

## Nicholas Moore

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**Subject:** FW: Email from Los Alamos Study Group to Board

**From:** Greg Mello [REDACTED]

**Sent:** Sunday, April 05, 2020 12:40 PM

**To:** Jonathan Epstein <[REDACTED]>; Hanson, Christopher (Appropriations) <[REDACTED]>; Joyce Connery <[REDACTED]>; Bruce Hamilton <[REDACTED]>; [REDACTED]; [REDACTED]; Alpert, Dan (Heinrich) <[REDACTED]>; Jonathan Black <[REDACTED]>; [REDACTED]; [REDACTED]

**Cc:** Tomero, Leonor <[REDACTED]>; Schneider, Grant <[REDACTED]>; Arnone, Mark <[REDACTED]>; Angie Giancarlo <[REDACTED]>; [REDACTED]; [REDACTED]; Thompson, Betsy <[REDACTED]>; Timothy Dwyer <[REDACTED]>; Paul Rehmus <[REDACTED]>; Jonathan Plau <[REDACTED]>; Fanta, Peter J SES OSD OUSD ATL (US) <[REDACTED]>

**Subject:** [EXTERNAL] DOE and NNSA are recklessly endangering the lives of their civilian workers, their families, and members of surrounding communities, while violating multiple laws and regulations and plainly undercutting their own missions

**Re:**

- [COVID-19 Cases Nearly Triple at NNSA Locations](#) (April 3, 2020, Dan Leone, *ExchangeMonitor*)

Confirmed cases of COVID-19 soared to 26 from nine across the National Nuclear Security Administration's (NNSA) national network of sites, laboratories, and production facilities, according to an official tally Friday by agency headquarters in Washington, D.C.

The tally includes both NNSA-owned sites, and facilities where some NNSA-affiliated personnel are present.

The NNSA declined to say exactly where these cases were located. Likewise, the agency and most sites declined to say how many nuclear weapons workers have been tested for the disease, or were in quarantine because of suspected exposure, as of deadline Friday for *Nuclear Security & Deterrence Monitor*.

At the same time, operations continued as normal at the three main NNSA weapons production facilities: the Kansas City National Security Campus in Kansas City, Mo.; the Pantex Plant in Amarillo, Texas; and the Y-12 National Security Complex in Oak Ridge, Tenn. Only Y-12 has acknowledged that it has COVID-19 cases among its workforce.

The federal government has deemed NNSA manufacturing plants mission-essential, leaving workers there no choice but to report to work as usual, despite widespread stay-at-home orders and school closures.

[Much more at link, including known regional COVID cases near the sites as of 4/3/2020 afternoon.]

- [CNS Chief Isolating At Home After Possible Exposure to COVID-19](#) (April 3, 2020, Dan Leone, *ExchangeMonitor*)
- Upon information and belief, there were, as 4/3/20, at least six COVID-19 cases at Y-12, but work continues.
- Upon information and belief, production technicians at Pantex are not allowed to take paid leave even if family members have COVID-19 vulnerabilities or comorbidities. We do not know how widespread this practice may be at Consolidated Nuclear Security (CNS) sites.
- [Council Chair Sara Scott: Los Alamos Has It's First Confirmed COVID-19 Case](#) (April 4, 2020, *Los Alamos Reporter*).
- US deaths from COVID-19 are currently doubling [every 3 days](#).

#### Summary:

- **The Department of Energy (DOE) and National Nuclear Security Administration (NNSA) are recklessly endangering the lives of civilian workers and their families, as well as members of surrounding communities, by failing to place operations throughout its nuclear warhead complex on a "minimum safe and secure" basis, with narrow exceptions.**
- **In doing so, DOE and NNSA are violating numerous laws and their own regulations.**
- **By exposing their skilled workforce to great bodily harm, DOE and NNSA are also acting counterproductive to their own core missions.**
- **In this matter, the Congress defense committees and the Defense Nuclear Safety Board (DNFSB) are failing in their oversight responsibilities.**

**Dear Dan (Alpert), Jonathan (Epstein), Jonathan (Black), Matt (Padilla), Chris (Hansen), and members of the DNFSB:**

This letter follows our previous letter of March 31. We did not receive any substantive reply to that letter. We are following up today. (The email address of Bruce Hamilton, Chairman of the DNFSB, has been corrected.)

We will be distributing this letter widely, including to senior officials at DOE, NNSA, the national and New Mexico press, and members of the legal community.

We particularly address this letter those of you we have named above because either a) you work for our New Mexico senators in either a personal staff or committee staff capacity, or b) you are the members of the DNFSB. You represent us especially in this matter.

In the five days since we last wrote, the COVID-19 situation in the US has grown much worse, as all parties (finally) understand is inevitable at this point. As noted above, US COVID-19 deaths are doubling every 3 days. The number of known US cases is increasing by a factor of 10 [approximately every 20 days](#). The number of known cases is much less than the number of unknown cases. Approximately [50% of transmissions](#) occur from pre-symptomatic (46%) and asymptomatic (4%) persons.

Under these conditions, for every known case in NNSA's warhead complex, it is likely -- and experience so far suggests -- that several dozen others will need to self-quarantine, in the best case. At worst, some coworkers will contract the disease, unknowingly spread it further at their workplace, and take it home to their families, and other contacts.

DOE and NNSA's failure to prevent this predictable and inevitable spread by their private contractors -- often in violation of local and state lock-down orders -- is reckless and illegal. DOE and NNSA are knowingly placing not only many peoples' health and life, but also the future operation of the sites they manage, in jeopardy.

It will take some time to uncover the many laws and regulations that DOE and NNSA are violating in doing this.

Needless to say, DOE is not the Department of Defense (DoD). Orders from DoD as to what is or is not essential work by civilian contractors of a separate federal agency are irrelevant.

We expect prompt action from you. Every day counts.

Thank you for your attention.

Sincerely,

Greg Mello, on behalf of the Los Alamos Study Group

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**Subject:**Why are production elements of the NNSA warhead complex still working? We think it imprudent.

**Date:**Tue, 31 Mar 2020 15:33:28 -0600

**From:**Greg Mello [REDACTED]

**Reply-To:** [REDACTED]

**To:**Tomero, Leonor [REDACTED], Schneider, Grant [REDACTED], Jonathan Epstein [REDACTED], [REDACTED], Arnone, Mark [REDACTED], Hanson, Christopher (Appropriations)

[REDACTED], Angie Giancarlo [REDACTED], [REDACTED]  
CC: [REDACTED], Alpert, Dan (Heinrich) [REDACTED], Thompson, Betsy [REDACTED], Timothy Dwyer  
[REDACTED], Paul Rehms [REDACTED], Jonathan Plau [REDACTED]

**Re:**

- [Y-12 Records Second Coronavirus Infection](#) (March 31, 2020, ExchangeMonitor)

A second person has tested positive for COVID-19 at the Y-12 National Security Complex in Oak Ridge Tenn. The individual shared a work area with the first infected worker, the site said Monday. The second confirmed case at the National Nuclear Security Administration's...[paywall]

- [Nine COVID-19 Cases Confirmed Within NNSA Weapons Complex, Hundreds Affected](#), March 27, Dan Leone, ExchangeMonitor)

The National Nuclear Security Administration on Friday confirmed nine cases of COVID-19 across its national network of nuclear-weapon design laboratories and production sites.

All three national laboratories had locked out all but essential employees at deadline Friday for Nuclear Security & Deterrence Monitor. Weapons Production sites were still operating normally, despite the viral disease cropping up among their workforces.

Here are the locations and numbers of confirmed COVID-19 cases among the National Nuclear Security Administration (NNSA) workforce at deadline Friday:

- Albuquerque Complex, Albuquerque, N.M. – 1
- Department of Energy Headquarters (Forrestal Building), Washington, D.C. – 1
- Lawrence Livermore National Laboratory, Livermore, Calif. – 2
- Sandia National Laboratories, Albuquerque – 1
- Sandia National Laboratories, Livermore – 2
- Savannah River Site, Aiken, S.C. – 1
- Y-12 National Security Complex, Oak Ridge, Tenn. – 1

The unidentified Y-12 employee who was infected left the site March 19 after experiencing some symptoms and, days later, tested positive for COVID-19, which can be transmitted by people who do not have any symptoms.

The Y-12 worker “has been in isolation at home after receiving a positive COVID-19 test result on Monday, March 23,” a spokesperson for the Bechtel National-led site contractor team Consolidated Nuclear Security wrote in an email Wednesday.

Meanwhile, operations at the nation's defense-uranium hub, which makes secondary stages for nuclear weapons, continued. Workers on-site were still building the next-generation Uranium Processing Facility, at deadline.

Other NNSA sites this week either didn't comment on the details of their confirmed cases, or deferred to NNSA headquarters in Washington.

A spokesperson at headquarters said that "[w]hile NNSA is prioritizing mission essential operations, we continue to follow guidelines specified by the White House, Office of Management and Budget, Department of State, Department of Homeland Security, and the Centers for Disease Control and Prevention."

Since the outbreak hit the U.S. in earnest earlier this month — the country now has more confirmed cases than any other nation, roughly 95,000 at deadline — the NNSA has mostly discussed only confirmed positive cases. That makes it difficult to gauge the disease's overall effect on the nuclear weapons workforce.

Where further details are available, they show work disruptions of 100 employees or more per site.

Dear colleagues --

We hope you are all doing well and staying well. We are fine, although COVID-19 (CV) is partially disrupting our work because of its effects on others (members, board of directors) who are less well insulated than us for one reason or another.

We are not sure why Y-12 and Pantex have not stood down production by now. When (not if) there are more CV cases among workers and subcontractors at these sites and others, a larger number of employees will be affected. Why would NNSA, or DoD, the "customer," want to court "disruptions of 100 employees or more per site"?

Questionable exceptions to local and state government stay-at-home orders have been made at these and other sites, which are run by private contractors and not the federal government.

"Minimum safe operations" should be the watchword at this time, we think.

DNFSB, which will properly have its own CV operational issues, should consider CV a hazard to workers and the public at this time, for direct and indirect reasons I needn't spell out in detail. It is quite possible that these inappropriately-busy NNSA workplaces could spread CV among the non-worker population.

There are some mysteries as to what is going on around the complex regarding CV. There certainly mysteries are at LANL. Rumors abound.

We are not sure the DOE Secretary has full visibility into what is happening on the ground. Upon information and belief he didn't a week ago; perhaps he has gained that visibility by now.

There is much more to say involving normative policy in this radically-changed time, which must be left for another time.

Very sincere best wishes to all,

Greg

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Greg Mello

[Los Alamos Study Group](#)

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