

FROM **Sen. Dick Clark (Iowa)**

CONTROL NUMBER **5734**

FILE LOCATION

TO

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ACTION COMPLETION DEADLINE
6/20/73

O'Neill

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Chairman

Director of Regulation
X OGC

DESCRIPTION **Ltr** Original Copy Other

Encl ltr fm Dr. Wendell G. Bradley, Independence, Iowa, relating to the sham of a public hearing held by the AEC for licensng of the Duane Arnold Energy Center and encloses copy of ltr to the editor of the Cedar Rapids Gazette

REMARKS

return incoming attachment w/reply indicate on outgoing letter.

21257

REFERRED TO
Shapar f/action

DATE
6/14/73

IS NOTIFICATION TO THE JCAE RECOMMENDED? _____

Cys:
**Gossick
PDR (50-331)
LPDR
*Docket Files***

United States Senate

in reply refer to 101:mzbw

Respectfully referred to:

Mr. Robert O'Neill
Head of Congressional Affairs
U.S. Atomic Energy Commission
Washington, D.C.
20545

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested. Your findings and views, in duplicate form, along with return of the enclosure, will be appreciated by

Dick Clark

U.S.S.

Form #2

Rec'd Off. Dir. of Reg.
Date 6/14/73
Time 10:25

DR-5734

Copy sent PDR

LB

May 6, 1973
Independence, Iowa

The Honorable Richard Clark
United States Senate
Washington, D.C.

Dear Senator Clark:

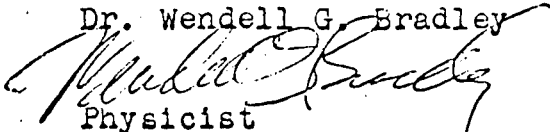
Enclosed is a letter to the editor of the Cedar Rapids Gazette relating to the sham of a public hearing held by the AEC for licensing of the Duane Arnold Energy Center at Palo, Iowa. It is my hope that you will look into this matter.

I would urge Congress to replace the AEC with a federal "Energy Commission" and an "Energy Agency." The Energy Commission would take on regulatory duties now held by the AEC, the Federal Power Commission and other federal agencies which deal with energy. The Energy Agency would consolidate the activities of these and other federal bodies.

I would urge Congress to enact a moratorium on the licensing and operation of nuclear power plants until the problems cited in the letter can be cleared up.

I would be happy to provide you with sources of information, additional issues of growing public concern, or any other help that I might be able to give regarding the radioactive legacy of fission-generated power which may mortgage the future for centuries in exchange for a little electric power today.

Dr. Wendell G. Bradley


Physicist

On May 3 and 4, ostensibly public hearings were held by the Atomic Energy Commission (AEC) regarding the licensing of the Duane Arnold Energy Center (DAEC) at Palo, Iowa. This energy center is a nuclear-electric generating facility of Iowa Electric Light and Power Company, currently under construction. Before the center is licensed to operate, the law requires that certain regulations and environmental standards be considered.

Although I had written to Iowa Electric's Nuclear Information Center on Dec 2, 1972 asking for dates of any public hearings on the DAEC that would be held prior to licensing, I became aware of the licensing hearing from a TV announcement only the evening before. This was too late, for according to AEC regulations a member of the public cannot become a participant in the hearings unless he files certain papers acceptable to them in advance. Being unaware of this regulation, I attended the hearing fully expecting to be able to participate as a concerned citizen. I was appalled by the manner in which the hearing was conducted.

In order to understand the nature of the hearing described below, it is probably necessary to give some background on the AEC.

The AEC is a super-agency of the government free of many check and balance restraints that are normally considered requisite in a democracy. This is perhaps a result of the fact that the same AEC people held the responsibility for the military and peaceful aspects of the development of atomic energy. Criticism of direction, exposure of errors, and information regarding public safety has been and still is allowed by security clear-

ification and secrecy. The AEC now finds itself in the curious position of both promoting and regulating an unbridled program of atomic energy. Their perspective is a technical one that fails not only to adequately consider citizen concern about thermal and radioactive waste disposal, reactor safety, ecological and health issues but neglects wholly the unquantifiable environmental amenities and societal values that are nevertheless real, will probably always remain trans-scientific, and should be as integral to decision making as the quantifiable technical and economic considerations.

The licensing hearing was conducted by an AEC appointed panel of three, a lawyer, a biologist and a nuclear engineer. The participants were the petitioner for a license, DAEC, and representatives from the AEC regulatory staff. All of the participants and the panel were thus what environmentalists have dubbed as "nukes" because of their relationship to special interests promoting nuclear energy. Testimony from the floor (from individuals other than the official participants) was limited to five minute appearances at the very outset of the hearing although if these persons had previously prepared written statements pertaining to their concern, these were accepted by the panel. There was a pretense of response to the issues raised in the limited testimony portion of the hearing. The individuals who raised the issues, however, were not given a chance to offer any rebuttal or in fact enter again into the proceedings in any way. This serious limitation of the proceedings effectively eliminated all public concern from the hearing. The remainder of the hearing was conducted under the sham of an adversary procedure

between DAEC and the AEC regulatory staff representatives. As you might expect, there was no disagreement since both relied on AEC guidelines and documents, some of which they themselves found difficult to read, for all further testimony.

I would encourage all citizens and especially the press, so effective recently in cutting through government secrecy, deception, and executive privilege, to check for themselves that among the many extremely important issues that were suppressed at the hearing are the following:

1. According to the AEC's Brookhaven Report, the consequences of failure of the Emergency Core Cooling System (ECCS) could result in the loss of Cedar Rapids with serious consequences for Waterloo-Cedar Falls due to radiation poisoning. In 1971, citizen intervenors showed that the nuclear reactor vendors could not produce acceptable evidence that the reactors could cope with a loss-of-coolant accident. They also produced an AEC document wherein the AEC chairman cautioned its own expert witnesses never to disagree with established policy (like continued licensing in spite of doubts about the ECCS). The embarrassed AEC was finally forced to announce that it was permissible for AEC witnesses to tell the truth. A whole array of AEC experts have since indicated clearly their doubts and their lack of confidence in calculations and theoretical simulations which are still being relied upon to predict behavior of the untested ECCS. Scale model tests of the emergency cooling system conducted at Idaho failed completely, in six trials out of six. Having initiated the scale-model tests to back up its licensing of reactors without full-scale demonstration of the cooling system, AEC decided, after failure of the tests, to consider them unrepresentative of what might happen in a real loss-of-coolant accident in a nuclear power plant. Failing to make a case on the basis of simulated models, AEC's claim is that the Emergency Core Cooling System really doesn't matter because the probability of it being called upon is remote. Yet in safety reports from the operating nuclear power plants, which the AEC does not make public, core fuel rods are rupturing, critical valves are malfunctioning, and stainless steel plumbing is cracking in circumstances that the AEC had previously predicted as extremely improbable. Any of these situations could lead to a loss-of-coolant accident that would require the functioning of the ECCS. The AEC will continue, however, to license reactors unless an enraged public takes action.
2. There is absolutely nothing to justify confidence that the AEC has adequate plans to achieve the high level of containment necessary in the storage of radioactive wastes (99.99% is inadequate). The near perfect containment is more than an

"engineering problem" but requires "fixes" for carelessness, error or overconfidence in thousands and thousands of normal human beings for the foreseeable future. For example, it takes plutonium 24,000 years to decay to half its original level of radioactivity. This element of nuclear waste is also the most toxic substance known to man. One-millionth of a gram, a dust sized particle, if inhaled can kill. Its high price, \$10,000 per kilogram, and its importance in weapons technology makes theft a real problem. Yet a Duane Arnold engineer testified calmly that the DAEC plant would accumulate no more than an ordinary garage full of radioactive wastes--as though these wastes were like so many dirty rags. When the storage of nuclear wastes in salt mines at Lyons, Kansas came a cropper, the AEC suggested that they be rocketed to the sun! Of course every layman recognizes how ridiculous this proposal is. Currently wastes are being stored in concrete vaults until a method of "proper" disposal can be found.

I believe these issues in themselves are sufficient grounds to warrant an appeal to the AEC or for judicial review under the provisions of the National Environmental Policy Act. I might add that the AEC and power utilities elsewhere are regularly experiencing delays of as much as two years due to extended litigation and hearings because in their earlier zeal to further nuclear power they neglected to properly consider citizen's concern about waste disposal, reactor safety, and related ecological and health issues.