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FROM: Bill Garner Route 4, Box 354 Scottsboro, Alabama		DATE OF DOC 3-27-74	DATE REC'D 4-4-74	LTR X	MEMO	RPT	OTHER
TO: Gerald L. Dittman		ORIG	CC 2	OTHER	SENT AEC PDR <u>XXX</u> SENT LOCAL PDR <u>XXX</u>		
CLASS	UNCLASS XXX	PROP INFO	INPUT	NO CYS REC'D 2	DOCKET NO: <u>50-438/439</u>		

DESCRIPTION:

Ltr trans the following....

**ACKNOWLEDGED**

ENCLOSURES:

Environmental Comments of the Bellefonte DES

**DO NOT REMOVE**

PLANT NAME: BELLEFONTE UNITS 1 & 2

(2 cys encl rec'd)

FOR ACTION/INFORMATION 4-4-74 GMC

BUTLER(L) W/ Copies	✓ SCHWENCER(L) W/1 Copies info	ZIEMANN(L) W/ Copies	✓ REGAN(E) W/1 Copies
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INTERNAL DISTRIBUTION

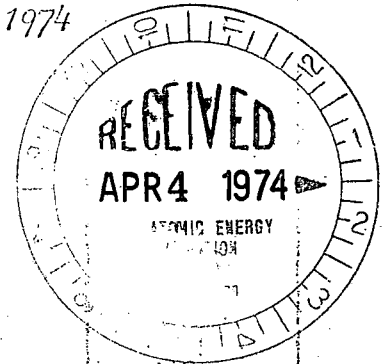
✓ REG FILE Ltr 439	TECH REVIEW	DENTON	LIC ASST	A/T IND
✓ AEC PDR Ltr 439	HENDRIE	GRIMES		BRAITMAN
OGC, ROOM P-506A	SCHROEDER	GAMMILL	DIGGS (L)	SALTZMAN
✓ MUNTZING/STAFF	MACCARY	✓ KASTNER	✓ GEARIN (L)	B. HURT
CASE	KNIGHT	✓ BALLARD	✓ GOULBOURNE (L)	PLANS
GIAMBUSO	PAWLICKI	SPANGLER	LEE (L)	MCDONALD
BOYD	SHAO		MAIGRET (L)	DUBE w/Input
✓ MOORE (L)(BWR)	STELLO	ENVIRO	✓ REED (E)	INFO
DEYOUNG(L)(PWR)	HOUSTON	MULLER	SERVICE (L)	C. MILES
SKOVHOLT (L)	NOVAK	DICKER	SHEPPARD (L)	B. KING
P. COLLINS	ROSS	KNIGHTON	SLATER (E)	
DENISE	IPPOLITO	YOUNGBLOOD	SMITH (L)	
✓ REG OPR	TEDESCO	REGAN	TEETS (L)	
FILE & REGION(3)	LONG	PROJECT LDR	WADE (E)	
MORRIS	LAINAS	✓ DITTMAN (2)	WILLIAMS (E)	
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EXTERNAL DISTRIBUTION

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16 - CYS ACRS HOLDING	1-GERALD ULRIKSON...ORNL	1-RD..MULLER..F-309 GT

March 27, 1974

Mr. Gerald L. Dittman  
 Environmental Project Manager  
 Directorate of Licensing  
 United States Atomic Energy Commission  
 Washington, D. C. 20545



Dear Mr. Dittman:

Attached will be found my comments on your Draft Environmental Statement for the Bellefonte Nuclear Plant.

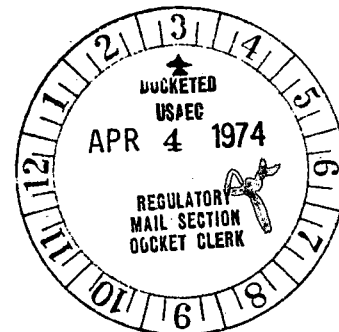
Time will not permit a complete analysis of this statement. Hopefully, other members of the public will comment, and who knows, even a state or federal agency might get up guts enough to disagree with Big Sister at the Atomic Energy Commission or Big Brother at the Tennessee Valley Authority.

It is to be hoped that the Atomic Energy Commission will make factual response to the comments rather than the bull conclusory type statements that are not based on fact that dominate the AEC statement.

Very truly yours,

*Bill Garner*  
 Bill Garner

Route 4, Box 354  
 Scottsboro, Alabama 35763



Re: In The Matter of Tennessee Valley Authority (Bellefonte Nuclear Plant Units 1 and 2) Docket Nos. 50-438 and 50-439

Comments of Bill Garner of Route 4, Box 354, Scottsboro, Alabama 35768.

Re: Atomic Energy Commission Draft Environmental Statement (Numbered references are to pages, sections, figures, tables, etc.):

### SUMMARY AND CONCLUSIONS:

3.g. The statement that "Land use for the 1500-acre site is primarily agriculture and forestry" is a misstatement of fact.

h. The d.e.s. says, "It is not anticipated that the adverse social impacts will be large. The applicant states that it will take mitigating action and aid local political bodies should a need arise." The social impacts will be large. There is no assurance that the Applicant will take mitigating action and aid local political bodies should a need arise.

j. It is common knowledge that the herbicides used by the TVA are similar to the herbicides that caused large scale birth defects in Viet Nam. The Department of Defense should be compelled to release its secret reports on this matter.

### FOREWORD:

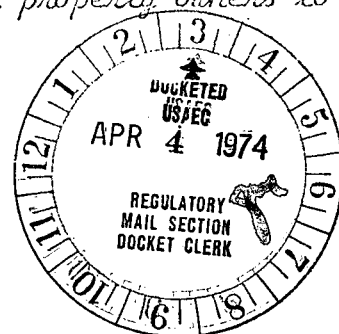
The staff did not make an independent assessment nor did it prepare a detailed statement.

All references below are to section numbers of the d.e.s.:

1.1. The statement that the site is six miles east-northeast of Scottsboro, Alabama is a misstatement of fact. The sorry record of Babcox-Wilcox in furnishing reactor vessels is not discussed.

1.2. Here and throughout the d.e.s. the AEC refers to the TVA environmental report as a draft environmental statement. This is a misstatement of fact. The TVA is not exempt from state and local reviews and approvals of their action. It should be pointed out that the TVA has refused to comply with Executive Order 11507.

2.3. Recoverable limestone on the site is not adequately discussed. Oil, gas and mineral production on the site is not adequately discussed. Since the development of the site for nuclear power does not preclude recovery of oil and gas, the license should be conditioned on the TVA permitting the property owners to retain the oil and gas rights.



2.5.3. The TVA's refusal to comply with air standards at Bidlow's Creek should be discussed. The mixing of sulphur dioxide from the Bidlow's Creek plant with fog from the Bellefonte plant should be discussed.

2.7.3. Farm product values should be updated.

2.7.4. A good faith study of the choice of railroad routes should be made.

3.2.4.3. At least secondary sewage treatment facilities should be required initially.

3.2.4.4. The gaseous emissions cannot be justified.

3.3. The need for a new interconnection of the TVA system with the Alabama Power Company is purely conclusory.

3.4. A good faith study of highway and railroad alternatives has not been made by the TVA and the AEC.

4.1.3. A good faith study has not been made of access railroad construction.

4.3.1. A good faith study of the social and economic effects of employment has not been made.

4.3.2.6. An honest good faith study of the unavailability of insurance and its effect on property values has not been made.

4.3.3.2. A good faith study has not been made of the congestion or stress on local public facilities and services.

4.3. Insufficient facts are given to justify any of the conclusions on the social and economic effects of the plant. There is a total lack of quantification in these areas.

5.1. Impacts are not quantified. Sufficient facts are not given.

5.4.2.3.2. The assumptions as to plankton damage are not based on any facts and are completely conclusory.

5.5.1. The damage from so-called normal background radiation is not considered at all. Assuming the AEC figures are correct, do the TVA and the AEC plan to compensate the people in the area on a basis of the AEC monetary estimates of radiation damage?

7. As everyone knows, the safety of nuclear plants exists only in the speeches of Richard Nixon and the rankings of Dixy Lee Ray. The effects of Class 9 accidents should have been included in the environmental statement.

8.1. Insufficient facts are given as a basis for project load growth. The statement is made in 8.1.2. "With the ever greater use of electricity, the positive effect on demand caused by the increase in consumers in the TVA region could offset the negative consumption effect caused by price increases." This statement is completely conclusory and no facts are given on which it is based.

8.1.4. The large reserve margins are unrealistic and not based on fact.

8.2.1.4. No facts are given as to noise pollution levels.

3.2. No facts or conclusions are given as to the damage that will be done as to wildlife due to displacement by construction activity, and wildlife that will be killed by increased traffic in the area. More facts are needed as to the effect of TVA use of groundwater on other groundwater users. The Alabama Geological Survey has done a study of dangers of groundwater contamination on a similar limestone aquifer. The staff has not even considered this study.

3.1. The results of energy conservation measures advocated by the Nixon administration have not been considered.

3.4.4.2. No information is given on how long the present supply of uranium will last.

7.1.1.7. Insufficient facts are given. The fact that the AEC is throwing up road blocks to the development of other energy sources has not been considered.

7.1.3. The information as to alternative sites is factually inadequate. The staff conclusion that the Bellefonte site should be selected is conclusory and based on insufficient facts.

10.3. All of the conclusions in this section are based on insufficient facts.

11. The benefits and costs are based on insufficient facts and are not sufficiently quantified as described by the National Environmental Policy Act and accepted accounting principles.

#### GENERAL COMMENT:

No breakdown of the amount of electricity sold and produced in each of the seven states is given. Alabama and Kentucky are the major donor states to the TVA power system. Consequently, this plant should be located in either Tennessee, Mississippi, Georgia or Virginia. (North Carolina is also a donor state.) Furthermore, there is no way that a staff can reach an unbiased decision as to the need for this plant because of the incestuous relationship between the AEC and TVA. Nuclear plants were on their way out until the TVA went big on nuclear plants. Furthermore, the AEC is either the TVA's largest or second largest customer and this plant will directly benefit the AEC. Also, consideration was not given in the "Need for Power" section to the fact that a process for using less electricity to extract aluminum from its ore has been developed. Further, consideration was not given to the fact that the centrifuge process replacing the gaseous diffusion process will make the requirements of the AEC for electricity far less.

The AEC d.e.s. relies almost totally on "facts", "studies," etc. furnished it by the TVA. Subsequent to the preparation of the AEC d.e.s., a United States District Court held that in the Duck River project that TVA and its

Chairman Aubrey J. Wagner, "did not reach their decision to proceed with the construction of this project after a full, good faith consideration of the environmental factors." In view of this, the N E C will be derelict in its duty if it does not do a new Draft Environmental Statement that is based totally on its own investigations. See attached clippings from The Chattanooga Times and The Nashville Tennessean. The assumption that the T V n tells the truth about anything simply cannot be indulged in.

# THE TENNESSEAN

Tuesday

January 29, 1974

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## Two Groups Charge TVA 'Influence' by Aiding Backers of Dams

By KEEL HUNT

Officials of two environmental groups charged the Tennessee Valley Authority yesterday with "influencing" a 1971 public hearing by providing information in advance to supporters of the proposed Duck River dams.

Members of the Tennessee Citizens for Wilderness Planning (TCWP) and the Tennessee Scenic Rivers Association (TSRA) strongly criticized the federal agency's role in assisting development groups which favored the Columbia and Normandy dams.

"IT IS SHOCKING to find

that an agency supported by public funds was working behind the scenes to 'stack the deck' by influencing the expression of public opinion at a supposedly open hearing," said Bill Russell, former TCWP president.

An internal TVA memorandum — written two months before the August 1971 public hearing — indicated that the TVA Office of Tributary Area Development was working to assist opponents of environmentalists.

The June 11, 1971, memo was filed recently as an exhibit in a federal court lawsuit

challenging the adequacy of TVA's environmental impact statement for the dams. The document was not brought out in open court, but it read in part:

"THE OFFICE of Tributary Area Development will discuss appropriate techniques and information to be supplied to organizations in the Upper Duck River area for use in combatting efforts of so-called wilderness preservation groups opposed to the Duck River Project."

A TVA spokesman said Thursday the pro-dam in-

formation was provided to development groups before the public hearing and added that "in any kind of a controversial project, we are, of course, going to explain why TVA thinks it makes sense to do something."

Juanita Guinn, TSRA president, said yesterday in Nashville the TVA apparently was prejudiced since it assisted opponents of preservation groups before holding the hearing to obtain citizens comments.

"FOR ANY AGENCY to decide — prejudicially, in my

opinion — what is best for any area, and yet try to make it seem like people are getting all the information, really disturbs me," she said.

"The decision-makers should have all the facts," she added. "They've got to have the good and the bad, and whenever either the good or the bad is deleted, then you have no basis for reaching conclusions."

Russell, who lives and works in Oak Ridge, said the TVA memorandum, which indicated the agency's opposition to environmental groups such as his, was "proof of TVA's lack

of open-mindedness."

"THE CITIZEN groups who want to preserve the last sizeable river in Tennessee as a free-flowing stream are regarded by TVA as enemies who would be singled out for 'combatting' through 'appropriate techniques,'" Russell said.

The federal court trial on TVA's Duck River environmental statement ended Jan. 18, in Winchester but U.S. Dist. Court Judge Charles Neese has not ruled on the case. The plaintiff was the Duck River Preservation Association.

# THE TENNESSEAN

NASHVILLE, TENN., SATURDAY, MARCH 9, 1974

## Court Orders Work On 2 Dams Halted

By KEEL HUNT

A federal judge, saving the Tennessee Valley Authority suppressed significant information on the Columbia and Normandy dams, has ordered a halt to all work on the Upper Duck River project.

U.S. Dist. Judge Charles G. Neese said construction on "the Duck River project" must cease by midnight March 30 and remain halted until TVA files an acceptable environmental impact statement as required by federal law.

IN A 26-page opinion, Neese concluded that TVA and its chairman, Aubrey J. Wagner, "did not reach their decision to proceed with the construction of this project after a full, good faith consideration of the environmental factors."

The case may be appealed to the U.S. Sixth Circuit Court of Appeals. A TVA spokesman declined to discuss this possibility yesterday but did say:

"It will take some study before TVA decides what step it will take at this point. Of course, construction on the project will stop at midnight, March 30."

NEESE, JUDGE of the eastern federal district of Tennessee, heard five days of testimony in January in a lawsuit brought by the Duck River Preservation Association (DRPA).

The dams and reservoirs in the project would affect portions of Bedford, Coffee, Marshall and Maury counties in Middle Tennessee. Work began on the \$35 million

Normandy Dam in June 1972, and on the \$53.5 million Columbia facility last August.

The pouring of concrete for the Normandy structure is almost complete, but only preliminary site preparation has been completed at Columbia.

THE CASE centered around TVA's final environmental impact statement for the Duck River project and whether TVA gave a fair picture of the true costs — as well as the benefits — of the two dams and the reservoirs that would collect behind them.

The statement is required by the National Environmental Policy Act to help federal decision-makers learn the impact of a proposed project.

TVA lawyers had contended that the environmental impact statement was a balanced assessment of the project, but attorneys for DRPA argued that important costs — such as the loss of sales from flooded farmland and relocation payments to displaced families — were not reflected in the document.

TVA's OWN experts in agricultural economics had concluded before the statement was published that "unavoidable losses" from farm sales alone would total \$1.3 million and that losses to farm-dependent businesses would amount to some \$3.3 million.

THE TVA document, according to Neese, also was not sufficient in discussing the true impact of the project on recreation and wildlife and on the cost of relocating displaced residents.



# Letters to the Editor

## The Chattanooga Times

FRIDAY, MARCH 29, 1974.

### TVA Scored

TVA's Duck River Project was recently ordered halted by U.S. District Court Judge Charles Neese, after it was demonstrated that this project has been clothed . . . in ~~falsehood and deception~~ all along, and that it is ~~an un-believable rip-off of the American taxpayers and the people of Tennessee.~~ . . .

The suppression of information about the \$4.6 million annual loss in agricultural benefits, information provided them by their own agricultural experts, smacks of the same type of mentality which has brought us Watergate. Contrary to what many people have been led to believe, the project will generate no hydroelectric power whatsoever. The projected benefits of the project are calculated with population figures which TVA's own experts subsequently revised downward drastically, but the benefits were never recalculated using the more realistic population figures. The data on industrial effluents were copied (incorrectly) from a state report prepared in 1964 and now completely out of date. Recreational benefits were systematically falsified. Relocation costs of the project were not included as a part of the total cost, and the discount rate assumed is so ridiculously low that no one could conceivably borrow money at that rate.

In testimony given under oath and not refuted by TVA, it was demonstrated in Federal District Court that financially this project is a big, fat loser; that it is another one of these ill-planned pork-barrel projects which waste our resources, ruin our economy with inflation, and saddle us with debts. . . This deliberate and blatant attempt to mislead the people of Tennessee about the Duck River Project is inexcusable; (Aubrey) Wagner and (Lynn) Seeber have no choice but to resign if they wish to restore public confidence in TVA. With projects like this, how can we expect our rates to go any direction but up?

—David J. Wilson

Nashville