different and, of course, after your
3 comments, as a facilitator I am just offering to you
4 that we have talked a lot about that it's very
5 difficult to draw a line about what is a technical
6 question and what is just a point of clarification.

7 And one of the things I would like to offer
8 to you is that it's, you know, we don't have time in
9 this meeting and it's really not appropriate as I
10 understand it in an environmental impact statement
11 scoping meeting to have a technical answers because the
12 whole point of this process tonight is to have good
13 questions, good issues so that they can all be
14 technically answered very precisely in the
15 environmental impact statement. Does that help at
16 all?

17 MR. FORD-SCHMID: Would I have to
18 wait for the EIS to come out to get the answers to
19 these questions or is this already documented where I
20 can go research this myself?

21 MR. PERGLER: Certainly the most
22 easily available document that will be there in the
23 future where you can find the information one place
24 will be the EIS. There is information out there.

25 I have already stated that much of our

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1 information is actually going to come from the previous
2 EA.

3 However, again I want to emphasize we are
4 going to vet everything in there because there are
5 changes as Jay has pointed out and as Nathan has
6 acknowledged, so we will get to acknowledge, we will
7 get to that point.

8 The EIS will be a tool for you because you
9 are going to understand everything in context. The
10 operations are going to be fully explained and so from
11 that standpoint you will have a sanity check. You are
12 going to be able to come back to me. It's my
13 responsibility to derive a complete EIS so I think that
14 is where the questions you get into the technical
15 questions, it's going to be more than appropriate for
16 us to respond to you then because we will have the, by
17 in large the experts up here to respond to you if we
18 haven't done as good a job as we should have in the
19 draft EIS.

20 MS. COVINGTON: Obviously it's a
21 little different EIS because the building has been
22 built and we are in a different kind of process. With
23 that being said, as facilitator I want to ask you again
24 for the record, you will need to come to the
25 microphone.

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1 I see that we have four people who have
2 signed up to speak and provide formal comments. So we
3 won't need to limit your time as much as we would
4 otherwise, and I understand they are going to be
5 letting me know if someone else comes through the door
6 into the room to comment, so please understand that we
7 will need to adjust that if somebody else comes into
8 the room to comment as well, so we are giving you more
9 time and flexibility as long as you are flexible as
10 well to wrap up your comments so other people can
11 comment.

12 So we ask you to be concise but we are here
13 to hear the most diversity of opinions as possible. If
14 you want to say more, if for some reason you didn't get
15 to say everything as you wanted to say, there are
16 comment forms, and written comments receive as much
17 weight as the verbal comments. So the first person to
18 have signed up is Kathy Sullivan. So thank you and
19 please come to the mike.

20 MS. SULLIVAN: Protecting the
21 environment from LANL activities is the first of
22 several ways, not only the environmental impact
23 statement.

24 The two comments I want to make are slightly
25 indirect with reference to EIS, but I want to ask Dr.

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1 Schwade, in the process of operations of the BSL-2 up
2 at LANL, did you have an actual on site visit from CDC
3 as far as agent checks or licensing? I was confused
4 when I was sort of monitoring the BSL-2 labs.

5 I got a little conflicting info about really
6 how closely CDC, being an overworked organization, had
7 time to really check on the ground activities at the
8 BSL-2 at LANL. CDC is an important planner as a
9 citizen concerned about the quality of the work and
10 environment and I want to know that CDC was fairly
11 readily available to do their work with respect to
12 oversight on their landlords but if you could give us
13 some brief history of CDC's role during the BSL-2.

14 MS. COVINGTON: At this point of
15 the process we have asked for comments rather than a
16 question and answer session. We are trying to be very
17 flexible because we obviously have a small crowd.

18 MR. PERGLER: It's a fine balancing
19 act here so I do apologize if we seem to be selective
20 in certain questions, but one of the things we have
21 labored over, I know when I am in certain situations I
22 get frustrated when people don't answer a relatively
23 simple question, but please remember that really the
24 process is to hear your issues, your concerns and your
25 suggestions for other alternatives, but I think the

1 question you asked is very important for you to get a
2 feeling for what the process is and I think that
3 segues back to what Nathan had talked about.

4 DR. SCHWADE: I am happy to answer
5 the question. The answer to your question is, yes, CDC
6 has been involved. As a matter of fact, we just had an
7 inspection this month or last month and the result of
8 which should be public if we can get a hold of those.

9 In addition to CDC, we also have, I know this
10 may not give you tremendous comfort but we have, we are
11 under external review from not only NNSA but we have a
12 biosafety officer who is completely outside of any of
13 the additional programmatic activities and who are
14 executing those activities, so they are completely free
15 agents, and we are under a constant scrutiny from that
16 biosafety officer who is the responsible official. It
17 ties in to the people who are doing the programmatic
18 work and actually do not have the authorization to do
19 that work that is released by someone else called the
20 responsible official as who CDC interacts with.

21 MS. SULLIVAN: The other two
22 comments that I hope to make is the significance of
23 putting a BSL-3, two of them up at LANL Jeffrey
24 Talbunburger's reconstitution. Viral, 1918 viral flu
25 epidemic that work was done.

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1 A BSL-3, and that really isn't specifically
2 germane to your specific mandate here, but perhaps for
3 people in the audience it's an illuminating comment
4 about the significance of a BSL-3 at the lab.

5 I am always concerned when this kind of work
6 goes behind the security curtain to have the potential
7 curtain such as a BSL-3 does for both biodefense and
8 bio offense, I think, is the thing that you can focus
9 on most to try and calm approximately the potential for
10 public distortion of what can happen up at BSL-3 but it
11 weighs very heavily with me.

12 One last comment and I will behave. I also
13 hope that in the IBC, Institutional Biosafety
14 Committee, will fully engage with public involvement,
15 anything that can widen public involvement in the
16 operation of the BSL-3.

17 I remember when it was being presented a few
18 years back. They were talking about family days when
19 people could come and sort of really look through the
20 window and see people working with agents. I don't
21 hear that comment made recently but anything one can do
22 to open this process to public scrutiny will mean that
23 you have more support and we will be calm about the
24 potential for mischief at a BSL-3 weapons lab. So
25 thank you very much.

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1 MS. COVINGTON: The next person on
2 the list is Scott Kovac.

3 MR. KOVAC: First off I would like
4 to ask about the comment period ending on the 29th of
5 December. We are publicly asking for an extension on
6 that if we could. Will you be answering the phone on
7 the 26th if we don't get an extension?

8 MS. CUMMINGS: I did get the
9 request for the extension and it's a preliminary
10 talking with headquarters. It just came in but I
11 believe that we are going to be considering extending
12 the comment period by some amount of time.

13 MR. KOVAC: Thank you. All right.
14 Great. I would also like to say something that
15 slightly troubled me was that this EIS isn't for
16 construction or location of the existing building. In
17 light of that I would like to ask that we reconsider
18 seismic issues in light of maybe new modeling that has
19 come out or information on new fault lines near the
20 facility.

21 I would also like to request that we take
22 into consideration new terror reports and that the
23 BSL-3 laboratory would meet the same criteria as the
24 current design basis threat that other nuclear
25 facilities have to meet.

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1 What level, I want to make sure we address
2 what level of security that, you know, the lab that
3 this facility meets and that it meets all current ones
4 even though it's already built and located.

5 Also I would like to please consider the DOE
6 IG report No. 0695 from July, 2005 about the
7 coordination of biological select agency activities at
8 Department of Energy facilities stating that, you know,
9 it has to do with the need of this laboratory and the
10 need of the facility there and the uncoordinated effort
11 that the Department of Energy has shown in its biolevel
12 biolabs. Thank you.

13 MS. COVINGTON: Thank you. Jake
14 Coghlan.

15 MR. COGHLAN: Jay Coghlan,
16 C-o-g-h-l-a-n. Yes, so my comments are not so much
17 comments. It's all directed towards the scope and for
18 Lisa the draft EIS.

19 I guess my first item can be characterized as
20 somewhat of a housekeeping item but in the
21 environmental assessment of a couple of years ago and
22 in all NEPA processes there is always referenced
23 documents.

24 So last time around the EA came out and then
25 we actually experienced significant delay in getting

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1 the referenced documents, and for anybody or any
2 organization that really wants to submit informed and
3 substantive comments, obviously we need to reference
4 documents so I am merely asking to make sure whatever
5 those reference documents are to actually have them on
6 hand ready to be released to requestors upon demand.

7 Last time they had to be rounded up and
8 currently one of my pet peeves this is actually in a
9 different venue, but the ten year comprehensive site
10 plans are almost one of the primary referenced
11 documents. That plan should be available to the public
12 I argue even unredacted since it's not a classified
13 document nor is it designated for official use. So
14 enough on the referenced documents.

15 One of the weaknesses that I felt, or very
16 well weaknesses in the old environmental assessment,
17 was to state categorically in the event of any breach
18 to the facility itself that there will be no risk to
19 the public because I object in fact to any released
20 pathogens would automatically be killed by exposure to
21 the environment, specifically UV.

22 Now, you know, I really have no solid
23 training in microbiology. I understand that to be
24 mostly true but not completely true, especially with
25 respect to any spore related forms of pathogens which I

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1 don't necessarily know will be present, but
2 nevertheless I think that a pretty indefensible
3 statement as stated so categorically needs to be
4 further expanded on or explained in this EIS, and then
5 on the EIS itself, at least in my experience with, you
6 know, the multitude of NEPA documents, there is always
7 some justification for the document itself and
8 justification for at what level it occurs or is
9 prepared, whether it's on the environmental assessment
10 level or the environmental impact statement level.

11 I am not in the business of praising NNSA but
12 in this case I do praise the agency. I think they made
13 the correct decision to do an EIS on the BSL-3 but my
14 question is this. If you are doing one, if you are
15 doing an environmental impact statement for the Los
16 Alamos facility, how come you are not doing it for the
17 Livermore facility? How can you justify that?

18 In my view the Livermore facility poses far
19 greater risk to the public there because of
20 aerosolization experiments and because of the greater
21 density of population and because of the increased
22 seismic risks there, so I would like to see that
23 explained in the pending EIS. Thank you.

24 MS. COVINGTON: Thank you. Thank
25 you for your comment. Chris Mechels.

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1 MR. MECHELS: Chris Mechels,
2 M-e-c-h-e-l-s. I am retired from Los Alamos which may
3 explain some of my comments. The first thing I would
4 like to comment on is I was briefly, and very briefly
5 tried to involve myself in the oversight process of the
6 biosafety at Los Alamos. I quickly stopped and gave it
7 up.

8 The, I guess, institutional biosafety
9 committee, it was very frustrating to go to the
10 meetings. I think in guidelines in NIH they were
11 supposed to be doing open review and it was pretty
12 clear and they were having these meetings and the
13 public who tried to attend or occasionally the media
14 was getting essentially no information.

15 I complained about that as did others and I
16 have watched a heck of a lot of them. The proposals
17 that they work on you would think would have enough
18 explanatory material, you know, when they have these
19 meetings provided to the public that the public like
20 could have some idea of what they are doing. They
21 didn't seem to think that was a reasonable thing for
22 the public to know.

23 My comment on the current setup, which as I
24 understand will be applicable to this laboratory, is
25 that this IBC is supposed to be an open process.

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1 Reviewing was going on right now as far as I am
2 concerned. As a member of the public it's not working,
3 it's just not working.

4 I think Los Alamos is far too secretive. RAD
5 funds, fine. They are funded that way a lot of them
6 are, that is the nature of this picked site at Los
7 Alamos to say projects once upon a time were in the
8 public domain. They were on the laboratory web site
9 with some description of what the projects were.

10 Clearly we don't expect classified projects
11 to be splashed around. These were not classified
12 projects. This is years back and the laboratory just
13 made a unilateral decision and sent that stuff off in
14 contrast to Livermore California Berkeley Lab in
15 contrast to the Sandia lab, Los Alamos Laboratory
16 sometimes seems intent on hiding this information from
17 the public. Is this really what we want to do is have
18 a BSL-3 up there where the things that are supposedly
19 open to the public for review are not open to the
20 public in contrast to other sites?

21 I think this secrecy you shouldn't have.
22 They are just doing it because it doesn't amuse them to
23 have the public know what they are doing in spite of
24 fact that this is open to public review and it's just
25 not so. If you don't fix that, don't put it there.

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1 Why would the public want something on there if
2 everybody is intent on hiding the information. It
3 ought to be public. Again, both a problem for both the
4 - this is for my direct experience - the institution
5 of bio institution. Those projects are not classified
6 and small research projects at other DOE sites are open
7 not exhausted displays. And that is what I would
8 expect at another exhausted facility and it's an area
9 that I have been heavily involved with over the years.
10 And personally too many other people haven't been.

11 Worker safety at Los Alamos, that is not
12 definitely a concern when you are talking about a
13 biosafety facility, I mean we know from that big shut
14 down they had something like 3,000 corrective actions
15 after that. One of the areas that I have been very
16 involved with is worker safety OSHA. The OSHA program
17 at Los Alamos is broken and it's not being fixed. The
18 workers, I know workers at Los Alamos who have asked me
19 about what their rates are under OSHA. They don't
20 know. It's a requirement of OSHA and OSHA'S memorandum
21 of understanding with OSHA.

22 People at Los Alamos don't know what their
23 rights are under OSHA, they just don't know. It's so
24 hidden in the laboratory which takes all of these
25 requirements and claims that it's trying a disparaging

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1 method in cross cutting requirements into laboratory
2 policies that they claim to cover other requirements.
3 To walk the cross cutting requirement, that chart of
4 all of these requirements is out of date and isn't
5 updated. I don't think anybody at the laboratory can
6 tell you whether OSHA requirements are being met at Los
7 Alamos. I don't think the people that are responsible
8 for the program can tell you because the documentation
9 is out of date.

10 I mean something as basic as OSHA is a
11 mystery to Los Alamos employees and it is a mystery to
12 them. They work at Los Alamos because they just don't
13 know, though if you listen to the explanation, oh gee
14 it sounds lovely. Gee, this cross cutting, it falls
15 under the genome and this is a bunch of rubbish.

16 The other thing I would mention is that
17 OSHA's oversight of DOE has a responsibility to meet a
18 requirement that they are not prepared to do oversight
19 of OSHA. They don't do surprise inspections at Los
20 Alamos. They are required by their own regulations,
21 and they don't do it.

22 If they don't pick up their act on worker
23 safety, and Los Alamos doesn't pick up their act on
24 worker safety, and I would like to see Los Alamos
25 employees know what their rights are. They should be

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1 entitled to a safe work place and they should know what
2 their rights are. They should know where to report
3 problems. They have specific rights that they aren't
4 being made aware of.

5 I don't expect this facility will be any
6 different that if you are not willing to address those
7 profound issues of workers safety at Los Alamos, why
8 would you care about this facility? I don't think you
9 would.

10 So I think that as part of the overall issue
11 of this facility, you should be looking at worker
12 safety at Los Alamos and specifically you should be
13 looking at OSHA at Los Alamos, because if you don't
14 there is no reason that I or the public should trust
15 you to do an effective oversight, and if you are not
16 going to do that oversight, I don't think you should be
17 opening this facility.

18 And lastly the question I am always asking
19 about NMED access, NMED, you know I have hung around
20 those guys a bit since I retired. Yeah, they have
21 their products as everyone else does. One of the
22 issues I have always asked with NMED is what is your
23 access. I mean if NMED wants to show up at 4:00 in the
24 morning to see what is going on at this facility in the
25 interests of protecting the public, do they have

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1 unchecked access?

2 The answer for most lab facilities, not this
3 one, is no. They have to schedule their visit in
4 advance and they have to go through a little bit of a
5 jump rope to get into the facility.

6 What is their access going to be in this
7 facility? How can they do their job if they can't walk
8 up to the door and say I am from NMED and I want to see
9 if you are complying, and if they can't do that and why
10 can't they and is the public being protected.

11 I think these are some very serious questions
12 that need to be addressed in scoping, and if you can't
13 get some decent answers I am not sure you should be
14 building this here. Thank you.

15 MS. COVINGTON: Thank you very
16 much. Are there more that have signed in? Ladies?
17 No? No one else signed in to speak.

18 Is anyone else here that has come in that
19 would like to speak and provide comments. We have time
20 now. Yes, please state your name again.

21 MR. KOVAC: Scott Kovac. I was
22 wondering if there is anyway to get a little tour of
23 the existing facility before it gets full of stuff? We
24 might feel safer if we had to go through several doors
25 and stuff.

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1 MR. PERGLER: We were just
2 discussing that and we would certainly like to offer
3 you a tour. There are certain trap lines that we need
4 to run first, but everybody up here is receptive to
5 doing that.

6 We would like to start a sign-up sheet for a
7 laboratory tour for those that would be interested. If
8 you can see Catherine back there we will take a list of
9 those names that would be interested in going through
10 the laboratory.

11 Understand at this point even though the
12 structure is built, there still is construction going
13 on such as wires are in there right now. It's not
14 operational yet. There has never been an operation
15 conducted in it, so we will explain those things but we
16 think it of value for you all to see this facility to
17 allay some of the concerns that you may have and fully
18 understand what it is that we are talking about. So
19 thank.

20 MR. KOVAC: Thank you.

21 MS. COVINGTON: Any further
22 comments? Yes, ma'am. Would you introduce yourself,
23 please.

24 MS. JACQUEZ ORTIZ: Michelle
25 Jacquez Ortiz, State Director for U.S. Congressman Tom

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1 Udall. Just to underscore a couple of points that were
2 raised, if a decision has not been made with regard to
3 extending comment period beyond that December date that
4 it's my understanding that Senator Bingaman, and I know
5 Congressman Tom Udall did submit a formal request for
6 that to happen, so if that is sort of, if that could
7 tip the scale in favor of extending the period I just
8 want to underscore that.

9 Also, I know that the issue of the agency
10 releasing reference to documents upon request, this has
11 come up in our office as a repeated sort of problem,
12 and Congressman Udall again, it's my understanding, had
13 submitted something in writing to that effect so I
14 would like to use this as an opportunity to get this on
15 the record, use this as a forum to get this on the
16 record from Congressman Udall.

17 MS. COVINGTON: Excellent, thank
18 you.

19 MR. PERGLER: I would like to
20 respond to the latter half of that. One of the
21 directions to this team is all references that we use
22 in this EIS are to be available as soon as their
23 sections are turned into me. I am talking about draft
24 form, but what I am trying to tell you or convey here
25 is if our team does not have the references at hand and

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1 if I can't turn it over directly to NNSA, then I am to
2 be held accountable. You shouldn't have a problem with
3 access to those documents except those documents that
4 we may have to, that are, can't be released for public
5 dissemination, and we will try and digest that
6 information for you. I understand that the analysis
7 was conducted and these were the results. We may not
8 give you a blow by blow of the description but we will
9 certainly have that information available to NNSA.

10 MS. COVINGTON: Yes, Lisa Cummings.

11 MS. CUMMINGS: And I would like to
12 respond to the extension of the comment period again.
13 It's my understanding we have made a decision and it
14 will be extended to January 16th.

15 MS. COVINGTON: Great. Any
16 further comments? Given the time, it's about 5:35. We
17 have the option to go into informal session. We are
18 here, this entire group is here until 8:00 tonight and
19 should someone else walk into the room and want to make
20 comments formally with the court reporter, we will
21 reconvene at a moment's notice. However, with your
22 permission everyone in the room we will now go to an
23 informal session until we reconvene at 6:00, to go back
24 to the formal session at 6:00 where presentations will
25 begin again. Any questions or comments at this point

1 about that?

2 For the record it's 5:30 p.m.

3

4 (Informal session off the record.)

5

6 MR. PERGLER: It is now 6:00 and this is
7 the time that we had reserved for a second
8 presentation. I am not seeing any new faces in the
9 room but in case I am incorrect are there any members
10 of the public here that would like to hear the
11 presentation for to BSL-3 EIS? Seeing none, we will
12 continue on with the informal conversations regarding
13 the BSL-3 EIS. Should anyone be present that would
14 like to offer scoping comments, please see me and we
15 will get your comments on the record. Thank you. We
16 will also be here until 8:00 to receive all comments.

17

18 (Informal session continued).

19

20 MR. PERGLER: We are still in the
21 informal process of the scoping meeting for the BSL-3
22 environmental impact statement. If anyone should
23 desire a formal presentation, please see me. You may
24 also make formal comments as well that would be
25 recorded with the court reporter without the formal

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1 presentations. Thank you.

2

3 (Information session continued).

4

5 MR. FORD-SCHMID: My name is Ralph
6 Ford-Schmid and I work for the New Mexico Environment
7 Department, and my question pertains to that. 350
8 other BSL-3 lab in the country that are soft of the
9 monitoring requirement that they are required to have,
10 are there any pretreatment requirements for NMPS
11 discharges, and what I am looking for is someone who is
12 overseeing environmental discharges what would be some
13 parameters that I would be able to use to assure that
14 your facility is protective of the environment in not
15 releasing harmful constituents?

16 That is primarily what I am looking for, so
17 if you could survey other facilities to find out what
18 requirements they are under for monitoring, what would
19 they monitor outside their facility be it air, water or
20 solid waste, to assure that these pathogenic or
21 dangerous organisms aren't escaping from the facility.
22 Is there anyway that we could monitor surrogate
23 contaminants that would indicate potential releases
24 because obviously we can't monitor for biological
25 hazards that you may be working on. We don't

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1 immediately know what those hazards are or what those
2 different organisms are. Is there a surrogate that we
3 might be able to monitor in the air to verify that your
4 systems are functioning, air and water?

5

6 * * * * *

7

8 MR. PERGLER: We are still in the
9 informal stages of soliciting comments for the
10 environmental impact statement for the operation of the
11 BSL-3 facility at Los Alamos National Laboratory.
12 Should anyone desire to hear the presentation please
13 come up and notify me and we will get you to the
14 microphone. Additionally, you may make your comments
15 directly to the court reporter if so desired. Thank
16 you.

17

18 * * * * *

19 (6:45 p.m.)

20

21 MR. PERGLER: We are still in the
22 informal phase for soliciting scoping comments for the
23 BSL-3 facility EIS up in Los Alamos, New Mexico.
24 Should anyone want to make or hear a formal
25 presentation, please contact me here at the podium.

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1 Additionally, should you want to go on record with your
2 comments, please see me and we will sit by the court
3 reporter. Thank you.

4

5 (Discussion held off the record.)

6

7 MR. PERGLER: It is 7:10 p.m. We
8 are still in the informal stage of soliciting comments
9 and answering questions on the environmental impact
10 statement for the biosafety lab, level 3 up in Los
11 Alamos National Laboratory, New Mexico. Should there
12 be anyone here who would like to have the formal
13 presentation, please see me at the podium.

14 Conversely, you can always give your formal
15 comments to the court reporter. Again, please see me
16 here. I see no takers, thus we will continue on with
17 the informal meeting. Thank you.

18

19 * * * * *

20 (7:35 p.m.)

21

22 MR. PERGLER: We are still in the
23 scoping meeting for the environmental impact statement
24 for BSL-3 facility up at Los Alamos National
25 Laboratory. If there are people here who desire a

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1 formal presentation, please come up to the podium to
2 see me.

3 Conversely, you can give your formal comments
4 to the court reporter. Please come up and see me to do
5 that. Seeing no one, we will continue with the
6 informal scoping meeting.

7

8 (Informal session continued.)

9

10

11 MR. PERGLER: It is now 8:00 and we
12 are closing down the public scoping meeting for
13 comments to be received on the BSL-3 facility at Los
14 Alamos National Laboratory EIS. I would like to thank
15 everybody for their comments and attention.

16

17 (Public comment meeting concluded at
18 8:00 p.m.)

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REPORTER'S CERTIFICATE

I, BETTY J. LANPHERE, RPR-CP-CSR, a Court Reporter and Notary Public, with offices in Santa Fe, New Mexico, DO HEREBY CERTIFY that the foregoing transcript is a complete and accurate record of said proceedings as the same were recorded by me stenographically and were reduced through computer-aided transcription to print by me or under my supervision.

DATED at Santa Fe, New Mexico, this 14th day of December, 2005.

Court Reporter