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May 21, 1979

James M. Hendrie
Chairman
Nuclear Regulatory Commission
1717 H Street, N. W.
Washington, D.C. 20555

Dear Mr. Hendrie:

Enclosed please find copies of recent news articles regarding the transport of radioactive nuclear waste from the Three Mile Island nuclear power plant to a burial site at Richland, Washington and an air shipment of potentially defective nerve gas bombs from a Colorado arsenal to a storage depot in Salt Lake City, Utah.

The news report indicated that certain state authorities were not advised that the shipment of nuclear wastes would be passing through their state until after the fact. I would appreciate a verification of this report from your office.

I would also like an explanation of the applicable federal regulations affecting the interstate transport of nuclear wastes and explosive weapons. I am specifically interested in any federal regulations which require state authorities and/or the public to be notified that such a transport is to take place. If no such regulations exist, I would appreciate an explanation of the rationale behind the lack of same. If such regulations do exist, were they adhered to in this reported transport?

In addition, I request a clarification of any existing federal regulations regarding the safety requirements of transports of this nature and the right of states to inspect the cargo and transporting vehicle to assure that both are properly contained, equipped, and that all safety procedures are followed.

I find it difficult to understand why state authorities are not notified of potentially dangerous transports and feel strongly that, should federal law or regulations be derelict in this regard, immediate action should be taken to remedy this problem. I will predicate any further action I might take in this regard on your response.

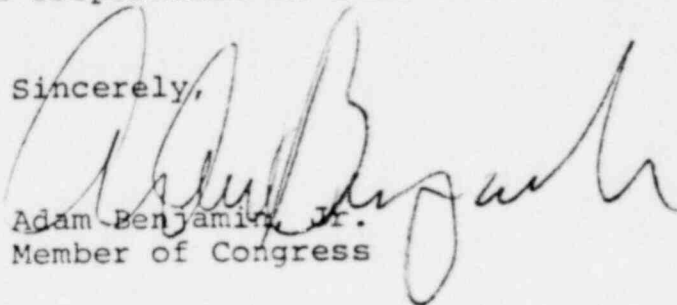
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Your prompt attention and cooperation in this matter is greatly appreciated.

Sincerely,



Adam Benjamin, Jr.
Member of Congress

ABJ/bs

Enclosures

1030 201

Utah to Fight Nerve Gas Move in Court

By Alexis Parks

Special to The Washington Post

SALT LAKE CITY, Utah, May 4— Utah Gov. Scott Matheson will file suit early next week in federal court to halt the Army's proposed air shipment of 896 nerve gas bombs from Colorado's Rocky Mountain arsenal to the Tooele Army Storage Depot outside Salt Lake City.

The governor's office was given 10 days' notice of the move yesterday by the Department of the Army, which, according to the governor's press secretary, Maggie Wilde, means that the Army could move the nerve bombs any time after May 13.

Both Gov. Matheson and Colorado Gov. Richard Lamm have opposed the move for health and safety reasons. Last year the Army discovered three of the nerve bombs were leaking. The Environmental Protection Agency and the Health, Education and Welfare Department indicated publicly that the leaks, which occurred in the same place on the three bombs, could be typical of the weapon.

Both governors, who are worried about any movement of bombs that may be deteriorating, would like to see the nerve bombs neutralized right where they are.

However, according to the Army and the secretary of defense, the "wet eye" nerve bombs are an integral part of the nation's inventory of deterrents

and should be stockpiled for the national defense.

Unofficial estimates place Utah's Dugway and Tooele Army base stockpiles at nearly 65 percent of the nation's store of chemical and biological weapons.

"The Army has shown callous disregard for the health and safety of the people who live here," said Matheson.

He said the bombs were in such deteriorated condition and contained such potent nerve gas that theoretically they could "annihilate the whole world."

"The proposed move . . . presents obvious hazards and the discovery of leaking bombs only compounds these dangers," Sen. Gary Hart (D-Colo.) added.

Army spokesman Michael Watts of the Rocky Mountain arsenal says that the Army has decided to move the bombs by air because it feels that the Air Force C141 aircraft has the best safety record of any commercial, military or private aircraft in use.

As planned, the movement of bombs would require three weeks at the rate of one or two flights a day. Each flight crew would include a technical escort team to detect and neutralize any spills or leaks, or respond in the event of fire.

The flight path would head north from Denver's Stapleton airport to Dugway in the western Utah desert, flying over what the Army terms

"sparsely populated central Colorado," which according to Colorado maps could include the Aspen or Vail ski resort regions, which are in the off season. The weapons would be taken from Dugway to Tooele by military convoy.

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1030 202

TMI A-waste sent through Illinois

By Bruce Ingersoll
Sun-Times Bureau

WASHINGTON—The first of many truckloads of radioactive waste from the stricken Three Mile Island nuclear power plant slipped through Illinois unannounced last week en route to a nuclear-waste burial ground in Washington State, The Sun-Times learned Friday.

An enormous cask of nuclear waste was hauled by flatbed truck from Middletown, Pa., scene of the nation's worst nuclear accident, west on Interstate 70, passing through Ohio, Indiana, Illinois and Missouri and crossing the Plains and the Rocky Mountains.

The shipment reached the Nuclear Engineering Co.'s waste-burial site at Richland, Wash., last Sunday, according to a company

official.

Two other truckloads arrived there six days earlier after skirting Indiana and Illinois in favor of a more southerly route, he said.

Ohio officials became incensed Thursday upon learning that all three shipments passed through their state without any advance warning.

"THIS IS IN THE AREA of the people's

right to know," asserted Robert Ryan, Ohio energy director and vice chairman of the Ohio nuclear safety task force.

Erie Jones, director of the Illinois Civil Defense and Disaster Management Agency, expressed surprise Friday that neither the Illinois State Police nor the state Transportation Department was alerted beforehand that the third shipment was passing through.

In a telephone interview, Jones said, "It would be damn solid procedure—at least as a courtesy—for them to notify us."

"I'm not too nervous," he said of the nuclear waste shipment. "But I'd like to know about it. I don't like surprises."

THE ORIGINAL PLAN had been to haul the Three Mile Island waste to a burial site at Barnwell, S.C., but South Carolina Gov. Richard Riley barred the first two truckloads from entering his state on April 19.

In a letter to the Nuclear Regulatory Commission, Riley announced that South Carolina would no longer accept radioactive wastes resulting from an "unscheduled reactor shutdown" such as the Three Mile Island accident.

It was then that the trucks were diverted westward to Richland, Wash., one of the nation's three low-level waste-burial sites still in operation.

The bulk of the waste in the three shipments came from Three Mile Island Reactor

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No. 1, which was shut down for refueling when the loss-of-feedwater accident befell Reactor No. 2. However, this waste was further contaminated by leaking radioactive water during the accident, according to NRC officials.

THE WASTE CONSISTED OF cobalt 60, cesium 136 and other radioactive impurities that had been filtered out of the cooling water and then solidified, an official said. Each shipment weighed 7½ tons and was carried in an even heavier steel cask.

The shipping casks are lined with lead to shield drivers and the public from overexposure to radiation.

Many more shipments will be coming out

of unit No. 2 as Metropolitan Edison Co. goes about the costly and tedious task of dismantling the heavily damaged reactor and cleaning up the badly contaminated reactor building.

The most direct route for those shipments will be I-80, which skirts the southern edge of the Chicago metropolitan area, said officials of Tri-State Motor Transit of Joplin, Mo., and Home Transportation Co. of Marietta, Ga.

Home handled the first two shipments and Tri-State the third.

Were it not for Iowa's weight limits during the spring thaw, the shipments probably would have been routed over Interstate 80, the officials said.

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