OREPA News

OREPA to sue to stop UPF

“This is a defining moment,” said Bill Myers, President of OREPA’s Board of Directors, as he looked around the room. Heads nodded. Another Board member summed up the feeling in the room. “We have to do everything we possibly can.”

When the Uranium Processing Facility bomb plant was first announced in 2005, OREPA’s Board of Directors made that promise to ourselves: to do “everything we possibly can” to stop the monstrosity from being built.

Twelve years later, that commitment has not wavered. In early April of this year, the Board was looking at a proposal from a leading public interest law firm in Washington, DC that specializes in environmental law. The contract offered generous reduced rates, but it was still as much as we usually raise in an entire year.

We had talked about it for an hour, weighing the various possible grounds for a lawsuit, and when finally someone said, “I propose we authorize our staff to enter into a contract for representation,” it seemed like we all swallowed hard in unison.

Then...

If you are reading this, chances are you have been part of the “Stop the UPF” effort. Hundreds and hundreds of people have attended marches, demonstrations and vigils. Dozens have been arrested for acts of civil resistance; some went to prison. Hundreds have contributed to OREPA to support the work we do.

You may have written one of the scores of letters to the editor or submitted an op-ed piece to your local paper or written one of the hundreds of letters to members of Congress.

Some of us have met repeatedly with Department of Energy officials and safety personnel from the Government Accountability Office and the Defense Nuclear Facilities Safety Board. We’ve spoken at public hearings and submitted pages and pages of detailed public comments. We have visited our Senators’ offices in Knoxville and Washington, DC.

Through it all, our message has been clear and direct: No UPF. Spend the money to dismantle nuclear weapons and to take care of people’s real needs.

AND NOW...

Last July, the National Nuclear Security Administration declared, in an Amended Record of Decision, that it would move forward with the new UPF bomb plant without further analysis of environmental impacts.

That set things in motion, finally, for a legal challenge. OREPA began collaborating with Nuclear Watch New Mexico to comb through the long paper trail of decisions. We consulted with friends at the Natural Resources Defense Council. We tracked down the very best public interest environmental law firm we could find and started a conversation.

By January, we were ready to take the first step. We had $10,000 in our bank account—a gift in memory of Sigrid Dale—that was designated for a legal challenge. It allowed us to hire the law firm to perform a thorough analysis, sifting through possible grounds for a legal challenge. We received a detailed memo from the legal team in March; in April we took the second step—we asked for the legal team what it would cost to take the government to federal court.

By the end of the month, we had our answer. And the Board met. And swallowed hard. And then took the decision, by unanimous consent, to enter into a contract and sue the government to stop the bomb plant.

We intend to win.

AND NOW, YOUR PART

Since that moment, one scene keeps coming into my mind, conjured first in a Joanna Macy

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workshop. Imagine it is thirty years from now, and the world is exactly the same as it is now, and you are still here. The only difference is there are no longer nuclear weapons in the world.

A small child, maybe your grandchild, comes to you and climbs into your lap. She has questions. “Was there really a time when there were bombs that could blow up the whole world?” she asks. You tell her yes, there was.

She is quiet for a moment, then looks up at you. “What did you do?”

When I tell my grandchild the story, I will tell her about the lawsuit. How a group of people came together to challenge the government and stop the bomb plant. I will tell her how we put out the call for help to pay for the lawsuit, and how people answered.

“They all wanted to say they were part of it,” I tell her. “And they were. We couldn’t have done it without them. Some sent a few dollars and others sent hundreds. A couple sent thousands—because we were all determined to stop the bomb plant.”

**Tomorrow’s history**

When the story of the abolition of nuclear weapons is written, it will include the story of the UPF, of the billions spent on multiple designs, of the scaling back of the project so its one and only mission is to produce thermonuclear cores for nuclear weapons, of the runaway costs, of the ongoing management failures, of the failure of Congress to hold anyone accountable.

The story will also tell of the determination behind the lawsuit that forced the government to back away from its plans, and of the courage and commitment and creativity that raised the funds to pay for the lawsuit.

If you want to be part of this story, you can. Tax-deductible contributions can be made in the envelope tucked in this newsletter. Or you can go to OREPA’s website: www.orepa.org. There you will find our video, A Defining Moment, and you can donate online with PayPal or by credit card.

Please join us by making a contribution. We are counting on every person who wants to abolish nuclear weapons to make a donation, large or small.

And don’t just give. Tell others—ask your friends to join in this effort. Send them to orepa.org. Be part of the crowdfunding effort. We need to raise $75,000 for legal fees and other expenses by early July, and the vast majority of it will come from donors like you.

It’s not OREPA’s lawsuit—it belongs to all of us. And not just to us, but to generations yet unborn.
And we are saying Peace.

Each year, the first week of August summons us to remember. It was August 6, 1945, at 8:15 in the morning, when the United States dropped the world’s first atomic bomb on the city of Hiroshima, Japan.

This August, in the city that produced the fuel for the Hiroshima bomb, the Oak Ridge Environmental Peace Alliance will declare our intention to rid the world of the threat of future Hiroshimas with And we are saying Peace, a rally, concert, march and action in Oak Ridge, TN, on Saturday, August 5, followed by our Names and Remembrance ceremony on Sunday, August 6, and the Peace Lantern ceremony in Knoxville on Wednesday, August 9.

All events are nonviolent in tone as well as action. Please join us.

THE LEGACY OF Y-12

The Y12 Plant in Oak Ridge enriched the uranium that fueled the Hiroshima bomb, named “Little Boy” by the weaponeers. After the war’s end, the government shifted uranium enrichment work to another facility in Oak Ridge (K25) and Y12 got a new job—producing the core of the new H-bomb.

They are called secondaries. Made of highly enriched uranium, lithium deuteride, beryllium and other materials, the secondary is the part of an H-bomb that causes the huge explosion. It is triggered by a small atomic reaction, the plutonium “primary.”

Since 1949, Y12 has made every secondary for every thermonuclear warhead and bomb in the US stockpile. No other facility has the equipment and capacity to produce these H-bomb cores.

Today, Y12 is producing secondaries for the W76 warhead as part of the “Life Extension Program.” In the process of refurbishing the warhead to last another hundred years, other modifications will be introduced that, essentially, make the W76 a new nuclear weapon. Next up, manufacture new secondaries for the B61 Life Extension Program.

SATURDAY, AUGUST 5

Saturday’s events will begin with a gathering at noon at Alvin K. Bissell Park in Oak Ridge featuring The Emancipators and other musicians, along with a dramatization by the Catalystica players.

And we are saying Peace, will join our voices with the survivors of Hiroshima and Nagasaki in Japan who will issue a call for the abolition of nuclear weapons on August 6.

Inspired by the courage and persistence of the hibakusha who witnessed the devastation of the atomic bomb, we will march to the gates of the Y12 Nuclear Weapons Plant to speak peace to power with an action there.

SUNDAY, AUGUST 6

For more than 15 years, OREPA has commemorated Hiroshima Day with a Names and Remembrance ceremony at the main entrance of Y12, and this year we will gather again at 6:00am for a reading of the names of those who died in Hiroshima.

For each name read, a bell is tolled and a peace crane is tied to the fence. The reading of the names is interspersed with first-hand accounts, poetry, and documentation of the bombing.

At 8:15, marking the time of the bombing, we pause in silence, followed by drumming and chanting by the Buddhists of Nipponzan Myhoji and others. They will be completing a Peace Pilgrimage from the east, arriving in Oak Ridge in time for Saturday’s concert.

Everyone is welcomed to join us to read or simply to observe and remember.

WEDNESDAY, AUGUST 9

The Peace Lantern ceremony that commemorates the destruction of Nagasaki has become a treasured tradition in Knoxville. It is held at the far west end of Cherokee Park in the Sequoyah Hills section of Knoxville; it starts at 8:00pm.

The Peace Lantern ceremony includes shadow puppets and traditional Japanese folk dancing, all prelude to the launching of lanterns into the Tennessee River.

Saying peace is not just the work of those of us who live in the shadow of the bomb plant. The weapons of mass destruction produced at Y12 belong to all of us, and the obligation to not only declare our opposition, but to act to stop nuclear weapons production, rests on all of us.

We welcome you to the observances in Oak Ridge and Knoxville this August.
Seven people, packed into a seven-passenger van along with their nice dress clothes, sleeping bags and towels, heading off on a ten-hour journey can mean only one thing—it’s time for the Alliance for Nuclear Accountability’s annual DC Days.

It was just that in mid-May when Flo Paquet, Dennie Kelley, Carmella Cole, Marcia Free, Mary Dennis Lentsch and Betty Coleman put their lives and fortunes in the hands of OREPA coordinator Ralph Hutchison, designated driver for the trip from Knoxville to Washington, DC.

They made it. (“I knew we would,” Hutchison would say later. Some were less sanguine, especially after lunch at Sal’s Italian Bistro in Edinburg, Virginia, where “mini-pizzas” were twelve inches in diameter. Leaving the restaurant, Hutchison took a four mile detour on South I-81 before reversing course.)

By Saturday evening they were being greeted by Tim Bullock at the Washington dojo of Nipponzan Myohoji, headquarters for the Knoxville contingent.

This was our second year staying in the temple with Tim, a considerable savings over hotels in DC. With an Ethiopian restaurant within walking distance, a bus stop on the corner, space in the refrigerator for bagels and yogurt, and morning prayers at 6:30 each day, the temple provided all we could ask for and more!

On Sunday we met our colleagues from around the country, seventy of us altogether, preparing with a full day of intensive training for three days of visits to more than one hundred offices in Washington.

This year, in addition to our regular slate of meetings, Board member Dennie Kelley asked Representative Chuck Fleischmann's staff if we could have some face time with the Congressman to discuss his efforts to get funding to clean up high-risk facilities in Oak Ridge—old, abandoned buildings that, according to the DOE Inspector General, pose an “ever increasing risk to workers and the public.”

The Congressman obliged (see photo) and we began a conversation that we hope will lead to collaborative work to bring down some of the most dangerous buildings in Oak Ridge—the Alpha 5 building at Y-12 was cited in the IG report as the worst of the worst.

We also had meetings with staff for Senators Alexander and Corker. But not with our own representative, Jimmy Duncan. After declining to hold town meetings in Knoxville, declaring that he would rather have people visit his office, he stiffed us. We first sought a meeting with Duncan or his staff more than three weeks before we went to DC. Apparently Duncan was too busy writing his next newsletter telling us all what a great job he is doing to actually meet with and listen to constituents.

In addition to dozens of meetings on Capitol Hill, OREPA members also met with DOE officials (Assistant Secretaries for Nuclear Energy and for Environmental Management and the Inspector General) and some

It was not all work and no play—well, okay, mostly it was. We had a pizza party on Monday evening and an awards reception on Tuesday. ANA Awards were presented to Representative Ted Lieu for his legislation that would constrain the President’s power to launch nuclear weapons in a first strike and to Tina Cordova for her tireless advocacy for downwinders from the Trinity nuclear test in 1945. Mavis Belisle, retired from a life of resistance at the Peace Farm in Amarillo, Texas, received the Bill Mitchell Grassroots Activist Award, and the International Campaign To Abolish Nuclear Weapons (ICAN) received an award for its great work pushing the UN toward a Nuclear Weapons Ban Treaty. Beatrice Fihn, Director of ICAN, made a special trip to Washington to receive the award. Beyond Nuclear’s Kevin Kamps also presented an award to Dave Kraft for a lifetime of work on nuclear power issues. (You can see photos of most of this on OREPA’s facebook page.)

Wednesday evening we decamped to Busboys and Poets in Takoma for a program featuring Native American music, film clips and more—we didn’t make it to the end of the program because we were, finally, out of gas.

Thursday morning, four OREPA members boarded the megabus for Knoxville; the other three stayed on for the Alliance for Nuclear Accountability’s two-day spring meeting at the Stewart Mott House. The days were spent de-briefing the visits made during DC Days and laying plans for future activities.

A highlight of the DC Days was the release of ANA’s latest report on the state of the nuclear weapons complex and Donald Trump’s plans—the 24 page Accountability Audit can be found on-line at bit.ly/accountability-audit.

DC Days is an annual event. It is open to everyone, and we invite you to watch for news of next year’s effort and make plans to join us.

TIME TO BAN NUCLEAR WEAPONS

The words resound with hope and power in the ears of those of us who have worked for the abolition of nuclear weapons for decades:

1. Each State Party undertakes never under any circumstances to:
   (a) Develop, produce, manufacture, otherwise acquire, possess or stockpile nuclear weapons or other nuclear explosive devices;
   (b) Transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly;
   (c) Receive the transfer or control over nuclear weapons or other nuclear explosive devices directly, or indirectly;
   (d) Use nuclear weapons;
   (e) Carry out any nuclear weapon test explosion or any other nuclear explosion;
   (f) Assist, encourage, or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention;
   (g) Seek or receive any assistance, in any way, from anyone to engage in any activity prohibited under this Convention.

These words open Article 1 in the Draft Convention on the Prohibition of Nuclear Weapons submitted by the Conference President, Elayne Whyte Gómez, in May. Discussion and negotiations on the draft are ongoing at the United Nations now. You can receive daily updates on the ban treaty conference from Reaching Critical Will, the UN office of the Women’s International League for Peace and Freedom: subscribe to the Nuclear Ban Daily at www.reachingcriticalwill.org; click on the Disarmament Fora tab.

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Ambassador Gómez’s draft text incorporates the hard work that has been done over the last three years, driving the process toward the convention at meetings in Norway, Mexico and Austria. The preamble opens with an expression of deep concern about the catastrophic humanitarian consequences that would result from any use of nuclear weapons.

As noted in the last OREPA newsletter, the United States and other nuclear-armed states have declined to participate in the discussions at the UN. Their non-participation highlights the courage and determination of the other states who will, with the adoption of the ban treaty, renounce the false security of nuclear weapons and bring to bear on weapons states the moral disapproval of the rest of the world.

The ban treaty does not rest only on the appeal to consider the humanitarian consequences of the use of nuclear weapons. It also notes that the principles and rules of international humanitarian law and the rules of international law applicable in armed conflict both prohibit the use of weapons of mass destruction and weapons which would cause irreparable harm to the environment.

The power of the ban treaty is wide-ranging. It undermines the long-standing principle of deterrence that has been used to justify the production, stockpiling and deployment of nuclear weapons in the United States and other weapons states. Arguments that a massive stockpile is necessary to deter attack from another nuclear armed state crumble when more than a hundred nations in the world stand fearless and unarmed before the weapons states.

The goal of the current round of negotiations is adoption of a Ban Treaty by the conclusion of the conference on July 7.

The critique of the Draft Ban Treaty by Reached Critical Will’s Ray Acheson reflects ongoing issues of concern to the participating nations—these are topics that will be part of the three week discussion taking place now.

“The text could be improved with the addition of core prohibitions on planning and preparation to use nuclear weapons and on transit of nuclear weapons,” Acheson wrote in the Nuclear Ban Daily. “An explicit prohibition on financing would also help provide clarity and guidance towards treaty implementation.”

These issues were raised in the opening conference in March by delegates to the UN. The next three weeks will tell whether there is sufficient political will in the General Assembly to amend the Draft Treaty to include them.

In addition to substantive weapons ban issues, Acheson notes the Draft Treaty would be strengthened with provisions on victim assistance, environmental remediation, and international cooperation and assistance.

On the opening day of the second session of the Ban Treaty Conference in June, indigenous and women’s rights took center stage at the UN. The simple presence of speakers stood in contrast to the typical discussions on nuclear weapons where the room is usually dominated by white men who, Acheson says, “talk about how nuclear weapons afford ‘security’ and ‘stability’ as if security and stability have nothing to do with the lived experience of human beings who have suffered from the production, testing and use of nuclear weapons for generations.”

Nongovernmental organizations will be working at the United Nations this month to change the process to be more inclusive of those who have long been shut out of policy debates on nuclear weapons.

The Ban Treaty will not immediately achieve the abolition of nuclear weapons. But it will be a giant step in that direction. It provides leverage that can be used to impact policy and practice in nuclear-armed states, and a framework around which an effective disarmament convention can be built and the lofty goal of the Nuclear Nonproliferation Treaty can be realized.

Counting on you—literally

The Oak Ridge Environmental Peace Alliance relies on donations from our supporters to pay our bills—we have one staff person; we have no office space; we work as efficiently and frugally as we possibly can. We use every penny you invest in our work to abolish nuclear weapons and build nonviolent community. We count on you—literally.

We do not ask for money often—if you are a donor, you should receive two appeal letters a year. If you haven’t given lately, we try to encourage you with an additional appeal.

This month, we have a special need—to raise $75,000 to fund the legal challenge to the UPF. That is in addition to our ongoing fundraising to pay the regular bills—for printing and mailing the newsletter, publishing the Reflection Booklet, supporting our actions in Oak Ridge, maintaining our web site and paying our Coordinator.

Please consider your tax-deductible contribution to OREPA an investment in a future free of nuclear weapons. We are deeply pleased to collaborate with so many deeply committed people as we do this work.

You can also give on-line by credit card or paypal if you prefer—visit www.orepa.org. We promise to be good stewards of your investment.

It takes money to fuel a movement, but the movement itself is an amazing community of inspiring people. So come see us!