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PUBLIC HEARING
DRAFT CMRR SEIS
CMRR AT TECHNICAL AREA 55 (LOS ALAMOS)
May 24, 2011
5:33 p.m.
Holiday Inn Express
60 Entrada Drive
Los Alamos, New Mexico

Bruce MacAllister, JD, Public Hearing Facilitator
Mr. John Tegtmeier, CMRR SEIS Document Manager

REPORTED BY: Sally Peters, RPR, NM CCR 57
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Professional Court Reporting Service
201 Third Street, Northwest, Suite 1630
Albuquerque, New Mexico 87102

(1125K) SP/MH

1 MR. MacALLISTER: Good evening, folks. If
2 you can take your seats. We will start the meeting.

3 Good evening and welcome to the second of
4 four LANL CMRR Nuclear Facility Draft Supplemental
5 Environmental Impact Statement public hearings.

6 My name is Bruce MacAllister. I am the
7 senior principal in a company called Business
8 Excellence Solutions. I am an organizational
9 consultant, community meeting facilitator, and a
10 conflict resolution specialist doing mediation work
11 for the courts and facilitation work around the
12 community.

13 Let me give you kind of the layout for
14 tonight's meeting. There will be a short
15 presentation of about ten minutes, followed by some
16 introductory ground rules, followed by a period for
17 speakers to come to the podium. We have hand-held
18 mikes tonight. You are not constricted to the
19 podium. If you have notes and want to work from the
20 podium, you are more than welcome to use the podium.
21 On the other hand, if you are not comfortable with
22 the podium, that's fine as well.

23 Because we have a relatively small number
24 of people signed up to make comments tonight, as
25 soon as we get a final number at the ground rules,

1 before I start that comment section, we will give
2 you the exact timeframe on that.

3 Let me go through a couple of ground rules
4 before we get started and a few reminders. Let me
5 start with emergency exits. There is an emergency
6 exit behind those curtains. That's the quickest way
7 out of the room. As you know, the entrance coming
8 in here also serves as an exit, exit out the hallway
9 and to those front doors. This doorway up here is
10 also an exit. You would exit out this hallway to
11 the front doors. The restroom facilities, if you
12 need them, are out that door to the left and your
13 immediate left. That should take care of the
14 emergency questions.

15 As you know, we have the poster session
16 going on back here with subject matter experts, who
17 will be available through the course of the meeting
18 to answer questions about the materials there. And
19 I want to outline for you the various ways that are
20 available to you, in addition to this public meeting
21 format, for making comments. There is a big poster
22 back by the table in the back in the rear corner
23 there that has this same information on it.

24 There are multiple ways that you can make
25 comments between now and June 28th, of this year.

1 There is a court reporter available to take your
2 comment directly. We have recording equipment that
3 you can record a statement directly there. Those
4 statements are not limited in time. Of course, they
5 have to be submitted between now and June 28th, but
6 you don't have to worry about a time limitation for
7 the length of your comment. You can submit written
8 comments. There are work stations back there for
9 submitting comments that you can enter through a
10 computer. Of course, you can use the United States
11 mail, fill in a comment form, use e-mail, a toll
12 free phone, fax. And so there are multiple ways
13 that you can get your comments in.

14 If you do want to make a comment tonight,
15 please be sure that you complete one of the sign-in
16 forms. The way we will take comments tonight is
17 directly off the form in the order in which you
18 signed up to make your comment. I will be calling
19 people to the mike and letting the next person know
20 that they are next so that they can be prepared.

21 And again, the overall agenda, we will
22 have a 15 minute presentation at the outset by the
23 document manager for the program, John Tegtmeier,
24 and the comment session runs until 9:00. So we will
25 be available between now and 9:00 for anyone who

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1 chooses to come in, in that timeframe.

2 The comment period -- let me just double
3 check. Are we still good to go? Okay. So because
4 we have a relatively small number of comments
5 tonight, we would like to give people seven minutes
6 per comment. And we will have a person, a
7 timekeeper sitting up front to keep the time for
8 your comments equivalent. We won't cut you off at
9 exactly seven minutes. You will see a yellow card
10 that will give you a 60 second warning, a minute
11 warning, so that at six minutes you know that it's
12 time to start thinking about your most compelling
13 closing statement, and at seven minutes, you will
14 get a red card. Not like in hockey or soccer. We
15 are not going to kick you out. You will see a red
16 poster, and that's your signal to quickly wrap it up
17 to enable the next person to speak.

18 After the first round of comments, I will
19 take a show of hands. We will see how many people
20 have additional comments that they would like to
21 make, and based on the show of hands, we will make a
22 determination about timeframes for that, if any.
23 Last night we were able to let people just speak for
24 an unlimited amount of time within reason, and so we
25 anticipate that that will likely be the case

1 tonight. We will just see how that goes. Don't
2 hold me to that, pending seeing how many hands might
3 pop up or how many late arrivals may come in.

4 Other basic ground rules before I turn it
5 over to Mr. Tegtmeier, the meeting is designed
6 principally to focus on the Environmental Impact
7 Statement for the Chemical and Metallurgy Research
8 Replacement Building located at TA-55 here in Los
9 Alamos. The comments are intended to be applied to
10 an assessment of the environmental impact of the
11 construction of that facility.

12 The officials who are present tonight to
13 answer your technical questions are not available or
14 it's not within their role to answer questions about
15 the larger policies of nuclear weapons, of
16 scientific priorities, that sort of thing. So you
17 are more than welcome to make comments in that
18 regard. However, the officials here won't be in a
19 position that they will be able to respond or answer
20 those types of questions. This is a comment period,
21 so the focus will be on listening to your comments.
22 The role is not to have laboratory officials respond
23 to comments at this point.

24 If we run out of time tonight, there are
25 two other sessions, and again, the multiple avenues

1 for reporting.

2 So at this point, I will be back at the
3 mike before we start our speaking to remind you of
4 some ground rules for the speakers, but at this
5 point I would like to turn it over to John
6 Tegtmeier, who is the document manager for the
7 project.

8 MR. TEGTMEIER: Good evening. I thank
9 everyone for attending.

10 A little bit about my role in the process
11 and a little background on the NEPA process, in
12 particular to this project to date, and then what is
13 going to happen between now roughly and the end of
14 the comment period.

15 I will start off with just a little
16 background. My role as document manager is to
17 manage the development and preparation of the
18 document. Also one of the big roles I have is to
19 encourage and facilitate public involvement in the
20 process, and I believe that's my most important
21 role. Also one of my roles is to ensure the
22 technical adequacy of the document and adherence to
23 the NEPA regulations both from the Council of
24 Environmental Quality and the Department of Energy.

25 For this project we prepared an

1 Environmental Impact Statement back in 2003, and
2 that was followed by a record of decision in
3 February 2004. And the record of decision, based on
4 the previous Environmental Impact Statement,
5 approved a two building concept to be located at
6 Technical Area 55 at Los Alamos National Laboratory.

7 The first building is complete at this
8 time, and it's the Radiological
9 Laboratory/Utility/Office Building, or RLUOB, at
10 Technical Area 55. That's largely finished
11 construction, and they are outfitting the space
12 within the facility, and we anticipate people will
13 be moving into offices and other facilities probably
14 within the next six months or so, then sometime next
15 year into the laboratory space in that facility.

16 The second building is currently in
17 design, and that's the CMRR nuclear facility, and
18 that's the main focus but not the entire focus of
19 this Environmental Impact Statement Supplement, and
20 I will get into that a little more in a second.

21 Since the 2003 EIS and the 2004 Record of
22 Decision, some new information has come to light
23 about the project and the location where it's
24 proposed to be sited at this time. Some additional
25 geological mapping was done in 2006 timeframe, and a

1 lot of that is depicted on the posters, and you are
2 free to ask questions about that process. They did
3 borehole drilling, they did fracture mapping, and
4 they were looking in large part for the presence of
5 faults in the vicinity. That was one aspect of the
6 geologic mapping.

7 In addition, a new seismic study was done
8 for the Los Alamos area, primarily focused on the
9 area between Technical Area 55 and Technical Area 3,
10 and that is a required ten year update of the
11 probabilistic seismic hazard analysis. Each DOE
12 site has the requirement to do that. So that
13 document was completed in 2007, and it identified an
14 increase in the horizontal and vertical ground
15 motions associated with proposed earthquakes with
16 different return periods here at the site. So as
17 that new design information became available, that
18 was some of the information that was briefed at the
19 semi-annual project meetings that many of you have
20 attended.

21 Based on that new information, last year
22 the laboratory prepared a supplement analysis
23 which is part of the NEPA process when you have an
24 existing Environmental Impact Statement. So the
25 supplement analysis is a further look at new

1 information to determine whether any additional NEPA
2 documentation is required, and that was submitted to
3 the Los Alamos site office last summer.

4 In between that period of time, a decision
5 was made to actually go ahead and prepare the
6 Supplemental Environmental Impact Statement for the
7 project. So we issued a Notice of Intent in the
8 Federal Register on October 1st last year, and we
9 had a 30 day period for scoping which was extended.
10 We had two public scoping meetings in White Rock and
11 Pojoaque.

12 So having that information from scoping,
13 looking at new information, and also looking at new
14 requirements for the NEPA process, some of those in
15 the Department of Energy realm, we looked at some
16 new analyses. So one of those areas of new analysis
17 that is described and analyzed in the Environmental
18 Impact Statement is greenhouse gas emissions.

19 We also looked at intentional destructive
20 acts, you know, terrorist acts, things that might
21 create scenarios that would have environmental
22 impacts, impacts to workers, the public, or the
23 environment. We also did a new analysis of the
24 transportation of demolition waste. One of the
25 Record of Decisions also was to completely demolish

1 the CMR Building when operations were suspended, so
2 we did a transportation analysis for that demolition
3 waste.

4 The analyses we updated, including the
5 construction impacts. In order to meet the new
6 seismic requirements, the building would need to be
7 built stronger. There is more concrete, more
8 reinforcing steel, more structural steel, more
9 excavation, more disturbed areas to support the
10 activities, like lay-down areas, et cetera. Here
11 again, that information is available in any
12 questions from the subject matter experts.

13 We also looked at operations impacts, not
14 only for the new proposed facility, but also, since
15 it's fairly complete and we understand RLUOB,
16 operational impacts associated with RLUOB and the
17 existing Chemical and Metallurgy Research Building
18 at Technical Area 3. We also updated the accident
19 analysis for the CMR Building. We have a documented
20 safety analysis that the department approved last
21 summer, and we also have the latest preliminary
22 documented safety analysis for the proposed new
23 facility. So that's also reflected in the document
24 and a specific appendix.

25 We also updated some human health impacts

1 from radiological emissions due to operations. Part
2 of that was due to some new changes in the modeling
3 technique, and additionally we focused on some of
4 the information available to date from the latest
5 census.

6 The alternatives that we currently have in
7 the Draft Supplemental EIS, we have a No Action
8 Alternative, which is to construct and operate the
9 nuclear facility as it was described in the Record
10 of Decision in analyzing the 2003 EIS. In that
11 sense, a No Action Alternative is not to change the
12 action or change the decision that was made at the
13 time. So that's kind of maintaining the status quo
14 in NEPA space. That's a common way to look at no
15 action.

16 We also have the modified CMRR Nuclear
17 Facility Alternative, which is to construct and
18 operate the new nuclear facility at Technical Area
19 55, certain design and construction modifications
20 that address the changes to the seismic safety and
21 geological conditions of the site.

22 We currently have two options, a deep and
23 shallow excavation option. The shallow excavation
24 option is new, since the time of the Notice of
25 Intent back in October, based on information that

1 the continuing design efforts have shed light on, so
2 that is still under work. Here again, that's
3 described back in the posters. We also have a
4 continued use of the CMR Building alternative, which
5 is also described in the document, and that's the no
6 construction alternative, and that's not to
7 construct a replacement and maintain the limited set
8 of operations in the CMR Building as long as
9 feasible and still meet the safety requirements.

10 As far as this document process, since the
11 scoping, we posted the Draft Supplemental EIS for
12 the project on our NEPA web page, the NNSA NEPA web
13 page on April 22nd, and the Notice of Availability
14 was published by the Environmental Protection Agency
15 the following Friday on April 29th, which
16 technically started the 45 day comment period.

17 The NNSA, based on requests from the
18 general public, extended the comment period by 15
19 days, and that decision was made on May 6th of this
20 year, and now the public comment period extends to
21 June 28th, as Bruce mentioned.

22 Bruce also mentioned the public hearings.
23 I just wanted to reiterate those. In addition to
24 this evening, we have a meeting tomorrow evening at
25 the Santa Claran Hotel in Española. That same

1 timeframe, same format, same procedures we will go
2 through, so that will happen tomorrow evening. And
3 also in Santa Fe on Thursday evening, same time,
4 same format, at the Santa Fe Community College south
5 of town.

6 Just a little bit more on the comments
7 that Bruce mentioned. There are a number of ways to
8 provide comments on the draft document. I encourage
9 everyone to participate in that. You are not
10 limited to just one set of comments. You can make
11 multiple comments over time, many mechanisms. As I
12 said, one of my main roles is to encourage and
13 facilitate that participation.

14 So we are really looking at comments on
15 what's in the draft document -- alternatives,
16 analyses, we may have done, impacts, et cetera. So
17 that's what we are hoping to get. And I just want
18 to remind you that anyone is welcome to provide
19 comments as a private citizen, no matter who your
20 employer, so we would encourage that, but as a
21 private citizen. I know there may be some interest
22 out there.

23 And with that, I would like to turn it
24 back over to Bruce, and we will start with the rest
25 of the meeting.

1 MR. MacALLISTER: Thank you, John.

2 MR. TEGTMEIER: Thank you.

3 MR. MacALLISTER: Just a few more brief
4 comments, and then we will tie into our comment
5 session. There are a few ground rules that I want
6 to lay out for you all just to make sure that we are
7 reminded that this is an official public hearing.
8 The comments are being recorded. They will be
9 distributed to multiple sources for multiple
10 reasons.

11 And accordingly, since this is a public
12 hearing, we are required to expect appropriate
13 decorum in the meeting. So I'm going to be asking
14 you all to please wait until your scheduled time to
15 comment. And because we are transcribing the
16 comments, it's extremely important that people speak
17 one at a time. Comments from the audience make it
18 difficult for the transcribers to hear the
19 transcription, and I will be asking people, if they
20 are carrying on conversations or making comments
21 from the audience, to kindly step outside to have
22 those conversations and to please refrain from
23 making comments to the commentator as they are
24 making their comments so that we can keep the flow
25 of the meeting moving and the comments clear and

1 concise in the record.

2 You are not absolutely required to do this
3 if you feel like it's not something you are
4 comfortable with. We do request that you identify
5 yourself at the beginning of your statement. That
6 allows the court reporter to know where the first
7 person started, the next person started, that sort
8 of thing. If you are not comfortable with that,
9 please talk to me and we will identify you by
10 speaker number.

11 Again, please keep the process civil and
12 keep your language civil and appropriate. Remember,
13 again, this is an official public hearing, and we
14 will have plenty of time for rounds of additional
15 comments. So for the first round, to ensure that
16 everybody has a chance to speak without having to
17 wait too long to make their comments, please abide
18 by the time limits that we have set, which will be a
19 seven minute timeframe with a warning at six
20 minutes. So please yield the mike to me if I
21 request it at that seven minutes. All right.

22 And just as a matter of courtesy to
23 others, please silence your cell phones and any
24 other noise-making devices that you might have on
25 your person. I hear some going off right now.

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1 And at this point, I would like to
2 recognize two public officials in the house. We
3 have Matthew Roybal, who is the constituent liaison
4 and IT administrator for Mr. Ben Ray Lujan.

5 Mr. Roybal, thank you for coming.

6 We have representative Nick Salazar of the
7 New Mexico legislature here with us. Thank you,
8 Mr. Salazar, for attending. I appreciate your
9 interest.

10 At this point, again, I will make the
11 podium available and a mike available. You are not
12 required to use the podium if you don't want to.
13 You can speak wherever you are comfortable up here,
14 so as long as the court reporter can see you and
15 basically follow what you are saying. And I will be
16 calling people by name, and I will be letting the
17 next person in line know that they are on deck, so
18 to speak, to be the next speaker.

19 So without further adieu, let me call Ray
20 M. Baca, and he will be followed by Danny Beavers.

21 Thank you, Mr. Baca, and I think this mike
22 actually works better. If it doesn't you can have
23 this one.

24 MR. RAY M. BACA: Thank you very much.

25 Again, my name is Ray Baca. I am the

1 executive director for the New Mexico Building
2 Trades Council. In that capacity, I represent all
3 of the construction labor unions here in the state
4 of New Mexico, including approximately 800
5 construction and maintenance workers who currently
6 work at the laboratory. These are good-paying,
7 family-sustaining jobs that unfortunately are
8 otherwise not available in northern New Mexico and
9 not for a long distance.

10 Let me remind everybody that the
11 construction industry in New Mexico is in dire
12 straits. It is in a depressed mode like it is in
13 much of the country. The unemployment rates for
14 construction workers in New Mexico is fully double
15 if not triple the rates of the average unemployed
16 New Mexican. It is not uncommon to see unemployment
17 rates and under employment rates of 25 to 28 percent
18 in many of the crafts that are represented.

19 The project, the CMR project, if it ever
20 comes to be, would employ upwards of 1,000
21 construction workers off and on over the course of a
22 10 to 12 year period. Obviously this would be a
23 huge boost to the construction industry in New
24 Mexico, but much, much importantly, it would be a
25 huge boost to the construction families in New

1 Mexico who are in dire need of these positions.

2 With all due respect to those people who
3 are opposed to this project and other similar
4 projects, we respectfully urge the laboratory and
5 DOE and all the other powers that be to begin this
6 project sooner than later. Thank you.

7 MR. MacALLISTER: Thank you, sir.

8 Danny Beavers followed by Robert Carman.

9 MR. DANNY BEAVERS: My name is Danny
10 Beavers. I am a business representative for
11 Plumbers and Pipefitters, Local Union 412. We
12 represent approximately 2,000 members across the
13 state of New Mexico. And I am here to speak in
14 favor of the project also, not only for the economic
15 impact to the state of New Mexico, northern New
16 Mexico, the construction industry itself, but my
17 understanding, if I remember correctly, the facility
18 that is scheduled to be replaced is probably 60
19 years old.

20 There is going to be nuclear weapons and
21 there is going to be things of that nature as long
22 as the country and the world is in the state that
23 it's in. I would just as soon have them done in a
24 brand new, state-of-the-art facility that's built to
25 the codes and the specs that it needs to be built at

1 than in the antiquated facility that I worked in
2 when I worked up here 20 years ago and was built by
3 my father who has been a member of this union for 55
4 years. So the building is antiquated. It needs to
5 be replaced.

6 Not only will we have a safer facility.
7 TA-55 itself I worked on 34 years ago when they were
8 building it, so that shows the age of that facility.
9 So they both need to be worked on, replaced, and
10 kept up, and not to mention the thousand
11 construction jobs, the money that that would create
12 through the state, and the economic impact it would
13 have throughout northern New Mexico, so I do support
14 this project. Thank you.

15 MR. MacALLISTER: Thank you, sir.

16 Robert Carman followed by Alfred Arias.

17 MR. ROBERT CARMAN: Good evening,
18 everyone. My name is Robert Carman. I was born in
19 Los Alamos about one year after the Soviet Union
20 detonated their first atomic bomb. My father, who
21 was drafted into the army, was sent to Los Alamos
22 and helped design and build all the first atomic
23 weapons. I guess, as such I could be considered an
24 offspring of the atomic age.

25 I have an uncle who was blown to

1 smithereens up here in the '50s when a chemistry
2 experiment went terribly wrong. I have other
3 relatives who have died slow and painful deaths
4 working at the former DP plutonium sites. As a
5 teenager during the '60s, I remember reading that
6 the United States and the Soviet Union had enough
7 nuclear weapons at that time between them to blow
8 the earth up several hundred times.

9 Why stop there? Why not keep building
10 these weapons of mass destruction until we can
11 destroy the earth a million times? I only have
12 three wishes for such an event. No. 1, that I be
13 under the first one of these gadgets to be detonated
14 in order that my atoms might be scattered throughout
15 the universe in search of a sane place to rest.

16 No. 2, that all of you who design these
17 things and your loved ones survive this event,
18 temporarily safe in the underground bunkers which
19 you have undoubtedly designed and created for just
20 such an occasion.

21 No. 3, that you drive out of your bunkers
22 in your armored humvees, and as you and your loved
23 ones slowly begin to succumb to the inevitable
24 horror of your act, you have plenty of time to
25 contemplate what you have done to this earth and to

1 the miracle we have come to refer to as life.

2 Genocide is too kind a word for what you
3 are contemplating. Genocide implies the
4 indiscriminate death of humans. Your endeavors will
5 result in the death of the planet earth.

6 I do have one tidbit to offer, however,
7 and that is that the Cold War is over. Why not do
8 something nondestructive with all the resources at
9 your disposal?

10 Thank you very much. Have a nice day.

11 MR. MacALLISTER: Thank you, sir.

12 Alfred Arias followed by Michael Loya.

13 MR. ALFRED A. ARIAS: I am Alfred Arias.
14 I am a representative of Local Union 412, Plumbers
15 and Pipefitters Union.

16 We need work. We need this project to get
17 off the ground. We need it. We don't need no more
18 delays. We need it to get going.

19 The United States is a top dog of the
20 world, and they need to stay on top of everything,
21 including nuclear power. You know, as long as we
22 are the top dog of the world, you know, there is
23 people in the world that hate the United States,
24 that hate United States citizens, and if the United
25 States starts showing weaknesses and weaknesses and

1 starts showing that we are weak, you know, the
2 Chinese, people are going to come in and take over.

3 And, you know, the reason why there has
4 been no nuclear war in the last 60 years is because
5 we have been the top dog in the world. And also,
6 you know, what Danny Beavers said, there are a
7 thousand jobs here on the line, and the construction
8 industry is like 30, 40 percent unemployed right
9 now. And there are families that need to get fed.
10 There is little boys and girls that need to get fed.
11 We just need to proceed with this project and get it
12 going fast and get it done. Thank you.

13 MR. MacALLISTER: Thank you, sir.

14 Michael Loya followed by Reverend Holly
15 Beaumont.

16 MR. MICHAEL LOYA: My name is Michael
17 Loya, and I am happy to be here to make my comments.
18 I want to say first of all that I am a generational
19 New Mexican, and I am a history buff, and it is very
20 important that I state my comments today. I have
21 had the fortune of analyzing a lot of data on the
22 cleanup up here at Los Alamos, so this is also very
23 important and another reason why I am here to speak
24 about this.

25 What I think, too, is also that because of

1 this lab, it put an end, an early end to this war,
2 to World War II, and I think that that was very
3 important. That's a very important thing.

4 I have generational ties to New Mexico.
5 My dad's first cousin, who my grandparents raised,
6 flew with Billy Mitchell, and it was amazing that I
7 lived in a house where my dad and mom lived World
8 War II. My parents were farmers and ranchers down
9 south, and they were downwinders when they detonated
10 the first bomb there at Trinity site. I have talked
11 about this story before, but it woke my dad up and
12 he got mad and he stayed mad the rest of his life.

13 He almost lived until he was 90 years old.
14 So he was a quite a fellow. He was also one of the
15 first farmers and ranchers in New Mexico to have
16 prisoners of war on the farm. That was just a
17 wonderful thing. There is a lot of stories about
18 that. We don't believe in war, but we believe that
19 if you are going to get into the war, you need to
20 have the biggest stick there, and this is very
21 important that we have this facility here, not just
22 on account of the jobs.

23 The jobs are very important, but
24 technically this is very important. These gentlemen
25 are working in facilities that are very, very old.

1 I don't know. They are over 60 years old now, and I
2 believe it's time that these facilities are
3 upgraded, and they bring all these safety components
4 to this new facility. I think that's very
5 important.

6 I know that back when I was younger, I had
7 the opportunity of talking to a lot of New Mexico
8 gentlemen that we used to rope with on the farm, and
9 they used to talk about serving in the Pacific and
10 how they were thankful that they did have these
11 bombs to put a quick end to the war in Japan in the
12 Pacific. It was very important, because we would
13 have lost hundreds of thousands of boys out there if
14 it hadn't been for Oppenheimer and his group. I
15 think that's very important.

16 Another thing, too, is the financial
17 implications here. These gentlemen from the trade
18 unions and stuff brought up something that's very,
19 very important and it's very critical, that it's
20 time that we move forward with this project and we
21 put people to work. People need to work. People
22 want to work. And this is very important.

23 This lab has done a great service to New
24 Mexico and, yes, there has been problems with health
25 and whatever, but that's just the fallout, but they

1 have done a lot of things now to upgrade the
2 facilities and the working environment. That's been
3 very crucial, and I find that very important. And I
4 believe this facility is going to even make the
5 working environment for the people that work in
6 these departments even safer. And I thank them and
7 I thank their bosses, and I thank the government
8 moving forward with this.

9 A lot of people have to understand about
10 the geopolitical problems that are going on right
11 now. We have some very serious things going on in
12 the Middle East. Pakistan right now is in a big
13 push. They built another facility, and they are in
14 a big push to build more weapons. So we have to be
15 ready. We have to make sure that we are armed,
16 because -- I have said this before at the last
17 comment period -- you can't take a knife to a
18 gunfight. So we have to be ready for this.

19 I had the great honor here a while back.
20 I was in west Texas, and this is when the fires were
21 going on, and we were staying in a motel. There was
22 this little gentleman, and I kept noticing him. He
23 was just a wonderful guy. He had a smile, and we
24 started talking. He was an old cowboy and he saw me
25 there with my hat, so we were starting to talk. And

1 this gentleman was one of the sailors on the Abbot
2 Merrill. I believe that's the way you pronounce it,
3 but that was a ship tender and it was a sea plane
4 tender, and he was involved in Operation Crossroads.

5 I sat there for hours and I was listening
6 to what this gentleman had to say. He said it was
7 very important -- because he was there during World
8 War II -- he said it was very important that we had
9 these weapons to defend ourselves. Yes, there is a
10 mountain of weapons and, yes, we can destroy the
11 world multiple times, but we are going to have to be
12 ready. There's very serious things going on.

13 There's very serious implications if we are not
14 prepared, and I believe it's very important that we
15 move ahead as quickly as possible with this
16 facility. Thank you. Am I cut off?

17 MR. MacALLISTER: No, you're good. You're
18 fine.

19 MR. LOYA: Good.

20 MR. MacALLISTER: Reverend Holly Beaumont
21 followed by Johnnie Martinez.

22 REVEREND HOLLY BEAUMONT: Thank you. I am
23 the Reverend Holly Beaumont with Las Mujeres Hablan.

24 I want to begin by saying that I have deep
25 regard and respect for people who devoted their

1 lives to the Los Alamos National Laboratory, who are
2 very proud that they helped to build it and sustain
3 it by serving it. We don't always agree with the
4 results in nuclear weapons, but that's really not
5 what we want to talk about tonight.

6 What we want to talk about is that Los
7 Alamos National Laboratory, I think in a real way,
8 does not exist anymore, because as of 2006, the Bush
9 administration turned the national laboratory over
10 to Bechtel, and that's what we want to talk about in
11 the next few minutes. One of the first things that
12 Bechtel did was throw out a \$500 million original
13 plan and start over again. So already the cost is
14 \$500 million and proceeded from there to where we
15 are today with costs continuing to escalate. So as
16 I was doing some research, I realized that Bechtel
17 has left quite a global footprint.

18 Which continent would you like to begin
19 with? Let's begin with North America. In North
20 America Bechtel is responsible for "The Big Dig."
21 This is the design of the Boston Central Artery
22 Tunnel project in which Interstate 95 passes under
23 the city. The federally funded project is the most
24 costly civil engineering undertaking in US history.
25 It was estimated at \$2.5 billion in 1985. Project

1 expenses reached 14.6 billion in 2003. Watchdogs
2 argued that it is extremely rare for a company to
3 design, receive several construction contracts, and
4 manage a project as huge as "The Big Deal."

5 Bechtel's gross errors included the
6 complete absence of the planned Fleet Center -- they
7 just overlooked the convention center in their
8 plans -- and also an active nine foot wide pipe
9 carrying sewage and storm runoff where planners had
10 drawn a support wall and could not sustain the
11 tunnel wall. So this is one of the examples of the
12 work that Bechtel has taken on in North America.

13 We could go from there to the Bay Area
14 Rapid Transit. I won't bore you with the details.
15 This is all online. Suffice it to say that the
16 project suffered numerous delays, massive cost
17 overruns, as well as several accusations of fraud.
18 In April 2000, two BART board members said they
19 would block seismic retrofitting if Bechtel won the
20 contract due to their poor record on human rights,
21 minority contracting, cost overruns. There were
22 4 million in cost overruns and huge delays.

23 Then we can go on to the Alaska pipeline.
24 The Alyeska Pipeline Service Company awarded Bechtel
25 the role of prime management at \$8 billion. Soon

1 afterward, Alyeska claimed that Bechtel over-staffed
2 senior level executives to multiply the charges on
3 the cost plus contract, over-filed for pipeline
4 workers, and that the project was plagued with
5 on-site thievery, feather-bedding, low productivity,
6 and conspicuous supply problems. Furthermore,
7 Bechtel stood accused of ordering the quality
8 control staff to falsify thousands of x-rays and
9 pipeline welds in order to accelerate construction.

10 In May 1975, Alyeska -- I don't know how
11 to pronounce it -- fired Bechtel for overall
12 mismanagement. That is North America.

13 We can go on to talk about what happened
14 in South America with the Bolivian privatization of
15 water that the indigenous people were dependent on.
16 That resulted in Bechtel actually suing this
17 impoverished nation for millions of dollars for not
18 allowing them to complete the project.

19 We can move from South America to Asia and
20 discuss the Basra Children's Hospital in Iraq. It's
21 now actually listed as a completed project when, in
22 fact, it was not completed. At the time that it was
23 listed as completed, it was only 35 percent
24 finished, and that's when they stopped. The
25 original cost was estimated at 50 million, and by

1 the next year, June 2006, the project was already 18
2 months behind timeline. And in 2007, it was awarded
3 an additional \$41.1 million. Maybe that was
4 billion.

5 So I won't take up any more time except to
6 say that this is my question, our question: How
7 much profit does Bechtel have to make before it
8 decides to abandon a project? I can't find a
9 project anywhere, anywhere that Bechtel has actually
10 completed. I wouldn't even judge it as successful
11 or not, but I am not even finding projects that they
12 have actually completed. So our question is: How
13 much time is left for Bechtel on CMRR before you
14 will be abandoning this project? How close are we
15 to that timeline? And how much do you think it will
16 ultimately cost us before you walk away from it?

17 Thank you.
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1 MR. MacALLISTER: Johnnie Martinez.

2 MR. MARTINEZ: Good evening. My name is
3 Johnny Martinez. I am a 61-year resident of Northern
4 New Mexico and 36-year employee of the Los Alamos
5 National Laboratories. I'm also a father and a
6 grandfather who is concerned about the safety and
7 security of his family.

8 I support the Chemistry and Metallurgy
9 Research Replacement Project, and I have several reasons
10 for doing so that I'd like to share with you. First
11 regarding national security, I believe very strongly in
12 the value of nuclear weapons as deterrence to all-out
13 global warfare. I've had the fortune of working in the
14 weapons program here in the laboratory, and that was a
15 driving consideration in not only my doing so but I saw
16 this evident in my colleagues as well.

17 As Dr. Norris Bradbury, a former director
18 of the laboratory, so aptly stated -- and I know I'm
19 paraphrasing -- the purpose of nuclear weapons is not to
20 use them but to force people to find other means to
21 solve their differences. I am proud to be part of an
22 institution that's helped make these final words a
23 reality.

24 I am also personally convinced that the
25 science and technology underpinning this nation's

1 nuclear deterrence capabilities must be maintained and
2 should, in fact, be strengthened to address new
3 challenges posed by terrorism and proliferation of
4 nuclear weapons and nuclear materials as well. The CMRR
5 facility is designed to address these national security
6 needs and, therefore, support construction and operation
7 as a safe and effective resource for doing so.

8 Regarding the environment, as Danny
9 mentioned earlier, the existing CMR Building is old. In
10 fact, it's almost as old as I am, and I believe
11 continued operation poses a much greater potential
12 threat to the environment than does the proposed CMRR
13 facility.

14 I've had the opportunity to attend
15 briefings and tours of the CMRR system facility, the
16 RLUOB, the Radiological Laboratory/Utility/Office
17 Building, and I've gotten to the conviction that
18 environmental safety is a key component in the plans for
19 the CMRR's facilities construction and will be a
20 fundamental element to its operation.

21 Regarding the economy -- and you've heard
22 this from other people -- Northern New Mexico was
23 selected in 1943 as the site of the Manhattan Project
24 because of its isolation. Northern New Mexico is still
25 relatively isolated, and many of us remain very

1 dependent on LANL as an economic resource. And that's a
2 situation that I think has been -- if anything,
3 strengthened as a result of the recent global economic
4 condition.

5 The CMRR project will present employment
6 and procurement opportunities in Northern New Mexico
7 that would otherwise be difficult or nearly impossible
8 to find in today's economic environment.

9 So I thank you for the opportunity to share
10 my thoughts this evening.

11 MR. MacALLISTER: Is there anybody else who
12 completed a card that I did not call?

13 All right. We have plenty of time
14 available for additional comments. How many people
15 would like to make comments?

16 All right. What I'll do for this follow-up
17 comment session is just call as people raise their
18 hands, and I'll try to recognize people in order and try
19 to keep to that order as best as my old mind will work.
20 Okay?

21 So, sir, if you'd like to make a comment,
22 you're welcome at this time.

23 MR. MANSFIELD: Thank you.

24 My name is Charles Mansfield. I'm a lab
25 retiree, president of the Laboratory Retiree Group. And

1 I actually operate three small businesses in the
2 community, so many would say that I have flunked
3 Retirement 101.

4 The thing that I would like to touch on is
5 a story that I have learned over the years that some
6 years -- probably 15, 20 years ago, a scientist in the
7 laboratory was messing around with an ink jet printer
8 and realized that if he put an electric charge on the --
9 across the stream of ink, he could deflect it from one
10 side to another. It turns out that lasers were really
11 getting going good at the time, and, you know, he was
12 explaining this to another colleague.

13 The colleague said, Well, if he used a
14 laser with the right wavelength and I have a droplet of
15 material which has a very small amount of impurities in
16 it and I need to get rid of the impurities, could you
17 detect the impurity? Let's try it. Turns out that they
18 could detect the impurity in a drop as small as an ink
19 jet printer drop. There was an empirically picked
20 reject bucket. If it was good stuff, you let it go into
21 the main bucket.

22 Another colleague came in and said, Well,
23 could you do this with organic molecules? The guy said,
24 I suppose we could; let's try it. Where can I find
25 organic molecules?

1 What they invented then was called the
2 Coulter Counter. That became the Human Genome Project.
3 For the first time, the laboratory began sequencing the
4 human genome. Was it important to the Department of
5 Energy? Yes. The Department of Energy was concerned
6 about radioactive material -- of changes to the DNA.
7 Eventually, the project grew so big and so fast that the
8 DOE said, Let's turn this over to private industry, and
9 now you have genetic analysis being done commercially in
10 the country; all because people, in this case, who
11 worked in the CMR Building had the freedom to ask
12 questions and to develop new ideas. And this is
13 probably the main reason for continuing with this type
14 of research. It has very little to do with weapons and
15 research itself, but it does advance the nation's
16 capabilities and meets the needs that the nation has.

17 Thank you.

18 MR. MacALLISTER: Thank you, sir.

19 Other folks who would like to comment?

20 Anybody else?

21 Sir.

22 MR. KOVAC: Thank you.

23 My name is Scott Kovac with Nuclear Watch
24 New Mexico.

25 First off, I would like to re-state my

1 request from last night, that we actually have a
2 presentation. You mentioned -- you know, give a little
3 presentation; you know, explain the posters. I find it
4 hard to -- I think it's hard sometimes for the public
5 to -- you know, until they get their feet wet and to
6 know what the right questions are to ask. And, you
7 know, there are very friendly people over at the
8 posters, but it may seem intimidating. For some people,
9 it's not the best -- it's not the best forum. I would
10 still like to see a presentation at the beginning of
11 the -- of the hearing.

12 For instance, you mentioned greenhouse
13 gases. Like how many -- like, you know, what are the
14 greenhouse gas emissions? Is there a greenhouse gas
15 poster back there? I don't know if there is. It'd be
16 nice to know what the water usage is, what the waste
17 generation is of the CMRR. It would be nice to know,
18 you know, what the electricity usage is going to be and
19 items like that.

20 And it's all in the -- it's all in the
21 SEIS, but it's just a matter of, you know, getting the
22 information out to the public.

23 I also appreciate the work that the
24 laboratory does. I know that there's many, many good
25 things that come out of the lab. And we -- but, you

1 know, the Cold War is over. We won. Let's get -- let's
2 move on. And we want jobs. The, you know, true cleanup
3 at the lab, including the removal of the waste from Area
4 G, would -- you know, my estimations -- and we have
5 the -- we have some reports out. You know, removal of
6 the waste from Area G is a thousand jobs for 20 years,
7 you know. And so, you know, if you want jobs, let's
8 clean up the lab. Let's spend -- let's do some
9 nonproliferation work. Let's -- you know, let's do
10 actual science at the lab. There are other things we
11 can do.

12 Oh, and speaking of jobs, I also had one
13 question about the Supplemental Environmental Impact
14 Statement, stating that the deep excavation option will
15 take the same amount of time to build as the shallow
16 excavation option. Both of these -- both of these time
17 frames are given as nine years. The deep excavation
18 option has 225,000, 250,000 of cubic yards of concrete
19 and a hole, which, you know, from the -- from the EIS,
20 is approximately 200 days or, you know, for -- just to
21 pour the concrete. I don't know. Those numbers aren't
22 really given. But, you know -- you know, it's going to
23 take about a year, I think, to do -- a year longer to do
24 the deep excavation option, and that's just not -- it's
25 not included in the SEIS, best I can tell. And it's

1 listed as ten more employees -- ten more workers for
2 the -- for the longer -- for the longer period of time,
3 for the deep excavation.

4 Thank you.

5 MR. MacALLISTER: I'd like to call Kathy
6 Keith to the podium, please.

7 MS. KEITH: Thank you for the opportunity
8 to comment tonight. My name is Kathy Keith. I'm the
9 executive director of the Regional Development
10 Corporation, otherwise known as the RDC. The RDC is a
11 multicounty economic development organization in
12 Northern New Mexico with a position to create a
13 sustainable and diverse economy.

14 I come to speak in support of the economic
15 impasse of the proposed CMRR Project in Northern New
16 Mexico. Our economy in Northern New Mexico, much like
17 the economy of the country, has been much affected by
18 the downturn over the last three-and-a-half years. We
19 have seen unemployment spike from about three percent in
20 2008 to double digits in the counties that surround
21 Los Alamos and Northern New Mexico, and that's a
22 seven-county region.

23 We are truly, in Northern New Mexico, a
24 diverse economic region. In Los Alamos County, the
25 medium household income is over \$100,000 a year, and our

1 surrounding six counties where poverty rates almost
2 equal to and sometimes four times greater than those in
3 Appalachia.

4 What we understand about the CMRR Project
5 is that it will produce up to 400 jobs per year over an
6 eight-year time period in Northern New Mexico and help
7 us with that unemployment rate that has spiked to
8 sometimes double digits over the last three years in the
9 region.

10 We also estimate that from those 400 jobs,
11 there will be another 2000 jobs created indirectly in
12 our economy when an investment is made over an
13 eight-year period of a multibillion dollar construction
14 project. These jobs are desperately needed in the area
15 of Northern New Mexico and especially in the
16 construction industries, where we've seen real downturn
17 over the last three years and spikes in unemployment
18 levels.

19 So I thank you for the opportunity to come
20 tonight and speak in favor of the economic impacts of
21 the proposed CMRR Project in Northern New Mexico.

22 MR. MacALLISTER: Are there other people
23 who haven't already spoken who would like to make a
24 comment?

25 Are there people who have already spoken

1 that would like to make a follow-up comment?

2 At this point, we will recess. We will be
3 here until 9:00, but feel free to get up and move
4 around, check out the displays. If you want to make a
5 comment through another channel, those stations will be
6 available until 9:00. And thank you for attending and
7 for your participation. We deeply appreciate it. Thank
8 you.

9 Just a reminder: We'll take any public
10 comments to be developed, afterthoughts or additional
11 thinking as you are here in the meeting room.

12 (No speakers, 6:32 p.m. to 7:29 p.m.)

13 MR. MacALLISTER: Folks, just a reminder,
14 we're taking public comment. That's just my periodic
15 reminder in case anybody arrived late. We are still
16 open for business and taking comments until 9:00.

17 (No speakers, 7:36 p.m. to 8:00 p.m.)

18 MR. MacALLISTER: Just in case you haven't
19 heard the previous announcements, if you've come in
20 late, we're still open and taking comments, and we
21 welcome more comments. Thank you.

22 (No speakers, 8:00 p.m. to 8:58 p.m.)

23 MR. MacALLISTER: This is the official
24 notice that the meeting is formally closed. Thank you.

25 (The public hearing concluded, 8:58 p.m.)

1 (The following is a non-public comment
2 provided to the court reporter, 7:29 p.m.
3 to 7:36 p.m.)

4 MR. STEINHAUS: My name is Kurt Steinhaus,
5 and I was born in Los Alamos. I'm a lab employee, work
6 for the Community Programs Office. And I'm a parent of
7 two children, so I'm here as a citizen of the United
8 States and a parent as well.

9 My comments will be in four categories:
10 Safety, national security, environment and economic
11 involvement.

12 My father was one of the first people to
13 move into Wing 7 of the CMR Building and spent most of
14 his career in Wing 7, in the field of physics and
15 spectroscopy. And as a child, the lab had
16 visit-your-dad day or work, and so I got to see Wing 7
17 of the CMR Building as a child. And I've recently taken
18 community leaders on tours of the CMR Building and can
19 see that the building is old. It doesn't meet modern
20 safety standards, and for that reason, I think it's
21 essential that the U.S. Government build a new facility.

22 And I had the fortune of listening to
23 briefings about the design of the new CMRR, and I
24 believe that the lab has been thoughtful and careful in
25 planning the safety requirements for the new building.

1 And I feel confident that it will be a safe building,
2 not only for the employees but also for the surrounding
3 citizens of Northern New Mexico. So that's safety.

4 Under national security, I believe that
5 science and technology is the fundamental and primary
6 underpinning of the lab's work in meeting our national
7 security mission, and CMRR is an essential part of the
8 science and technology that's necessary for that
9 national security -- to meet that national security.

10 Under environment, I've had the fortune of
11 reading briefings about the Environmental Impact
12 Statement and the process that was followed and the
13 process that's being followed right now, and I believe
14 that those will cover the important issues that need to
15 be addressed to make sure that CMRR is environmentally
16 sound and meets all of the federal requirements for an
17 environmentally safe building. That's environment and
18 economy.

19 I know that the economy of Northern New
20 Mexico will be impacted in a very positive way with the
21 construction of CMRR and the surrounding buildings, and
22 for that reason, I think all of us should join in
23 supporting this initiative.

24 And with that, I'd like to say thank you
25 for the opportunity to provide my comments.

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4 I, SALLY PETERS, New Mexico Certified Court
5 Reporter No. 57, and Registered Professional Reporter,
6 and I, MARY C. HANKINS, New Mexico Certified Court
7 Reporter No. 20, and Registered Professional Reporter,
8 do hereby certify that I reported the foregoing public
9 hearing comments in stenographic shorthand and that the
10 foregoing pages are a true and correct transcript of
11 those proceedings that were reduced to printed form by
12 me to the best of my ability.

13 I FURTHER CERTIFY that I am neither
14 employed by nor related to any of the parties or
15 attorneys in this case and that I have no interest in
16 the final disposition of this case.

17
18 _____
SALLY PETERS
Bean & Associates, Inc.
19 New Mexico CCR No. 57
20 Date of CCR Expiration: 12/31/2011

21 _____
MARY C. HANKINS
22 Bean & Associates, Inc.
23 New Mexico CCR No. 20
Date of CCR Expiration: 12/31/2011

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