

7 January 1979  
Kansas City People's  
Energy Project  
2 West 39th St.  
Kansas City, MO

U.S. Nuclear Regulatory Commission  
1717 H Street, N.W.  
Washington D.C. 20002

Dear Commissioner:

We are writing to you in connection with the Westinghouse application for a license to export a nuclear power plant to the Philippines, an application which now awaits your decision. We believe that the life and property of millions of Philippine citizens, and, with them, thousands of Americans resident in the Philippines, is endangered by this plant.

Before making this important decision, we urge you to consider the following points:

1. The proposed Philippine nuclear power plant is located near three major American establishments, Subic Naval Base, Clark Air Force Base, and the Bataan Export Processing Zone, the latter of which is dominated by American investors.

The proposed plant is plagued with all sorts of siting, reactor design, and environmental problems. Of special relevance is N.R.C.'s own staff critique of the plant. Briefly, your own staff people have found that: a) the orientation of the turbine generator offers unacceptable safety risks; b) the plant is located near the Subic Naval Base where U.S. fuel and ammunition is stored; c) the area has a long history of intense seismic activity, the proposed plant being located 10 miles from a volcano which is considered active according to N.R.C. standards.

The above mentioned circumstances, because they endanger the lives and property of U.S. citizens, as well as Philippine citizens, make it necessary for the N.R.C., according to the requirements of the Atomic Energy Act and by its own admission (N.R.C. staff Analysis of Health and Safety Considerations in Reactor Exports and Assistance Programs, P. 1), to do a detailed health and safety analysis of the proposed plant.

2. Congressional hearings on Export Import Bank's financing of the Westinghouse-Philippines transaction have demonstrated the expected negative impact of this sale upon social

economic conditions in the Philippines.

While the applicability of the National Environmental Protection Act of 1969 to U.S. exports is a matter of controversy, we feel strongly that the socio-economic as well as environmental impact of any nuclear export substantially assisted by U.S. funds should be assessed prior to licensing. The environmental impact assessment for this plant has not yet been done.

3. The Marcos government, which, by its own admission, has detained over 60,000 political dissenters since the declaration of Martial Law in 1972, has been identified as repressive by numerous human rights organizations, including Amnesty International and the International Commission of Jurists. 50,000 Philippines have risked imprisonment to express their opposition to the construction of the Westinghouse plant.

Therefore, Export-Import Bank support for the financing of the Westinghouse-Philippine transaction appears to be in violation of the Human Rights Amendment to the Foreign Assistance Act of 1977 which prevents aid to repressive regimes unless it can be shown to directly benefit the needy. Again, it is irregular for the decisions of any governmental agency or agencies to result in the violation of a duly enacted law of Congress.

For all of these reasons, we urge the N.R.C. to suspend any decision that would grant an export license to Westinghouse for the Philippines nuclear power plant or any of its components until:

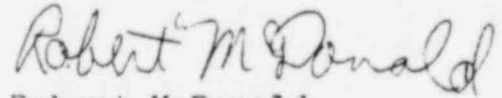
1. the N.R.C. has done a detailed health and safety analysis of the proposed plant as it would do for a similar project within the United States;
2. an environmental impact statement for the plant is prepared in accordance with the National Environmental Protection Act of 1969;
3. a review of the applicability of the Human Rights Amendment to the Foreign Assistance Act of 1977 to U.S. assistance to this project is undertaken by Congress.

Above, we have listed several points at which we believe the proposed Westinghouse reactor export to the Philippines to be in violation of the law. Beyond these particularities, however, our study of the total impact of the proposed nuclear power plant not only upon U.S. and Philippine citizens, but, in addition, upon the indigenous peoples of Canada and Australia, whose land rights may be violated to secure uranium to fuel the reactor, as well as the native people of Micronesia,

who are likely to be burdened with the wastes from the reactor, not to mention all living beings on earth, who will be put to risk from radioactive contamination of the biosphere, leads us to a complete and principled opposition to the licensing of this or any other nuclear export to the Third World.

We appreciate your very serious consideration of these matters and hope to hear from you in the near future.

Sincerely,

A handwritten signature in cursive script that reads "Robert McDonald". The signature is written in dark ink and is positioned above the typed name.

Robert McDonald  
Kansas City People's  
Energy Project