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Washington Post

June 1, 2004

Pg. 21

Players: John M. Spratt Jr.

Sounding The Alarm On Nuclear Proliferation

By Peter Slevin, Washington Post Staff Writer

The Armed Services Committee was not exactly the assignment the self-described South Carolina country lawyer imagined for himself when he arrived as a House of Representatives rookie in 1983.

He tried to find his way onto Energy and Commerce, to no avail. He would have loved a spot on Ways and Means, but no go. Armed Services was where a spare seat awaited 40-year-old Democratic Rep. John M. Spratt Jr.

"You could understand why people weren't exactly enthralled with the subject matter," Spratt recalled, "because the hearings were dull as dishwater."

From those beginnings, fueled by a puzzle-solver's patience for detail and an education fancier than he readily lets on, Spratt has become an expert on U.S. nuclear policy and one voice among a devoted few on Capitol Hill sounding the alarm about atomic danger.

Now, talking about weapons design, he says things in casual conversation such as, "You've got the HE's side-by-side with the RVs." (Translation: High explosives are close to the reentry vehicle.)

He also says, "The threat of a fire next time, a nuclear incident, is real enough that we should be devoting much more attention."

When Spratt, the House Budget Committee's senior Democrat, examines President Bush's nonproliferation budget requests, he sees an approach he calls "politically correct" but "not aggressive at all. You don't get the impression that it's being pushed as a big priority."

Bush administration officials dispute that assessment, of course. Last week, Energy Secretary Spencer Abraham announced \$450 million in spending over the next decade to retrieve enriched uranium from around the world. But the polite and amiable Spratt is politely and amiably unimpressed. He figures that "in a budget growing this fast" -- defense spending has grown from less than \$300 billion a year to more than \$400 billion a year -- "surely if you wanted, you could find more money for nonproliferation."

Daryl Kimball, executive director of the Arms Control Association, describes Spratt as "the most influential House Democrat on defense and nonproliferation issues." In January, he became assistant to the House Democratic leader. Political science professor Robert Botsch of the University of South Carolina at Aiken, describes Spratt as a deficit hawk who is "not flamboyant. Quiet. But when it comes to talking about future generations paying for today's spending, he gets pretty exercised."

But Spratt, 61, is an accidental nuclear specialist. A history major from Davidson College who makes references to Talleyrand, he reached Congress at a moment when he was beginning to think his hopes for a House seat had passed. Six days before the primary in 1982, the incumbent dropped out and Spratt saw his chance.

"Frankly," he said one recent afternoon as he crossed Independence Avenue to the Capitol, "it's something I always wanted to do."

As a boy, he helped his father, a prominent Democrat in small-town York, S.C., with political campaigns. At York High School, Spratt was elected president of the student body. At Davidson, ditto. He won a Marshall Scholarship that sent him to Oxford, where he studied economics and politics. Then came Yale Law School and the Army.

The United States was in the thick of the Vietnam War in 1969 when Spratt received an ROTC commission as an Army captain. He spent the next two years stateside, working on the staff of the Defense Department comptroller's office, examining procurement troubles.

For the next dozen years, Spratt practiced law in York, where he also spent time as the county and school district attorney. He prospered, becoming a bank president and owner of an insurance agency in nearby Fort Mill. His brother-in-law is Hugh L. McColl Jr., former chairman of Bank of America.

Elected to Congress the day after his 40th birthday, Spratt landed in Washington as a provincial star without many connections, like the high school football captain who arrives at college to discover himself surrounded by others who were captains, too. He went to the Armed Services Committee, where the future chairman, Les Aspin (D-Wis.), looked out for him.

Spratt chaired a panel on President Ronald Reagan's Strategic Defense Initiative, better known as Star Wars, the precursor to the missile defense system. When a colleague returned to claim the panel's top job, Spratt needed to look for something new.

"You play the ball where it lies," Spratt said. "If I wanted to have a role, I had to go after things other people weren't flocking towards. I had to find something fairly esoteric, that was both justified and didn't ruffle too many feathers." Nuclear weapons. Highly enriched uranium. Atomic testing. Combined with his interest in budget matters, Spratt had found his metier.

When Bill Clinton won the White House in 1993 and made Aspin his secretary of defense, Aspin offered Spratt the job as Army secretary. Spratt turned it down. After a decade on the job, Spratt felt he was drawing closer to a leadership role in the House and was not convinced that an Army secretary would have enough "power, authority, discretion."

These are frustrating times for House Democrats who face the iron discipline of the GOP leadership. Spratt's ire was triggered most recently when he tried to move \$400 million, including a large sum from the missile defense program, into raises for senior noncommissioned officers and warrant officers.

"This was not just a 'gotcha' amendment. These guys are the backbone of an army," Spratt said. "I thought we needed to have that debate on the House floor."

His amendment failed to make it that far, a predicament he said would not have occurred in an earlier, more collegial time.

"I raised hell about it," he said.

And what happened next?

"Nothing," Spratt said. "The well of the floor ought to be a great national forum, a crucible where we grind out good ideas for the country. I'm afraid that's not what we have now."

Spratt is deeply troubled by the administration's follow-through on the president's nonproliferation pledges. A particular peeve is the administration's recent increases in spending on research into new atomic warheads. He believes a resumption of testing, despite repeated denials, is "on the horizon."

"What troubles me most," Spratt told a recent Arms Control Association gathering, "is the attitude this administration seems to take. This administration seems to believe that the United States can move the world in one direction while we ourselves move in a different direction."

He was dismayed last year when the administration and its allies repealed a restriction, coauthored by Spratt, that had banned research and development on new nuclear weapons with yields lower than five kilotons. He said the administration is "taking us back to somewhere where we were years ago and were thankful to have moved beyond."

In Profile

Title: Member of U.S. House of Representatives, Democrat of South Carolina.

Education: Bachelor's degree, Davidson College; master's in philosophy, politics and economics, Oxford University (Marshall Scholarship); law degree, Yale University.

Age: 61.

Family: Married, three daughters.

Career highlights: Captain, U.S. Army; private law practice; county attorney; bank president; insurance company owner.

Favorite movie: "High Noon."

Favorite food: Bill Neal's oyster pie.

<http://www.washingtonpost.com/wp-dyn/articles/A4758-2004May31.html>

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New York Times

June 1, 2004

Atomic Waste Disposal Rules Set For Debate By Congress

By Matthew L. Wald

WASHINGTON, May 31 - A dispute over whether millions of gallons of radioactive waste can be safely left in aging steel tanks has become an issue in the military authorization bill for the fiscal year that begins on Oct. 1. In contention is an Energy Department plan to let it decide how to handle waste created while making nuclear weapons. The department says it could cut decades off the ongoing cleanup of radioactive waste and reduce the cost by tens of billions of dollars if it left substantial amounts of waste in underground tanks and covered them with a grout.

But environmentalists sued, saying that disposal method was unsafe. Last July a Federal District Court in Idaho, where some of the tanks are located, ruled that a 1982 law requires deep burial.

The Energy Department countered by asking Senator Lindsey Graham, a South Carolina Republican, to introduce an amendment to the military bill now before the Senate to allow the department to decide how much of the waste can be left permanently in the tanks. Debate on that amendment is expected to be one of the first orders of business when Congress returns on Tuesday.

When the bill reached the Senate floor on May 20, just before the recess, Senator Maria Cantwell, a Democrat from Washington State, where more tanks are located, tied up deliberations with a lengthy denunciation of the idea.

"For most Americans, grout is something they see in their bathroom, not something they do with nuclear waste," she said. She said that the Energy Department was engaged in a "sneak attack" to reclassify the waste to avoid the requirement for deep burial and that this would overturn 30 years of federal policy without public debate.

"Who wants to save money by leaving nuclear waste in the ground, where it is leaking into the Columbia River or the Savannah River, or other areas of the country?" she asked, speaking for about two hours.

The Energy Department is seeking to establish a deep-burial site in Yucca Mountain in Nevada, though any disposal there is at best years away. In the meantime, it says the federal ruling, by Judge B. Lynn Winmill of Federal District Court in Boise, Idaho, has left it unable to proceed with any cleanup.

Senator James M. Inhofe, Republican of Oklahoma, said the amendment would allow the Energy Department "to pursue the best plan to dispose of this nuclear material."

"That plan saves our taxpayers money," he said. "It shortens the amount of time the waste remains in the tanks. It is a safe way to do it. It is a well-thought-out way of doing it and one that has been the subject of a lot of daylight."

Kyle E. McSlarrow, the deputy secretary of energy, said in an interview that the result of the court case, initiated by the Natural Resources Defense Council, was "paradoxical" because it was holding up cleanup of the tanks, many of which have already leaked some of their contents.

But in his ruling, Judge Winmill described the department's criteria for reclassifying the waste as based on little more than "whim."

At the Savannah River Site, near Aiken, S.C., the Energy Department has already grouted two tanks. Arjun Makhijani, president of the Institute for Energy and Environmental Research, who has been studying environmental problems at Savannah River since the 1980's, said in a statement: "There is no experience with grout that can allow containment projections of this magnitude. On the contrary, experience with grout so far has been unsatisfactory."

He said that if 10 percent of the strontium-90, a prominent radioactive material in the tanks, was left behind and the tanks were grouted, leakage could not rise more than one part in 100,000 per year for a century, or underground water supplies would be contaminated above the current federal drinking water standards.

The department and the Natural Resources Defense Council disagree about how to characterize the amount of waste that the department proposes to leave in tanks.

Mr. Graham said in an interview that he understood that the states would reach agreement with the Energy Department on what fraction of waste could be left behind. But the text of his amendment does not specify how that would be done.

<http://www.nytimes.com/2004/06/01/politics/01tanks.html>

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New York Times

May 29, 2004

After Ending Arms Program, Libya Receives A Surprise

By William J. Broad and David E. Sanger

In March, just as the Bush administration was showing reporters some of the secret nuclear equipment that Libya gave up after renouncing its arms program, the Libyans received a fresh shipment of illegal parts from the nuclear black market, according to a new report by the International Atomic Energy Agency.

The Libyan leader, Col. Muammar el-Qaddafi, was not cheating, however. The Libyans may have been as surprised as anybody when the parts - advanced centrifuge components for enriching uranium, a crucial step in making nuclear bombs - showed up in Tripoli's port. Colonel Qaddafi's aides quietly reported the arrival of the shipment to American intelligence and to the atomic agency.

Though accounts of what happened are still contradictory, the American-led team that had originally seized five containers of centrifuge parts from a ship in October amid much fanfare had missed one other container - apparently parts that came from a different place than the Malaysian factory that was a main supplier to Libya. The additional container, the I.A.E.A. said, was full of components for the P-2, the most advanced centrifuge available from the secretive network set up by Abdul Qadeer Khan, known in Pakistan as the father of the country's nuclear bomb. The International Atomic Energy Agency disclosed the oversight on Friday in a new report on Libya's nuclear disarmament.

It said the intercepted ship, the freighter China, had continued on toward Libya after the raid was over. The container of centrifuge parts that arrived in March, the report said, "had escaped the attention of the State authorities that had seized the cargo ship."

But a senior American official involved with the issue said in an interview on Friday evening that the atomic agency might have its timing wrong. "We didn't miss anything," he said. "Everything we had actionable intelligence on we found. This was not part of the same shipment of parts." He said he believed that Libya had actually received the container in January, and then handed it over to the United States in March.

"The Libyans warned us that they had ordered a lot of additional stuff," he said, "and some of it hadn't shown up. Some might still show up in the future."

The China presumably made other calls around the Mediterranean between the time of its seizure in October and its arrival in Libya.

The seizure of the China's cargo was the biggest achievement for the year-old Proliferation Security Initiative, a new Bush administration program that seeks international cooperation in blocking commerce in unconventional arms.

But the fact that inspectors apparently missed one cargo container - the administration said that the team had reported that it would have been impossible to open them all - seemed a bit embarrassing, some experts argued.

"This case, where you actually identified and searched the ship and still didn't find a critical packing crate, makes clear what the limitations are," said Matthew Bunn, a nuclear expert at the Kennedy School of Government at Harvard. "That doesn't mean we shouldn't continue. We should. We just have to understand how much reliance we can place on it."

The disclosure of the late-arriving arms shipment was a small part of a larger report on Libyan disarmament.

It also showed that Libya had an agreement to obtain a total of 20 tons - or roughly 10 small bombs' worth - of uranium hexafluoride, a standard raw material for making nuclear arms. Last Sunday, it was reported that North Korea might have been responsible for supplying Libya with nearly two tons of the material, which Libya then turned over to the United States this year. The atomic agency now disclosed that the two tons was simply the first installment, but it did not name the source.

The report, obtained Friday from a Western diplomat, was prepared for the atomic agency's board, which is meeting next month to review the status of Libya's nuclear disarmament, among other issues. The agency, based in Vienna, is a branch of the United Nations that acts as a global inspector to make sure nations live up to their pledges to pursue only peaceful nuclear programs.

The secret Libyan effort to obtain nuclear arms became highly public last October when the China was seized in the Mediterranean.

A search of the ship at the port of Taranto, Italy, by American and British intelligence led to the confiscation of thousands of centrifuge parts bound for Libya.

In December, the White House announced that Libya had agreed to dismantle its clandestine nuclear program, much of it from Dr. Khan's secret nuclear supplier network.

President Bush, in his State of the Union address in January, praised the development as a major accomplishment of his administration. "Because of American leadership and resolve, the world is changing for the better," he said. "Last month, the leader of Libya voluntarily pledged to disclose and dismantle all of his regime's weapons of mass destruction programs, including a uranium enrichment project for nuclear weapons. Colonel Qaddafi correctly judged that his country would be better off, and far more secure, without weapons of mass murder."

In March, at the Oak Ridge National Laboratory in Tennessee and under extraordinary security - guards with automatic weapons stationed every few yards - Bush administration officials showed reporters some of the most basic of the high-speed centrifuges that Dr. Khan had sold Libya, known as P-1's. In addition, they said they had received 4,000 more advanced centrifuges, P-2's, which were kept out of sight.

Later, some experts accused the Bush administration of exaggerating how many operational P-2 centrifuges it actually obtained from Libya. Officials denied any overstatement.

Earlier this year, Libya turned over to the United States a giant cask holding nearly two tons of uranium hexafluoride. Although the Americans identified Pakistan as its likely source, international inspectors have recently found evidence that North Korea secretly provided Libya with the uranium in early 2001. If confirmed, it would be the first known case in which North Korea sold a crucial ingredient for making atomic weapons to another country. Uranium hexafluoride is a standard raw material for feeding centrifuges, machines that spin incredibly fast to concentrate uranium into its best components for making bombs.

William J. Broad reported from New York for this article, and David E. Sanger from Washington.

<http://www.nytimes.com/2004/05/29/international/africa/29nucl.html>

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Washington Post

May 29, 2004

Pg. 1

Libyan Nuclear Devices Missing

Mystery Snarls Probe of Pakistani's Smuggling Network

By Joby Warrick, Washington Post Staff Writer

A few days after Libya's historic pledge on Dec. 19 to abandon the quest for nuclear weapons, Libyan intelligence officials met with visiting U.S. diplomats to deliver some unsettling news: A sizable quantity of nuclear equipment purchased by Libya appeared to be missing.

The equipment -- sensitive components of machines used to enrich uranium -- had been ordered from black-market suppliers months earlier and was now long overdue, the Libyans disclosed. According to U.S. officials present at the meeting, the Libyans wanted to prepare the Americans for the possibility that more illicit nuclear shipments could suddenly appear on Tripoli's docks.

"They clearly expected more things to turn up," said one of the U.S. participants.

Four months later, the wait continues. Despite a search that has spanned the globe, U.S. and international investigators are still struggling to account for a number of sensitive parts Libya ordered for construction of its uranium enrichment plant -- parts that potentially could be used by other countries or groups seeking nuclear weapons.

The whereabouts of the parts is one of several mysteries that has preoccupied officials involved in the biggest investigation of nuclear smuggling in history -- the probe into the black-market network led by former Pakistani

nuclear scientist Abdul Qadeer Khan. U.S. and U.N. investigators have identified many of the network's operatives and methods and recovered tens of thousands of parts in a dragnet that has reached from Southeast Asia to the Middle East and Europe. Yet, the investigators believe that some of the suppliers to the network have not yet been identified -- and perhaps some customers, as well.

"We haven't gotten to the bottom of the story," acknowledged one senior Bush administration official involved in the investigation. "We continue to look for, and expect to make, new discoveries. We don't think the story is fully revealed yet."

Unraveling the network and recovering missing parts and blueprints are viewed as urgent because of the possibility that nuclear technology could be diverted to unfriendly governments or terrorist groups. Yet, despite cooperation by numerous countries -- and by Khan -- the investigation has proven difficult and time-consuming.

"It is taking longer than anyone expected," said David Albright, a nuclear expert and president of the Institute for Science and International Security. "But if we don't succeed, there's a real chance the network will reconstitute itself and spread again."

Khan and a small group of business associates were the architects of the trading network, which coordinated the manufacture and shipment of nuclear components from as many as a dozen locations to Libya, North Korea, Iran and possibly other countries. Although the smuggling ring traded mostly in components for gas centrifuges -- complex machines used to enrich uranium for nuclear weapons -- the network is also known to have supplied uranium and nuclear weapons blueprints to Libya.

The dramatic decision by Libyan leader Moammar Gaddafi in December to renounce his pursuit of nuclear weapons brought the Khan network to light and provided investigators with clues that led to the discovery of suppliers and shipping routes, according to U.S. officials and documents.

In recent weeks, investigators for the U.N. nuclear watchdog, the International Atomic Energy Agency, have zeroed in on newly discovered suppliers as well as a handful of manufacturing centers described by investigators as workshops for centrifuge parts. Of recently heightened interest to investigators are a group of Turkish businesses that appear to have both manufactured electronic parts for centrifuges and assembled other components for shipment to Libya, according to weapons experts and diplomats familiar with the investigation.

IAEA officials declined to comment on specific findings. "There is an intense investigation underway by the IAEA into the entire Khan network," said spokeswoman Melissa Fleming. "We are systematically conducting interviews with all the members and suppliers."

At the same time, investigators are continuing to interview known suppliers and pass questions to Khan through Pakistani intermediaries in an effort to establish precisely the types and quantities of parts produced by the network and what happened to them.

Based on those interviews, IAEA and U.S. officials now believe that Libya's uranium enrichment program was not nearly as advanced as first believed. U.N. inspectors in Vienna said on Friday that Libya's enriched uranium came from a Pakistani black market supply hub that also supplied Iran. Iran has insisted that uranium traces on its centrifuges were not proof of a weapons program.

Libyan officials have acknowledged buying parts for at least 4,000 advanced centrifuges known as P2s -- machines that, when assembled, would have given Libya the capability to produce enough enriched uranium for several nuclear bombs a year. Now, it appears that Libya received only a fraction of the parts needed to build the machines. Some of the most sensitive parts never arrived there and were not part of the shipment of nuclear parts intercepted by U.S., British and Italian authorities last October, according to U.S. and European officials close to the investigation. "The Libyans did not have the parts to assemble even a single [P2] centrifuge," said one diplomat familiar with the IAEA's probe. "They received thousands of parts, but lacked many of the ones considered to be the most sensitive."

Among the missing components were rotors, the rapidly spinning tubes that make up the core of the centrifuge, as well as bellows, rotor caps and other parts made from a high-strength metal known as maraging steel, U.S. and European sources confirmed. Libyan officials have told investigators they had expected to receive all the parts and in some cases had visited facilities where the components were said to be made.

In the case of the missing rotors, investigators see three possibilities: They were being manufactured by unknown suppliers who have not yet come to light, they were never made or they were shipped and then diverted to another country. Libya did acquire machine tools and high-strength metals that could be used to make rotors, although such an undertaking would have required years to complete and substantial outside help.

One additional shipment of centrifuge parts did turn up in Libya in March, unnoticed by anyone until Libyan authorities discovered the parts and surrendered them to U.S. officials.

In other instances, investigators have obtained documents or intelligence pointing to the existence of parts that were intended for Libya and cannot be traced. Officials familiar with the evidence declined to elaborate, saying they feared the investigation might be compromised.

"The numbers are probably small," said a U.S. intelligence official involved in the probe. "But it's hard to assess the seriousness because we don't know what we don't know."

Adding to the mystery, investigators have discovered discrepancies between the number of centrifuge parts requested by Libya and the quantities the Khan network made. In some cases the production exceeded the demand by a considerable margin, fueling concerns that the smuggling ring had other customers that have not come to light. "The numbers don't match up," said the diplomat familiar with the IAEA probe, "and we're not yet sure what it means."

<http://www.washingtonpost.com/wp-dyn/articles/A63785-2004May28.html>

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Los Angeles Times

May 29, 2004

Traces Of Uranium Found In Libya

By Douglas Frantz, Times Staff Writer

ISTANBUL, Turkey — International inspectors said in a confidential report Friday that they had discovered traces of uranium suitable for nuclear weapons in Libya that were similar to contamination found last year in Iran.

The International Atomic Energy Agency said in the report that small particles of weapons-grade uranium were found on components for centrifuges, which are used to enrich uranium for nuclear reactors or bombs.

The components arrived in Libya from Pakistan in December 2002 and were purchased through an international nuclear smuggling ring headed by Abdul Qadeer Khan, a Pakistani scientist.

Similar contamination was found last year at three locations in Iran, which is also suspected of having received nuclear technology through Khan's network.

A copy of the confidential report was provided to the Los Angeles Times by a Western diplomat who requested anonymity.

The document, written by Mohamed ElBaradei, the director of the atomic agency, also said that a university in Tripoli, the Libyan capital, had "a research laboratory and associated equipment that would be of some use for supporting nuclear weapon related research and development."

The report said that the agency had not yet been able to verify claims by Libya that it did not engage in direct research aimed at building a nuclear bomb. The Khan network sold Libya old Chinese designs for a nuclear bomb in late 2001 or early 2002, according to the report and intelligence officials.

Early this year, Libya opened its doors to IAEA inspectors after declaring that it was abandoning its nuclear ambitions. The decision came after secret talks with the U.S. and Britain. Since then, inspectors have uncovered a smuggling ring that reached from Southeast Asia to Africa and Europe, with Khan at its helm.

The discovery of the weapons-grade uranium on centrifuge components delivered from Pakistan in late 2002 could support Iran's claims that similar traces on its machines had come from the previous owners in Pakistan.

Iran has said that it is pursuing a civilian nuclear program, but the Bush administration has accused it of trying to develop nuclear weapons.

The discovery of weapons-grade uranium had been part of the evidence cited by the administration.

The IAEA is expected to release a report on Iran's progress next week.

Although Iran is urging the agency to declare it in compliance with international regulations, a diplomat familiar with the upcoming report said it is unlikely to bring the controversy over Iran's intentions to a close.

The reach of Khan's network also remains an open issue.

The atomic agency continues to investigate the sources of Libya's nuclear technology, the Libya report said.

http://www.latimes.com/la-fg-libya29may29.1.2565837_story

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The Boston Globe

Concerns rise over chemicals as targets

By Charlie Savage, Globe Staff

June 1, 2004

WASHINGTON -- Homeland Security watchdogs call them "prepositioned weapons of mass destruction" for terrorists: huge tanks of concentrated deadly gases that the chemical industry stores near densely populated areas and that railroads bring through cities en route to somewhere else.

The United States harbors more than 100 chemical facilities where an accident would put more than a million people at risk, according to documents filed with the Environmental Protection Agency. One is in Boston: A chemical distributor acknowledged in its filing that in a worst-case scenario if a tank holding 180,000 pounds of vinyl acetate -- a highly flammable liquid -- ruptured, it would send a 4.9-mile-long toxic cloud through the city.

As federal security officials warn that Al Qaeda is poised to strike the United States again, the presence of these highly toxic chemicals in the midst of cities may be the most vulnerable point in the nation's defenses. But proposals to reduce that risk by requiring the use of alternative chemicals or rerouting hazardous tankers around a city have faltered.

Fear of such an attack on a chemical facility prompted bipartisan momentum in Congress after the Sept. 11, 2001, attacks for requiring the chemical industry to switch to less dangerous processes where possible. Although many Republicans supported the measure initially, many changed their minds after intense industry lobbying, and the bill died on the Senate floor.

Nearly three years later, the laws regulating chemical plants remain the same as before Sept. 11 -- a striking exception to an otherwise transformed security landscape. Similarly, support has emerged for new regulations on railroads that carry dangerous materials such as chlorine through urban areas. Rupturing a chlorine rail tanker would produce a 40-mile-long cloud of the same deadly gas used as a weapon in World War I. But a first-in-the-nation proposal by the District of Columbia City Council to reroute tankers carrying such hazardous cargo around the nation's capital has been stalled for months: The chemical and rail industries objected, with backing from the Bush administration.

According to the Center for Responsive Politics, a nonpartisan group, both industries heavily back the Republican Party. In the two election cycles since the Sept. 11 attacks, the railroad industry has given \$9.5 million to political campaigns -- 77 percent of it to Republicans. The chemical manufacturing industry has given \$11 million -- 78 percent of it to Republicans.

"It's a problem of political will," said Rick Hind, the toxics campaign director for the environmental group Greenpeace, which has lobbied for greater regulation. "The technology is there. Here in D.C., the water treatment plant got rid of its chlorine tanks eight weeks after 9/11 at a cost to the public of 50 cents more a year. Heck, I'd pay a dollar for that. I'd even pay \$10 a year for the complete elimination of that facility as a potential target."

For example, proponents of greater regulations say, plants should use ozone as a disinfectant instead of chlorine. They could switch to making water-based paints to avoid a need for flammable organic solvents. Instead of making large batches of pesticides in open vats, manufacturers should use a continuous-flow process in a closed system. The American Chemistry Council, the main lobbying arm of the \$460 billion industry, has argued that promoting "inherently safer" approaches is too complicated a task for government regulation and could lead to harmful consequences: Requiring plants to keep less toxic chemicals on site, for example, might mean more delivery trips and a greater risk of accidents.

Marty Durbin, the council's security team leader, said companies should be allowed to decide for themselves which processes are best. He supports only legislation that would require chemical plants to evaluate their own site security threats, as those that are members of the ACC already do, and file them with the Department of Homeland Security. "That's not running away from a regulatory regime," Durbin said. "We think we set the standard."

But Nicholas Ashford, director of the Technology and Law Program at the Massachusetts Institute of Technology, said even if a plant's facilities are well engineered to prevent an accident, they cannot prevent sabotage. A tank may have walls thick enough to withstand pressure, but it could still be penetrated by a shoulder-fired missile or a truck bomb that plows through a fence.

Ashford also contended that the industry is being disingenuous when it says it is already switching to less dangerous chemicals where it can. Many firm owners, he said, resist investing in modernization and need to be told to identify whether there are safer ways to accomplish the same goals.

The owner of the chemical facility in Boston, which the Globe is not identifying for security reasons, said he could not switch to inherently safer processes because he is a distributor, not a manufacturer. He said the company had an excellent safety record, noting it has never had a fire or major spill.

Chemical plant security could become an issue in the presidential campaign. Presumptive Democratic nominee Senator John F. Kerry recently started criticizing Bush on the issue, saying the president is failing to address the problem of chemical plant terrorism and is too closely tied to the industry.

"I wish their policies were as tough as their words," the Massachusetts lawmaker said in a speech last month.

A Bush campaign spokesman told reporters that Kerry was calling for measures the president has advocated -- measures that are already in legislation before the Senate. But the details of what's before Congress contradict that assertion.

In 2002, Senator Jon S. Corzine, Democrat of New Jersey, filed a bill that would have required chemical plants to submit security plans to the Environmental Protection Agency. And it would have required plants to consider

whether using inherently safer alternatives was feasible. If so, they should switch over. If not, they had to explain why they wouldn't to the EPA.

That bill unanimously passed out of committee in July 2002.

But the chemical lobby -- with help from other industries that use stockpiled chemicals, such as oil and agriculture -- contended that the bill would empower the EPA to micromanage business. Two months later, seven Republicans who had voted for the bill sent a letter to their colleagues urging that the bill be stopped. It died on the Senate floor. When Congress reconvened in 2003 under Republican control, Corzine reintroduced his bill with Kerry as a cosponsor, switching the regulator from the EPA to Homeland Security. Still, it has gone nowhere. Meanwhile, a former GOP supporter of the bill, Senator James M. Inhofe, Republican of Oklahoma, introduced a rival measure that passed out of committee last fall on a party-line vote. It focuses almost exclusively on mandating that firms assess their own perimeter security.

Critics say the Inhofe bill doesn't require plants to prove to the government that safer technologies weren't feasible. It only asks that they consider them. But even that limited requirement met opposition from the industry.

Durbin, the chemical lobbyist, says chemical companies want the bill changed to define "consider" in such a way that companies are not required "to fill out four three-ring binders to describe how they considered alternative approaches."

In any case, few give even this bill much chance of becoming law before this session ends at the end of the year. Companion bills to both the Inhofe and the Corzine proposals haven't gotten a subcommittee hearing in the House of Representatives, where US Representatives William J. "Billy" Tauzin and Joe Barton, Republicans of Louisiana and Texas, staunchly oppose regulation.

The Bush administration has made little effort to promote either measure. In October 2002, Homeland Security director Tom Ridge and then-EPA director Christine Whitman issued a joint statement saying that voluntary chemical plant security measures were not enough. But since then, the administration has not pushed Congress to move on the issue.

Asked what the administration's position on mandating consideration of inherently safer technology is, Robert Liscouski, the assistant Homeland Security secretary for infrastructure protection, would say in an interview only that the administration was reviewing the various proposals. He acknowledged that it is "a very sticky area."

But Liscouski emphasized the department was "not waiting for Congress to act" and was sending agents out to the most dangerous chemical plants to work with them to improve their security, to develop ties with law enforcement, and to plan for extra policing or even National Guard assistance if a threat arises.

And, he warned, the problem of what to do about the danger of chemical facilities inside cities was not a simple one, given the industry's importance to the economy and the benefits of its products. It's an industry that depends upon infrastructure built over 40 or 50 years that happens to be inside major cities, he said.

"Do you want to legislate the chemical industry out of business? I don't think so," he said. "So what you want is to provide better ways for the industry to secure itself along with partners at the state and local level."

The nascent debate over rerouting hazardous rail cars appears to be starting down the same path as that of chemical facilities. The potentially landmark bill in the District of Columbia council has stalled for five months while Homeland Security reviews it, and a spokesman said the department had not yet taken a position on the matter.

But the Bush administration's chief rail official, Federal Railroad Administration chief Allan Rutter, gave firm backing to the rail industry's position at a House railroads subcommittee hearing this month,

"While it might be tempting to simply reroute around cities," Rutter said, that would "jeopardize high-wage jobs" in cities with factories that use chemicals and could lead to "increased transit time and shipping costs."

At the same hearing, Association of American Railroads president Ed Hamburger argued against allowing local communities to force freight trains carrying hazardous materials around major cities, saying it would create a patchwork of laws that would drag down interstate commerce.

"Rerouting would lead to an increase of miles traveled, increasing switching and handling of cars, thereby increasing public exposure, and [it would] only transfer that exposure to other communities," Hamburger said.

But Washington-based environmentalist Fred Millar said terrorists want to attack the nation's capital, not Luray, Va. -- the town on the Norfolk & Southern rail line that is 50 miles west of the CSX line that runs past the Capitol.

"We have not had a disaster with rail security yet," he said. "But just wait until a terrorist does attack a chlorine tank car in a city. Everyone will pay attention to this."

Representative Edward J. Markey, Democrat of Malden, is drafting legislation that would give Homeland Security the authority to regulate when hazardous rail cargoes must be rerouted around population centers and require better background checks for people handling toxic materials.

"Obviously, [the rail industry] is not pleased that legislation is going to be introduced," he said. "We're trying to work with the industry to deal with their concerns, but I think it's something that has to be done just as a matter of ensuring that Al Qaeda does not have this as a way of creating a catastrophic terrorist event."

However, he said, he's not optimistic his bill will pass. ■

http://www.boston.com/news/nation/washington/articles/2004/06/01/concerns_rise_over_chemicals_as_targets/

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World – Reuters

June 1, 2004

UN Says Iran Changed Story on Nuke Centrifuges

By Louis Charbonneau

VIENNA (Reuters) - Iran has acknowledged importing parts for centrifuges capable of making bomb-grade uranium which it previously said were made in Iran, the U.N. nuclear watchdog said in a confidential report Tuesday.

Washington has accused Iran of pursuing a nuclear arms program. Tehran denies this, saying its nuclear program is only to generate power.

"Iran has acknowledged that, contrary to ... earlier statements, it had imported some magnets relevant to P2 centrifuges from Asian suppliers," said the report by the International Atomic Energy Agency, or IAEA, which was obtained by Reuters.

This was "a further example of how Iran persists in distortion and half truths," said one Western diplomat on the IAEA board.

But IAEA chief Mohamed ElBaradei, who authored the report, said previously that it was too early to say if Iran's program was peaceful or not.

"The jury is out on whether the program has been dedicated exclusively for peaceful purposes or if it has some military dimension," ElBaradei told a meeting of NATO ([news - web sites](#)) parliamentarians.

The United Nations ([news - web sites](#)) has been investigating Iran since an exiled Iranian opposition group reported in August 2002 that Tehran was hiding a massive uranium enrichment plant at Natanz and other sites from U.N. inspectors.

The report also said high enriched uranium, or HEU, enriched to the point where it contains 36 percent uranium-235 -- the level at which it can be used in a bomb -- was found at Farayand, a different site never previously named by the IAEA.

The IAEA had previously said it had found HEU at the uranium enrichment plant at Natanz and the Kalaye Electric Co.

Iran has said the traces of 36 percent HEU found at Farayand and Kalaye Electric Company came from Pakistan.

But the IAEA report said the facts did not appear to support this.

"It is unlikely, based on the information currently available, that the agency will be able to conclude that the 36 percent ... contamination was due to components originating from the state in question," the report said.

Several diplomats said the state in question was Pakistan. They also said the 36 percent HEU could have come from Russia. But another Western diplomat who follows IAEA issues said it could not be ruled out that it was domestically produced.

Tehran has always denied producing HEU at home.

The report also said Iran had under-reported the amount of weapons-grade plutonium it had produced in laboratory scale experiments, though one diplomat close to the agency said the amounts in question were not significant.

Iran last year agreed to freeze its uranium enrichment activities, which can be used for making nuclear bomb material, and signed a protocol allowing intrusive inspections of its nuclear sites by the IAEA.

The report said the IAEA had been able to verify suspension at the key enrichment-related facilities. But a diplomat close to the IAEA said Tehran was still producing enrichment centrifuge parts at three private facilities -- despite Iran's promise to end all such manufacturing activity.

Another diplomat close to the IAEA said the unresolved questions about the extent of Iran's centrifuge enrichment program and the origins of traces of high and low enriched uranium were the areas of greatest concern for the IAEA in the coming months as the investigation continues.

http://story.news.yahoo.com/news?tmpl=story&cid=574&ncid=721&e=2&u=/nm/20040601/wl_nm/nuclear_iran_d
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Gulf War Illnesses: DOD's Conclusions about U.S. Troops' Exposure Cannot Be Adequately Supported.

GAO-04-159, June 1.

<http://www.gao.gov/cgi-bin/getrpt?GAO-04-159>

Highlights - <http://www.gao.gov/highlights/d04159high.pdf>

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