

Mr. Herbert Grossman
Chairman
Atomic Safety & Licensing Board
US Nuclear Regulatory Commission
Washington, DC 20555

To the NRC & Interested parties:

This letter is to most vigorously protest & appeal the ruling that the evacuation issue and other extremely significant issues will not be admitted by the NRC to the construction permit hearings of Baily One Nuclear I. I have no expertise as a lawyer or technician, but I feel I must speak from the point of view of a citizen (and a psychologist) of what I see going on. I must admit that I am trained primarily to deal with relatively harmless individual insanity rather than the monstrous corporate insanity I see here, but my expertise is in peoples feelings, and I am fairly certain that in the long run the American people's feelings about Nuclear Power will determine the future of this enterprise. I cannot speak for others, but I feel obligated to air my deep feelings on this issue hoping that someone will hear.

The Nuclear Power issue is beginning to remind me of Vietnam - a colossal, distructive mistake into which so much money and so many egos were invested that it ground on horribly for years until masses of people rose up in protest. In the Nuclear area, an intelligent child can grasp the basic issues involved and would be frightened, yet we adults seem to be caught in a system beyond our control.

When I find myself in a social situation which is extremely frustrating, I've learned to ask myself - what's going on, what is the game? What is my "game", what is the other person's game. To be honest, my "game" is to prevent Baily and other Nuclear plants from being built or operated until it can be proven to me that they are safe for present and future generations, that there are adequate waste disposal sites, evacuation plans, that it is economically justifiable (including the taxpayer's burden) and many other issues, eg. radiological damage levels, mining issues, etc. I demand that the whole issue be given public hearings before a community is saddled with a plant. I cannot be silent when I see an overwhelming amount of evidence that many very critical issues about Nuclear Power have not been resolved, and when the demand for electricity does not justify it, and when alternative energy sources have scarcely been explored.

I'm also trained to attempt to understand the other person's point of view - in this case the NRC's behavior seems to be a "game" whose covert assumptions and rules should be made clear. I have no anomosity toward any individuals in the NRC; it appears to me they have an impossible job: to both promote and to regulate the industry and to protect the public's safety. I'm sure that they are just following policys and directives and believe that what they are doing is good and right. based on certain premises, it seems to me that the NRC's game in the Baily hearings is to:

1. Get the plants built.
2. Make only token efforts to have "hearings" so that democratic appearences can be kept up, feign impartiality. (If necessary

DS03
5/11

and when possible perhaps even discoverage participation, over-legalize, obsfucate, and in general wear down the opponents). Have a few "token" intevenors but gag them, limit what they can say.

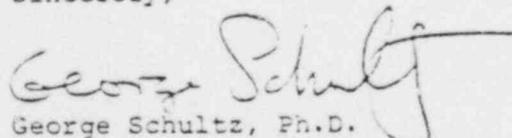
3. Discuss only minor issues at the hearings - discuss trivia exhaustively - ignor the life and death issues. Hide behind the "bifurcated system." Don't take an overview or a moral stand. Ignore Three Mile Island, disallow troublesome, or impolite people, disturbing issues, and the many other Nuclear near-misses and deaths from radiation.
4. Have extreme faith in a technological solution to every problem and neglect the fact that very falable humans will put these technological solutions in effect. Assume that technology & bureacurcy can solve all problems. Nature and human nature can be subdued with money, equipment and rules.

I am especially concerned with the evacuation of the maximum security prison in which I work and which is only 10 miles or so from the Bailly site. It is insane to tell me that we will postpone the discussion on how to evacuate the 1700 + men in that prison (some of whom are dangerous) until after the nuclear plant is built. When I hear that, I feel someone must believe I am a fool and that their "system" for dealing with the problem is a mockery of sanity and justice. If the NRC "system" works that way then we must have a hearing which examines that system itself. If my life and safety and that of others doesn't fit the "system" then the system must be changed. The NRC may be only following the rules and directives of Congress and the Executive Branch, but I'm sure the NRC helps draft those rules and directives. Are you happy with your rules, your roles? Can you stand up?

Another example is Congress' new directive that new plants after October 1979 must comply with new siting regulations; this leaves people who have been previously saddled with a nuclear plant in a rather curious position. Are we to accept a dangerous plant and/or a dangerous site simply because it was built or started before October 1979? Who wrote these rules? Why?

Since my personal budget for fiscal 1980 is somewhat less than the \$426,821,000 allocated to the NRC, I can only do what I can to express an alternative view. I am very frustrated and angry. I think it immoral for the NRC not to take a moral stance and allow the people who live in this area a strong legal way to explore these issues publicly. Although the NRC position is understandable given certain assumptions, beliefs, and pressures, I believe that it is from a common sense view literally crazy and immoral and I will make every attempt I can to provide opportunities for other points of view to be heard. Our land, our lake, our lives are at stake. It is no time to mince words, play stupid games. The collective "crimes" which have occured throughout history by people "following rules," and "obeying orders" should teach us that we must sometimes question these very rules and systems which oppress and destroy peoples lives. "Business as usual" will not be accepbale to a growing number of people whose lives will be threatened. I demand that my voice and the voice of others who wish to speak be allowed at your hearings.

Sincerely,


George Schultz, Ph.D.

CERTIFICATE OF SERVICE

I hereby certify that I have, this 25th day of June, 1980, caused copies of my protest to be served by first class mail to the following:

Herbert Grossman, Chairman
Atomic Safety & Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Richard F. Cole
Atomic Safety & Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Mr. Glenn O. Bright
Atomic Safety & Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Diane B. Cohn
Suite 700
2000 P Street, N.W.
Washington, D.C. 20036

Robert J. Vollen, Esq.
c/o BPI
109 North Dearborn
Chicago, Illinois 60602

Michael I. Swygert, Esq.
25 East Jackson Blvd.
Chicago, Illinois 60604

Clifford Mezo, Acting President
Local 1010
United Steelworkers of America
3703 Euclid Avenue
East Chicago, Indiana 46312

William H. Eichhorn, Esq.
Eichhorn, Morrow & Eichhorn
5243 Hohman Avenue
Hammond, Indiana 46329

Stephen Laudig, Esq.
445 N. Pennsylvania Street
Indianapolis, Indiana 46204

Birch E. Bayh, Jr.

Floyd J. Fithian

Edward W. Ossan, Jr., Esq.
Suite 4600
One IBM Plaza
Chicago, Illinois 60611

Robert L. Graham, Esq.
One IBM Plaza
44th Flr.
Chicago, Illinois 60611

George and Anna Grobowski
7413 W. 136th Lane
Cedar Lake, Indiana 46303

Dr. George Schultz
110 California Street
Michigan City, Indiana 46360

Kathleen H. Shea, Esq.
Lowenstein, Newman, Reis
Axelrad & Toll
1025 Connecticut Ave., N.W.
Washington, D.C. 20036

Richard L. Robbins, Esq.
Lake Michigan Federation
53 West Jackson Blvd.
Chicago, Illinois 60604

Steven C. Goldberg
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety & Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Docketing & Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Richard Lugar

John Brademas