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Atomic Safety and Licensing Board  
USNRC

Sirs:

In the matter of Docket No 50-272, Proposed Issuance of Amendment to Facility Operating License No DPR 70 , I submit the following testimony by Dr John Gefman on the 21st on July 1978 at the Nuclear Waste Forum in San Francisco as my limited appearance. I cannot attend on the 22 or 23 of February 1979 as I must work.

Marvin I. Lewis , A.B. , B.SC., R.P.E. *ML*

Enclosure: The Only Rational Solution to the Problem of  
RADIOACTIVE WASTE MANAGEMENT. by John Gefman , M.D., Ph.D.  
July 21, 1978.



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# The Only Rational Solution to the Problem of RADIOACTIVE WASTE MANAGEMENT

by

John W. Gofman, M.D., Ph.D.

July 21, 1978



Testimony at the  
Nuclear Waste Management Forum (San Francisco) of  
The U.S. Department of Energy

My statement, supported by the technical exhibits attached, is that the only rational solution of the nuclear waste problem is the cessation of all nuclear power activities forthwith.

The very beginning of the nuclear fuel cycle, the mining and milling of uranium, begins an inevitable process of conducting premeditated random murder of citizens of the USA. The planned releases in the operation of the nuclear reactors add to the premeditated random murder. The unplanned and planned releases from all other aspects of the fuel cycle---unknown and unknowable in extent---will simply add to the random-murder death toll.

That there is no safe amount of radiation exposure, with respect to somatic and genetic damage, is now widely conceded. There is no place to hide from this fact on the claim of ignorance. The death process begins with the first contact of ionizing radiation with the genetic material of cells of humans. That the corpses will be there to count at a later date is inescapable.

It is, in my opinion, simply ludicrous to believe that the losses of radioactivity into the biosphere on the way to the "bank", or ultimate repository, will conceivably be anywhere nearly good enough to avert a major increase in our death rate. The effect could be large enough to wipe out the effect of all the public health advances of the past 25 years. Using Professor Norman Rasmussen's approach (since he is the greatest odds-maker I know), I estimate the chance of adequate containment of radioactive poisons---in their handling before ultimate burial---is about the same as the chance of a meteor striking this hearing room today.

So I regard the ultimate burial problem as one demonstrating intelligence only if we are stupid enough to create the radioactive garbage in the first instance.

Ford and Pollard, of the Union of Concerned Scientists, have testified to Congress as follows:



"Control and isolate our radioactive poisons? The problem is manageable!"

"The question of possible criminal activities on the part of officials entrusted with protecting the public safety must be resolved. As part of its background review of proposed nuclear licensing regulations, we therefore recommend that Congress request the Public Integrity Section of the Criminal Division of the U.S. Department of Justice to carry out an investigation of the conduct of former AEC officials, now NRC officials, to determine any role they may have had in a nuclear safety cover-up."

While I second that suggestion as a good beginning, it does not address a far more serious question, namely the violation of a higher law in the conduct of premeditated random murders---politely known as "health effects". I am unaware of any Constitutional provision permitting the random murder of citizens, the nullification of their inalienable right to life, whether by the tens of thousands or at genocidal proportions. As you surely must know, the actual number of murders will be the result of the greatest crapshoot in history, with the victims being the U.S. citizens.

There already exists a body of principles which the USA has, on an historic occasion, acted upon in an international court. I refer to the Nuremberg Principles. We should all look forward, at the earliest possible moment, to the implementation of these principles in our own country, as we evaluate the personal responsibility of those who insist upon conducting random, premeditated murder in the planning and execution of the nuclear power program.

I think the contemplation of the Nuremberg Principles should be your central guide in consideration of the nuclear waste problem.



Exhibits Attached

1. Gofman, John W., "Radiation Doses and Effects in a Nuclear Power Economy: Myths vs. Realities", Committee for Nuclear Responsibility Report 1976-2, April, 1976.
2. Gofman, John W., "The Plutonium Controversy", Journal of the American Medical Association, Volume 236, 284-286, July 19, 1976.
3. Gofman, John W., "On the Way to the Bank, or Why There Will Never Be a Solution to the Radioactive Waste Problem", Committee for Nuclear Responsibility Report 1977-7, November, 1977.

Dr. Gofman is Professor Emeritus of Medical Physics, University of California at Berkeley, and is also Chairman of the Committee for Nuclear Responsibility. In this testimony, Dr. Gofman speaks for himself, of course.

**Committee for Nuclear Responsibility, Inc.**

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