

THE WHITE HOUSE
WASHINGTON

EUGENE EIDENBERG

September 18, 1979

Dear Mr. Ballaine:

On behalf of the Special Inquiry Group established by the Nuclear Regulatory Commission to investigate the accident at Three Mile Island, you have requested access to depositions of Jack Watson, Eugene Eidenberg and Jessica Tuchman Mathews. These depositions were taken by the staff of the President's Commission on the Accident at Three Mile Island.

We understand that the Special Inquiry Group would make these depositions, together with attached exhibits, part of its record which would eventually be placed in the public reading file at the NRC.

We have no objection to your using the depositions in this manner. I would suggest that you could obtain copies most easily through Stan Gorinson or Chuck Harvey of the General Counsel's office at the President's Commission.

This letter does not authorize the Special Inquiry Group to include these depositions or related materials as exhibits to its published report.

Sincerely,



DOUGLAS B. HURON

Associate Counsel to the President

Mr. William G. Ballaine
Consulting Attorney
NRC/TMI Special Inquiry Group
Nuclear Regulatory Commission
Washington, D.C. 20555

THIS DOCUMENT CONTAINS
POOR QUALITY PAGES

7910310 309

Transcript of Proceedings

UNITED STATES OF AMERICA

PRESIDENT'S COMMISSION ON THE ACCIDENT AT
THREE MILE ISLAND

DEPOSITION OF: EUGENE EIDENBERG

Washington, D.C.

August 23, 1979

Acme Reporting Company

Official Reporters

1411 K Street, N.W.

Washington, D. C. 20005

(202) 523-4888

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES OF AMERICA
PRESIDENT'S COMMISSION ON THE ACCIDENT AT
THREE MILE ISLAND

DEPOSITION OF: EUGENE EIDENBERG

Room 111
Old Executive Office Building
Washington, D. C.

August 23, 1979
2:45 o'clock p.m.

APPEARANCES:

On Behalf of the Commission

CHARLES A. HARVEY, JR., ESQ.
Associate Chief Counsel
2100 M Street, N.W.
Washington, D.C. 20007

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

WITNESS:

DIRECT

CROSS

REDIRECT

RECROSS

Eugene Eidenberg

2

EXHIBITS:

IDENTIFIED

1	9
2	21
3	55
4	55
5	60
6	63
7	72
8	74
9	99
10	125
11	132
12	135
13	137
14	148
15	148
16	148

P R O C E E D I N G S

Whereupon,

EUGENE EIDENBERG

having been first duly sworn, was called as a witness herein and was examined and testified as follows:

EXAMINATION

BY MR. HARVEY:

Q Would you state and spell your last name, please?

A My last name is Eidenberg, E-I-D-E-N-B-E-R-G.

Q And your first name and middle initial?

A Eugene. I have no middle name.

Q Is this your first deposition?

A To the best of my recollection, yes, it is.

Q You're already skilled in answering deposition questions. There are just a couple of ground rules, which are that you have to answer audibly, so that the answer can be picked up and transcribed. When the transcript is available, we will send you a copy that you may keep. We'll also send you a signature page. So what we would like to do then, and there will be a letter explaining this, is to read the deposition, and make any corrections that you want, and -- on an errata sheet, and then sign the deposition, and that will become part of the permanent record in the Commission's public documents.

Bear in mind that you're under oath, and that your

1 answers carry the same solemnity and effect as if you were
2 testifying in a court of law, and that if you make substan-
3 tial corrections in your deposition transcript, once it's
4 transcribed, it may affect how people perceive your credi-
5 bility. Do you understand that?

6 A I do.

7 Q Okay. If I ask a question that you don't under-
8 stand, or want me to rephrase, or would like me to repeat,
9 just ask me to do that, and I will.

10 A Okay.

11 Q Okay? One thing the Commission has been interested
12 in is the background of the people who were involved in the
13 Three Mile Island incident, and I wonder if you could give
14 us a resume of your professional training and experience.

15 A Well, educationally, I've got an undergraduate
16 degree with a major in political science from the University
17 of Wisconsin in Madison, and a Masters and a doctorate in
18 political science from Northwestern University in Illinois.
19 I spent a year following graduate work here in Washington
20 under the fellowship program run by the American Political
21 Science Association -- worked up in the Congress half a year,
22 for Hale Boggs, who was then majority whip of the House,
23 and a half a year for Hubert Humphrey, who was then Vice
24 President and President of the Senate -- became Assistant
25 Professor of Political Science at the University of

1 Minnesota, following that year in Washington; took a leave
2 of absence from that job in '68 and '69 and became Deputy
3 Mayor of Minneapolis, which is an appointed, not an elected
4 office, and in that capacity had primary responsibility for
5 serving as the Mayor's liaison to the City Council, to the
6 State Legislature and State agencies, and for police func-
7 tions in the city.

8 Left the State of Minnesota in 1972, after having
9 been in Minnesota seven years, and after having served as
10 Vice President for Administration for the University of
11 Minnesota System, the job to which I had gone after leaving
12 the Mayor's office, to become Vice Chancellor for the Uni-
13 versity of Illinois, Chicago campus -- the new campus of
14 that state university.

15 During my time in Illinois, which was five years,
16 from '72 to '77, I took -- did some extracurricular work
17 while I was serving as Vice Chancellor of the University
18 of Illinois, I served as Chairman of the Illinois Law Enforce-
19 ment Commission, which was a statewide planning agency
20 under the Law Enforcement Assistance Administration program
21 for allocating the LEAA funds that come to the State of
22 Illinois.

23 And in -- it was February of '77, I left Illinois
24 to become Executive Assistant to the Undersecretary of HEW,
25 and shortly after that was named Deputy Undersecretary of

1 HEW, primarily working in intergovernmental areas -- working
2 with governors and mayors and other local officials -- left
3 HEW just about a year ago, to assume my present responsi-
4 bilities as Deputy Assistant to the President for Inter-
5 governmental Affairs, and Deputy Secretary of the Cabinet,
6 working with Jack Watson.

7 Q Well, at the time that you were at HEW, were you
8 working with Secretary Califano?

9 A Very closely.

10 Q I see, and --

11 A But my principal reporting line was to the Under-
12 secretary, who has since left, a man by the name of Hale
13 Champion.

14 Q Hale Champion. And can you describe what your
15 duties are in the White House staff, generally speaking, on
16 a day to day basis?

17 A Sure. The unit in which I work really carries two
18 major responsibilities. One is to serve as liaison for the
19 President and the Executive Office of the President, to
20 state and local elected officials. Under that rubric, our
21 unit conducts a lot of business in the President's behalf
22 and in the Administration's behalf, with regard to the
23 administration of Federally funded and supported activities
24 at the state and local levels of government -- interagency
25 work, coordinating the Federal government's response to

1 particular problems or opportunities to make Federal assistance
2 more effective, whether it's in urban areas, small towns,
3 solid waste disposal, urban policy development -- you name
4 it, there is no area of domestic Federal assistance activity
5 that does not potentially fall within our area of interest.

6 And obviously, there's just a seemingly infinite
7 array of cases and problems -- issues that come up that re-
8 quire our intervention, our assistance, our work.

9 The other major area of responsibility is the
10 Secretary of the Cabinet function, and in that responsibility
11 we are the President's management team for the flow of
12 communications between his Secretaries, the Cabinet agencies,
13 and the President. It is no accident that President
14 Carter linked the two functions in one office, under Jack
15 Watson's direction. As far as I know, it's the first Pre-
16 sidency in which the Secretary of the Cabinet and the inter-
17 governmental functions have been put in the same unit.

18 It was done precisely because the President
19 viewed this Administration's relationships with State and
20 local officials, as central to his vision as to how the
21 Federal government, the national government, ought to work,
22 since 80 billion or more dollars a year are provided to
23 State and local officials for assistance -- that there had
24 to be a networking of the communications and information
25 and decision-making flow within the Federal government --

1 the White House and the agencies, the Secretaries of those
2 agencies, and the impact of those decisions on the officials
3 of state and local government who are charged by Federal
4 law with carrying out the programs and delivering the ser-
5 vices. So there is in fact a philosophy -- well thought
6 out and articulated idea as to how these two functions
7 link together.

8 Obviously, there's lots of variations on the theme,
9 but those are the major missions.

10 Q During your tenure at the White House, had you,
11 prior to the Three Mile Island incident, been involved in a
12 response to any kind of civil disaster or emergency before?

13 A Yes. As a matter of routine, you need to under-
14 stand that the coordination of Federal support, and the
15 coordination of the Federal response, to any natural or
16 other disaster or calamity, is assigned to Jack Watson's of-
17 fice. The -- our unit is responsible for serving as liaison
18 to governors and mayors and County officials, both under
19 times of crisis as well as times of routine administration
20 of Federal services.

21 So floods, hurricanes -- the whole array of natural
22 catastrophes that are inevitably a part of our nation's
23 life, fall under the rubric and the jurisdiction of our
24 office, in terms of coordinating Federal response, when the
25 President's involvement is required.

1 Now, you understand that there are far more cir-
2 cumstances which the Federal government is responding to
3 local conditions of crisis, in which the President and the
4 President's staff is not involved. But whenever the Presi-
5 dent's office is involved, it's our unit that represents him.

6 Q Is there perhaps a period in responding to these
7 kinds of natural emergencies or disasters, in which the
8 President is not yet involved, but your office is monitoring
9 the situation?

10 A There is a legal process which is followed, when
11 a disaster occurs, and the chief executive of the state
12 believes Federal assistance is required, which would come
13 jointly through Stu Eisenstadt's staff and our staff, the
14 domestic policy staff, for a recommendation to the President
15 as to whether the declaration of assistance -- emergency or
16 disaster, is warranted.

17 That is virtually instantaneous. It is theoreti-
18 cally possible for a disaster to occur -- when I say theo-
19 retically it's virtually instantaneous -- the communications
20 system is such that if an airliner goes down, for example,
21 as we're sitting here taking this deposition, there's a
22 major airline catastrophe in the United States somewhere, the
23 White House would be notified routinely through the disaster
24 communications network, through the Federal Emergency
25 Management Agency, within a matter of moments after the

1 accident has occurred.

2 As soon as local emergency officials are notified,
3 the White House will be notified of such an event. The
4 lapsed time between that event and the involvement of the
5 President is in large measure a function of the nature of
6 the assistance that is sought by local officials. There may
7 not be any special assistance required above and beyond the
8 ordinary response of Federal officials out in the field.

9 To take the case of an airline disaster, the FAA,
10 Civil Aeronautics Board, the National Traffic Safety --
11 Air Traffic Safety people -- they would routinely respond.
12 There would be no need for a special White House response.

13 It is theoretically possible for a disaster or a
14 crisis to develop, for the White House to be notified, and
15 for no request to be made for special or extraordinary
16 assistance from the Federal government, and therefore for no
17 Presidential involvement, other than perhaps for a staff
18 member to inform the President that something has occurred,
19 and then later on, 12 hours later or six hours later or
20 whatever, have a request for assistance, in which then the
21 formal process of a disaster declaration -- potential disas-
22 ter declaration, would begin.

23 Q Has that happened during your tenure?

24 A That we have had a disaster, been informed of it,
25 and not had the formal request --

1 Q Yes.

2 A -- come virtually at the same moment as the --

3 Q Yes, I'm focusing on the lag time.

4 A Right. I can't recall. I can't recall.

5 Q But as a matter of prearrangement within the White
6 House, as a matter of planning, if you will, Jack Watson's
7 office, and therefore you, is responsible for coordinating
8 Federal-state relationships in disaster -- emergency situa-
9 tions?

10 A That is correct.

11 Q And do you have a prearranged communications
12 link with Federal disaster management agencies that are now,
13 I guess, DCPA, the FPA, and the FDAA are the principal
14 agencies?

15 A The units of the new Federal Emergency Management
16 Administration.

17 Q Right.

18 A If your question is intended to get at some spe-
19 cial technological communications, the answer is no. Do we
20 have well worked out communications relationships with the
21 Director of FEMA, and with the Directors of the constituent
22 units, principally FDAA, which is the bureau, under statute,
23 from which Federal assistance is made when declarations
24 are made -- and they call us, we call them, there is just --
25 at a time of need, there is continuous and open communication.

1 And obviously, through the White House communica-
2 tions system, we're available 24 hours a day, anywhere.

3 Q What I mean, I guess, by communication system -- by
4 prearrangement, they know enough to call you or --

5 A Yes.

6 Q -- Jack Watson, within the White House, and you
7 know enough to call, for example, Bill Wilcox, or --

8 A Absolutely.

9 Q -- someone in his office during a time of a disas-
10 ter?

11 A That is correct.

12 Q All right, and that that relationship had evolved,
13 both by design and through a period of natural disasters
14 in which the White House had been involved, to one degree or
15 another?

16 A Correct, and preceded my arrival on the White House
17 staff. So the origins of it, and details of how it evolved,
18 is a subject I can't speak with a great --

19 Q Well, how did you first become aware that there
20 had been an incident at Three Mile Island?

21 A Through the news media. I was aware -- whether it
22 was newspaper or television or radio I don't recall, but it
23 was through the news media that I became aware, I guess, when
24 the general population became aware, that there had been an
25 event of some sort at Three Mile Island.

1 Q Okay. Did you take any action in your official
2 capacity on the 28th?

3 A That being Wednesday?

4 Q Wednesday the 28th.

5 A No, I did not.

6 Q Were you notified of the incident by any of the
7 Federal Disaster Assistance Administration people, or agencies
8 like that?

9 A No, I was not.

10 Q Is that true also for the 29th?

11 A Thursday, the 29th, I was not notified. That is
12 correct.

13 Q All right, did you take any official actions
14 Thursday, the 29th with respect to the incident?

15 A No, other than a -- I wouldn't characterize this as
16 an official action, other than a conversation with Jack
17 Watson about the situation. That is, we were watching the
18 information that was otherwise available to the public -- but
19 no, we were not contacted either by state or local officials,
20 or by other Federal officials, and took no action.

21 Q Taking those two days, were you aware that the
22 situation was being monitored by Jessica Mathews and Dr.
23 Brzezinski's staff?

24 A No, I was not aware that Jessica was monitoring
25 the situation at that point. I was aware -- I was aware, just

1 because of a general awareness of the responsibilities that
2 the Nuclear Regulatory Commission has, that the situation
3 was being monitored by the NRC. But I was not aware that
4 any of the White House staff office was monitoring it.

5 Q All right, so that you weren't aware that Dr.
6 Brzezinski's office, for example, was briefing the President
7 on the --

8 A Correct.

9 Q You said you had one conversation with Jack Watson
10 on Thursday concerning the situation. Would you describe
11 what the substance of the conversation was?

12 A It was a very brief conversation, and it was really
13 an observation by me that it appeared from the reports
14 at that point that the situation -- while its seriousness
15 was not known at that moment, seemed to be stabilizing. It
16 was just an observation on my part.

17 Q But you didn't think, as of Thursday, that you'd
18 have to take any action in your official capacity?

19 A That's correct, sir.

20 Q What about Friday? I guess things changed on
21 Friday.

22 A Things changed. On Friday, some time in the mid-
23 morning, while I was with Jack Watson in his office, discus-
24 sing other business, other matters, with him, he received a
25 phone call from Dr. Brzezinski, telling him that the President

1 had asked him, Dr. Brzezinski, to brief Jack Watson about
2 the situation at Three Mile Island, and could they arrange a
3 time when his staff, that had been monitoring the situation,
4 could brief Jack, and we arranged then -- that is, Jack did
5 in his phone conversation, for a briefing to be set up
6 later that morning, which was conducted, and which I atten-
7 ded.

8 Q What was the -- when did that briefing take place?

9 A I believe that meeting took place around 11:30 --
10 between 11 and 11:30. It was a little later -- it was not
11 much later. It was a little later after the phone conversa-
12 tion that Dr. Brzezinski had with Jack Watson.

13 Q So that in effect, Jack Watson got the phone
14 call that the President had asked Dr. Brzezinski to brief
15 Jack Watson and a time was set up for the briefing to take
16 place?

17 A Exactly.

18 Q And I take it that you went, substantially con-
19 temporaneously with the phone call, to the briefing?

20 A The briefing was in Jack's office, as a matter of
21 fact, and Jessica Mathews, on Dr. Brzezinski's staff, and
22 Colonel William Odom, on Dr. Brzezinski's staff, came to
23 Jack's office and briefed Jack and me. The four of us were
24 in the office.

25 Q Okay. Can you describe what they were telling you?

1 A The general briefing was to advise us that there
2 had been a release of radioactive material into the atmo-
3 sphere at the Three Mile Island plant; that there was less
4 certainty than the previous day or day and a half's public
5 information had suggested about the stability of the situa-
6 tion; that it was clear that there might be a requirement for
7 Federal assistance of one sort or another at the Three Mile
8 Island plant, and that the President had asked Dr. Brzezinski
9 to assure that Jack, given the role that his office has
10 -- that I described earlier, that Jack be brought up to
11 speed immediately on the status of the situation.

12 The briefing included a fair number of fairly
13 elementary questions that Jack and I were asking of Jessica
14 about the nature of the reactor, and what in fact might be
15 going on. This is -- neither Jack nor I are nuclear engineers
16 -- there were terms and phrases and whatnot used that, you
17 know, required further elaboration or explication for us.

18 So, in a sense, we were just being advised about a
19 situation, its status, and the potential for Federal assis-
20 tance of one sort or another, and that it would be useful --
21 it was kind of mutually concluded at the end of that briefing,
22 if the relevant Federal officials met to discuss the situa-
23 tion, and where we might go from here.

24 Q Was there a particular kind of Federal assistance
25 mentioned as of that briefing?

1 A I don't recall that one kind of Federal assistance
2 was differentiated from another, in the sense that we
3 covered the range -- that is to say, the NRC's assistance,
4 in terms of its nuclear safety technical staff, that would
5 -- was already on-site, and others who were going to be on-
6 site, communications assistance, and other just emergency
7 preparedness assistance -- but not in great detail.

8 That briefing was not a long briefing, it was not
9 an extended meeting.

10 Q I take it that it was agreed at the briefing to
11 have a meeting with these agencies later in the day?

12 A That's correct. We decided there to find an
13 early and convenient time when we could get the Director of
14 the Federal Disaster Assistance Administration, Mr. Wilcox,
15 and the Chairman of the Nuclear Regulatory Commission, Mr.
16 Hendrie, and other appropriate staff from around the Federal
17 government, to meet and to have a common briefing for all
18 the agencies that might be involved, and to decide, among
19 other things, how we were going to proceed to coordinate --
20 handle whatever response the Federal government would be
21 required or called upon to make from that point on.

22 Q Who was given the responsibility to pull together
23 these agencies for a meeting?

24 A The decision, if there was -- I don't -- I'm not
25 confident that a decision was made. I don't know if it was

1 consciously addressed in the sense that your question
2 implies -- the meeting was held in the Situation Room, in the
3 west wing of the White House, and chaired by Dr. Brzezinski.
4 An agenda was prepared for the meeting by Colonel Odom,
5 and discussed with me ahead of time. We discussed briefly,
6 in Jack's office, who ought to be invited, and there was a
7 common agreement as to who ought to be invited, and I believe
8 the phone calls were placed from Dr. Brzezinski's office
9 to the other agencies.

10 But that's something we'd have to confirm indepen-
11 dently, if it became important to know. I don't recall.

12 Q Just so that I understand the chronology -- at 11:30
13 the briefing took place in Jack Watson's office, with Dr.
14 Brzezinski, Jessica Mathews --

15 A Dr. Brzezinski was not there. It was just Jessica
16 Mathews and Bill Odom.

17 Q Okay, briefed Jack Watson and you --

18 A Correct.

19 Q -- and it was resolved, perhaps by consensus, that
20 a meeting ought to be held later in the day with the Federal
21 agencies who might be responsible for providing some kind
22 of Federal assistance.

23 A Correct.

24 Q And that, as that briefing broke up, I take it that
25 sporadic contacts took place between the time of the meeting

1 and the end of the briefing between you and Colonel Cdom
2 about the agenda which he had drafted?

3 A Correct.

4 Q And the invitation list -- consultations were going
5 back and forth?

6 A That's right.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 Q. I'll show you what I marked as Deposition Exhibit
2 No. 1, which is a memorandum from Colonel Odom to Dr.
3 Brzezinski dated March 30, 1979, concerning a meeting of
4 a nuclear power plant accident. Do you have that before
5 you?

6 (The document referred to was
7 marked for identification as
8 Deposition Exhibit No. 1.)

9 A. Yes, I do.

10 Q. I might state that this document has been produced
11 by the National Security Council and is subject to the same
12 agreements between the Commission and the White House staff
13 and the Department of Justice, that are outlined in the
14 Jessica Mathews deposition taken this same date so rather
15 than recite all those agreements once again, just refer to
16 those and they can be incorporated by agreement of counsel
17 and to this deposition. Is that--

18 MR. HURON: That's satisfactory.

19 MR. WERHAN: Can we go off the record.

20 (Discussion off the Record)

21 On the Record.

22 Q. All right, I apparently mispoke myself. The
23 Justice Department is not a party to the agreement. It's
24 an agreement between the Commission and the White House
25 council, concerning the disposition of these documents. I

1 merely refer to the agreements made in the Mathews deposition
2 and incorporate them into Mr. Eidenberg's deposition.

3 So turning to what we've marked as Deposition
4 Exhibit Number 1, this document purports to be an agenda
5 for the meeting to be held -- or a meeting to be held on
6 March 30. Is that the agenda of the meeting that you
7 referred to?

8 A. Let me just confirm it. Yes.

9 Q. And do I understand that Colonel Odom prepared
10 this agenda and consulted with you about its contents?

11 A. Correct.

12 Q. Was it presented to you in this form?

13 A. In its final form, yes, it was handed out at the
14 meeting as a matter of fact. If I recall correctly, perhaps
15 it wasn't handed out at the meeting, but I saw this agenda
16 in this form before the meeting or at the beginning of
17 the meeting and its contents is the subject matter that
18 we ought to discuss was discussed with me by Colonel Odom
19 between the time the briefing ended and the meeting convened.

20 Q. Could you describe the considerations that lead
21 to the inclusion of the press coordination, strategy, at
22 the meeting.

23 A. I am not certain, I know I don't recall, but I
24 am not certain that that item on the agenda was a subject
25 of discussion with me at the time the agenda was prepared.

1 The major item on the agenda with which I was concerned and
2 that which Colonel Odom talked with me at length was item
3 number three which was potential federal assistance if the
4 situation demands the emergency assistance kinds of
5 potentials.

6 Q. In that connection, did you discuss the agencies
7 which should be present at this meeting?

8 A. We discussed, yes, we discussed several of the
9 agencies that I believed and Colonel Odom believed ought to
10 be present at the meeting.

11 Q. These were marked as Deposition Exhibit 2, which
12 is a memorandum from Dr. Brzezinski to President, attaching
13 the summary of the conclusions reached at the meeting held
14 at 1:30, the 30th, and on that attachment is a list of
15 attendees from various agencies. Were these the agencies
16 selected in consultation with you and Colonel Odom?

17 (The document referred to was
18 marked for identification as
19 Deposition Exhibit 2.)

20 A. That is correct. There is no agency on the list
21 that was not discussed, to the best of my recollection.

22 Q. Were there other agencies proposed but ultimately
23 not included in the invitation list?

24 A. No.

25 Q. What was the rationale for including the Department

1 of Energy?

2 A. The Department of Energy was included because,
3 I am trying to recall whether I remember or somebody told
4 me along the line. It is probably the latter, that
5 radiation monitoring equipment and technical expertise for
6 assisting in handling some elements of the technical problems
7 at the plant site resided within that Department and that
8 they probably were going to be a part of any federal response
9 team, the effort that was put together. And as it turned
10 out that was correct.

11 Q. Did you know at the time that the Department of
12 Energy was on-site performing environmental monitoring?

13 A. No, as a matter of fact I had at the time the
14 -- at the beginning of the meeting in the Situation Room,
15 I was aware only that the Nuclear Regulatory Commission
16 staff was on-site and that -- but as to what other federal
17 agencies were on-site or on-route, I had no knowledge.

18 Q. I take it between the time your briefing broke
19 up and the meeting at the Situation Room, did you learn
20 that the Governor had issued an evacuation advisory to
21 pregnant women and pre-school children?

22 A. No, I don't know when I learned that fact. I
23 know that I may have learned it at the meeting. I may have
24 learned it at the meeting, but I don't recall having been
25 told of that before the meeting. It is entirely possible

1 that - was. I don't -- at the time it occurred, and as we
2 are talking now, I don't recall precisely when the Governor's
3 advisory was issued. If it had been issued before the
4 meeting, it's possible that I was advised.

5 Q. I think that when the meeting was convened at
6 1:30, there was a briefing on the technical situation by
7 Chairman Hendrie. Is that correct?

8 A. Correct.

9 Q. Did he discuss at all any of the conversations
10 he had had with Governor Thornburgh?

11 A. He referenced some communications. I don't
12 recall the substance of his report as to what those communi-
13 cations were and whether they were his personal conver-
14 sations with the Governor or whether he was reporting in
15 general on communication between state authorities and the
16 NRC staff. But clearly there was reference in the meeting
17 and in Hendrie's briefing to communications between state
18 authorities and NRC. That much I recall clearly, but as to
19 how precise they were and who was communicating with whom
20 I don't have a clear recollection.

21 Q. Look at page 2 of the summary of conclusions,
22 reference to the NRC briefing to an at present a limited
23 evacuation of children and pregnant women in a five-mile
24 radius has been announced by Governor Thornburgh. Did --
25 I take it that came from Chairman Hendrie?

1 A. My only, the only way I can confirm that is
2 from these minutes. I can't independently recall whether
3 he was the one who made the announcement. But I have no
4 reason to not believe that this summary is accurate.

5 A. I do recall that the bulk of the Chairman's
6 briefing had to do with technical issues; the character, the
7 material that may have been released in the atmosphere,
8 et cetera, and the technological situation at the plant
9 site.

10 Q. I take it your area of principal concern would
11 have come under the heading on page two of federal emergency
12 management arrangements?

13 A. Correct.

14 Q. And the structure that seems to be suggested by
15 these two paragraphs is that Harold Denton would be the
16 single source of information concerning communications
17 about conditions at the site to the White House, the Governor,
18 and the NRC. Do you recall discussion about that topic?

19 A. Yes, I do.

20 Q. Who was that proposed?

21 A. Well, the context in which this issue came up
22 was a report perhaps by both Dr. Brzezinski and Chairman
23 Hendrie, the subject was discussed by both of them and
24 others at the table during the course of the meeting. That
25 communication facilities were in desperately poor shape

1 because of the great and increasing press attention to the
2 accident. The reports of omission of material into the
3 atmosphere had caused very high levels of public anxiety and
4 concern and relatives, friends of people living in the
5 Harrisburg and Three Mile Island area were making phone
6 calls into the area. The normal telephone service communi-
7 cation's capacities were jammed. There was an explicit
8 discussion at that point about the conversation that the
9 Governor and the President had and the President's instruc-
10 tion that the White House Communication Agency immediately
11 install, what's referred to in the memorandum and around
12 here as signal drops, dedicated lines between the plant
13 site, the Governor's office, the Nuclear Regulatory Commis-
14 sion, and obviously the White House, to insure that there
15 would be open lines of communication.

16
17 It was in the context of talking about the
18 communications problem that it was also reported to that
19 meeting that Harold Denton was being sent to the facility
20 to head the federal presence in dealing with the problems
21 at the reactor site. The reference in this summary of the
22 meeting that Harold Denton at the NRC was presently at
23 the power plant will be the single source of information
24 about conditions at the plant was reference to a single
25 source of federal governmental information at the reactor
site or the plant.

1 Q. So you weren't talking about, at that point,
2 about dissemination of information to the public through the
3 media? You are talking about an internal governmental
4 communication line from the site to the White House, the
5 Governor, the NRC?

6 A. That's correct, contacts to that discussion was
7 we had to have somebody who was going to be responsible and
8 accountable and knowledgeable about conditions at the plant
9 and who understood what was happening and could be happen-
10 ing, who would be in a position to report to the White
11 House, report to the Governor, and report to other relevant
12 officials, state and local level, in a knowledgeable and
13 informed way and in a coherent way, and that to have such
14 a single source was critical.

15 Q. Were there any other information sources discussed
16 at that point?

17 A. In what sense, I'm not sure I --

18 Q. Well, for example, was it proposed that information
19 be obtained from the utility or from other sources on-site,
20 other NRC staff --

21 A. For the federal government or for the other
22 agencies that were --

23 Q. Were the recipients of the information from
24 Denton, for example, --

25 A. I don't recall that such a conversation or such a

1 discussion took place. The meeting was not an extensive,
2 detailed organizational meeting which one described in an
3 elaborate detail, who would seek information from whom, and how
4 it would be funnelled. Basic structural decisions were
5 made; decision on the point was that Harold Denton was the
6 federal government's man on the scene that would be the
7 source of information back to officials here in Washington
8 regarding what was happening at the site and would provide
9 information to the Governor on a regular and continuing
10 basis.

11 Q. Was it contemplated that you would also receive
12 information from the NRC commissioners? I mean you, meaning
13 the White House?

14 A. Well, it didn't need to be contemplated. It was
15 not -- we did not explicate a list of sources that either
16 the White House could or could not use, or reach out to.
17 It was not a subject of discussion in that context.

18 Q. The second paragraph refers to contingency planning
19 for emergency evacuation. Was the likelihood of evacuation
20 discussed at all?

21 A. Not likelihood. We were not discussing the
22 probabilities of an evacuation as I recall it. It was a
23 possibility of evacuation was on everybody's mind. The
24 briefing did not provide, neither the briefing nor the
25 discussion that followed the briefing from Chairman Hendrie,

1 was not definitive. One did not walk away, speaking for
2 myself, did not leave that meeting with a totally flushed
3 out understanding of precisely what was happening and what
4 the situation was. There was no, therefore, discussion of
5 probabilities or odds that evacuation would have to occur.
6 It was simply one thought that the Governor -- we were aware
7 of the fact that the Governor had already in a precautionary
8 move had advised young children and pregnant women to move
9 from the five-mile radius and the possibility that there
10 might have to be further movement of population away from
11 the reactor site was on our mind and explicitly discussed
12 but not with respect to probabilities.

13 The reason that the Defense Civil Preparedness
14 Agency was on this list of agencies to be invited to the
15 meeting in the first place reflects a sensitivity on our
16 part and others on the need, a sensitivity to the possibility
17 of evacuation activity since the Defense Preparedness
18 Agency is the agency of the federal government that works
19 with counties and other local officials in the maintenance
20 and preparation of evacuation plans. So the issue was
21 very much on our minds, but as I described it.

22 Q. The heading of press briefings and public releases,
23 there is a reference made to --

24 A. If I can interrupt one point to clarify another
25 element of this second paragraph under federal emergency

1 management arrangements, page two of this summary. The
2 decision at that meeting to recommend to the President that
3 the matter of the lead responsibility for coordination on
4 behalf of the White House of emergency preparedness, in
5 coordinating federal response to the local and state govern-
6 ments in the area, was more explicit than this summary
7 implies.

8 The FDA was clearly identified as the principle
9 operational agency of the federal government, but it was
10 also explicitly decided by Dr. Brzezinski, suggested by
11 Dr. Brzezinski and concurred by everybody at the meeting
12 that it would be appropriate to transfer the kind of lead
13 staff responsibility in the President's behalf at the
14 White House from the National Security Council and Dr.
15 Brzezinski to Jack Watson and his office in the White House
16 staff.

17 Q. That was going to be my question because there
18 is no explicit reference in this document to the transfer
19 of that responsibility. Do you recall how that came up?

20 A. Yes. At whatever point in the meeting it came
21 up, and my recollection is that it was roughly that point
22 in the agenda that we were talking about, number three on
23 the agenda, the matter of potential federal assistance
24 recognizing that we were talking about the assistance
25 primarily of domestic agencies of the federal government,

1 and with a domestic crisis it was Dr. Brzezinski himself
2 who observed that it would be appropriate at this point to
3 move an ongoing lead White House staff responsibility from
4 his office to Jack Watson's office, that since it was
5 recognized by Dr. Brzezinski and everybody else that Jack
6 Watson's unit had carried on those general responsibilities
7 in other circumstances in the past, as I mentioned earlier.

8 Dr. Brzezinski made that observation and it was
9 not a subject to discussion. I mean, there was nobody who
10 did not concur it immediately. He observed, he, Dr.
11 Brzezinski observed that whatever additional and continuing
12 staff assistance or technical assistance his staff could
13 provide was, of course, available to Jack Watson and his
14 staff, in picking up this responsibility.

15 Q. One more question before we leave that heading.
16 There is a reference to all agencies, all other agencies
17 coordinating directly through FDAA when the word is used,
18 "all agencies," words, "all agencies", are you -- was it
19 your sense that that reference intends to refer to the
20 Disaster Assistance Agencies like DCPA, and FPA and FDAA,
21 or are you talking about all federal agencies?

22 A. I think I agree with the distinction you are
23 driving at but let's pursue it a little. I want to make
24 sure I am answering the question you intend to ask. The
25 reference clearly focuses on all agencies of the federal

1 government that might be called upon to assist with respect
2 to emergency aid; the states, the counties and the population
3 around the Three Mile Island plant. It never referred to
4 and included or was believed by any of the principals with
5 whom I worked to include the Nuclear Regulatory Commission
6 in fulfilling its responsibilities under Harold Denton's
7 direction, in the field, to dealing with the technical
8 problems in the plant.

9 We were explicit about that at the meeting in
10 the Situation Room and in literally dozens of instances
11 subsequently when we were dealing with people for the first
12 time in explaining what our unit was doing. It was very
13 clear and explicit dichotomy between the management of
14 the plant and the hydrogen bubble and whatever was going
15 on inside that plant that was posing a threat to public
16 health and safety. And that that was the responsibility
17 of Dr. Harold Denton operating under the NRC and it was an
18 assignment that had been concurred and if not explicitly
19 made by the President himself.

20 The President had, through memorandum, and instruc-
21 tion to Jack Watson assigned to him the responsibility for
22 managing all federal agencies that would be called upon whose
23 assets might be called upon to assist in managing with the
24 emergency as it impacted on the population around the
25 plant insofar as that might involve NRC as well as the

1 Federal Disaster Assistance Administration, it would include
2 the NRC. But for those purposes it was a functional assign-
3 ment rather than a structural assignment that said, Watson's
4 responsible for coordinating these agencies and the NRC or
5 Harold Denton is responsible for coordinating others. It
6 had to do with the mission rather than.

7 Q. Okay, keeping that distinction in mind factoring
8 out the NRC for the moment, when the phrase is being used
9 "all agencies" how does DOE fit into that? What role was
10 perceived for DOE at that point?

11 A. DOE's role was no different in a generic sense
12 than any other agencies. That is to say, we intended in
13 pursuant to the President's instruction, to insure that
14 relevant and appropriate federal assistance would be
15 marshalled and made available to state and local authorities
16 and to others in assisting and resolving a crisis out at
17 the plant.

18 DOE, as I mentioned earlier, for example, had
19 assets that I don't believe were available in any other
20 federal agency to help in monitoring some aspects of the
21 radiation exposure; measuring devices and the like.

22 For example, some devices, I don't recall their
23 names, but some technical devices that DOE had at one of
24 its field facilities in Nevada were brought to the site
25 and used by DOE officials as part of the federal response

1 team in the field in monitoring radiation. So the DOE role
2 was in the same way that the Food and Drug Administration
3 had a particular technical capacity to help with agriculture
4 department and others in measuring exposure to food and
5 other substances that might be ingested by people.

6 In short, we were drawing upon appropriate federal
7 assets where they were found and applying them in relation-
8 ship to that agency's mission.

nd #2
jfb

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 One other point I'd like to make with respect to
2 the NRC, just so that the record is as complete as I can
3 recall -- under that general distinction I described, the
4 mission distinction, the functional distinction between Den-
5 ton and the NRC on the one hand, and Watson and emergency
6 assistance coordination -- there were several instances dur-
7 ing the next several days, operating under this rubric, in
8 which the NRC came to us for assistance in getting other
9 Federal agencies to provide technical equipment the NRC
10 needed, to cope with the technical problems at the plant site.

11 Q All right.

12 A And we certainly viewed that as an appropriate
13 part of the mission the President had assigned to us.

14 Q Indeed, pursuant to the agreement that had been
15 reached at this meeting --

16 A Absolutely. I mean -- what I don't want you -- I
17 don't want you, or anybody who reads this deposition, to
18 have the notion that it was somehow kind of a mindless,
19 rigid dichotomy made. There were occasions where the NRC --
20 Harold Denton, on the site, needed particular kinds of
21 equipment and resources that were available through other
22 Federal agencies, and which required the active intervention
23 or assistance of those agencies.

24 Denton would call us, or people on his staff would
25 call us from the plant site on these White House signal drop

1 lines, and ask us to call XYZ agency, and see if we can't
2 get them to assist the NRC, which we did, as I say, on a num-
3 ber of occasions. That may be the kind of bridge activity
4 between the two general functional mission assignments.

5 Q This memorandum speaks in terms of all other
6 agencies coordinating directly through FDAA, as opposed to
7 Jack Watson. Is it referring to the disaster assistance
8 agencies, with all of those agencies in turn being coordina-
9 ted through Jack Watson? I guess that's what I'm trying to
10 understand.

11 A All right. I think that's a point I would -- I
12 don't think that this summary of the meeting, with respect to
13 that sentence, is very clear or precise -- I think you're
14 right, in not being very clear as to what exactly came
15 from this.

16 The assignment was that Jack Watson would coordinate
17 the Federal government's assistance in the way I have just
18 now described. It was clear to everybody in the room, and
19 I believe it was Jack who made the point himself at the
20 meeting, that the FDAA would be the key operational agency
21 to which he would look in the field, on emergency planning --
22 potential evacuation planning, in tying together the Federal
23 response team on those issues.

24 And I think it was that confusion that may have
25 crept into this summary of the meeting. But it was clear

1 that the senior Federal official would coordinate the
2 Federal government's planning, in response to State and local
3 government, in managing the crisis, and planning for a poten-
4 tial evacuation, was Jack Watson, and not the FDAA, and
5 that it was Jack's judgment that the FDAA was the correct
6 and proper operational arm of the Federal government to
7 carry out his coordination responsibilities, and there was
8 never any doubt or question about that, in fact, as we
9 acted over the next days.

10 Q The final item was "press briefings and public re-
11 leases," and the sense of the memorandum is that press brief-
12 ings and public releases would be coordinated through Jody
13 Powell. What was the agreement that was reached at the
14 meeting? I take it Jody Powell was present?

15 A Yes, he was. Obviously, we were all aware of the
16 fact that press interest was very high -- public interest
17 was very high, and the press was reflecting that public
18 interest would be high and was going to get higher. So far as
19 the problem at the plant site -- it was a continuing one.

20 It was apparent to us -- and again, it was not a
21 very long conversation, it wasn't a detailed operational
22 decision about who would talk to whom, it was just a general,
23 strategic decision, if you will -- very much like the one
24 in which the lead coordinating responsibility was given to
25 Jack Watson -- general and obvious and unanimous concurrence

1 by those present that, in giving official information about
2 the Federal government's activities from Washington, that
3 would be an appropriate mission for the White House press
4 officer -- press secretary of the President; that, consistent
5 with our earlier discussions and decisions, that Harold
6 Denton would be the source of information at the plant
7 site, and everybody was comfortable that that kind of general
8 strategy would both serve people's legitimate right to know
9 what was going on, in a timely and complete way, but would
10 also provide the necessary coordination across multiple
11 sources of information.

12 Obviously, we were concerned that the -- that with
13 so many different players on so many different levels of
14 government, that -- as clear and direct a line of communica-
15 tion out to the public be put in place, and people would
16 have a reliable source of information with which to go.
17 That was a public anxiety, and people's legitimate concern
18 about knowing what was going on, was very much a part of our
19 thinking with respect to how we were going to respond to all
20 of this.

21 Q Okay. Within that context, when the memorandum
22 speaks of press briefings and public releases being coordina-
23 ted through Jody Powell, was it -- how would that -- how
24 was that intended to operate mechanically at that point?
25 Would the various -- let me give you some examples.

1 Would the various agency press information offi-
2 cers, public information officers, having releases to put
3 out, or inquiries from the press, coordinate, or in other
4 words clear with Jody Powell, the release, and put it out
5 through their own office? Or was it intended that they would
6 funnel information into Jody Powell's office for dissemina-
7 tion to the public?

8 A This person's recollection -- that kind of issue
9 was not discussed and resolved. I don't think that we
10 thought at that meeting about specific examples of that
11 sort, which would pose a -- you know, kind of a management
12 decision, of who was going to release this information -- was
13 it going to be the public information officer of XYZ agency,
14 or is it going to come through the White House?

15 It was a general decision that the public infor-
16 mation process is properly one in the press office of the
17 President of the United States -- the White House is involved,
18 the President's going to ask Jack Watson to coordinate the
19 Federal response, and there's going to be a clear, visible
20 White House kind of lead here, kind of coordinating the
21 Federal government.

22 As I say, it was not a matter that was the subject
23 of extensive or detailed operational discussion. It was
24 just a --

25 Q Well, would it be fair to say that the statement

1 in the memorandum really reflects nothing more than a sense
2 and an agreement that there ought to be one source on the
3 emergency response side of the ledger, where Harold Denton
4 is the one source on the technical side?

5 A Correct.

6 Q One question I had is -- taking up Exhibit Number
7 1 again, that refers in its agenda to --

8 A Are we looking at the agenda?

9 Q Yes.

10 A I've got it.

11 Q Coordinating the press line for today and contin-
12 uency press lines for worsening situations -- was that done?

13 A I can't speak from personal knowledge that it
14 was done. From the conclusion of that meeting on, the rest
15 of that afternoon and evening, I spent virtually all of my
16 time working on getting the logistical machinery rolling,
17 to assist the governor and the local governments in dealing
18 with the emergency planning requirements.

19 I can't elaborate on that -- I just don't know
20 what additional steps were taken in response to public in-
21 formation requirements.

22 Q Okay. I take it that after the meeting, there
23 was a further meeting with some of these agency representa-
24 tives to work out the mechanics?

25 A Yes.

1 Q Is that fair to say?

2 A That is correct.

3 Q And do I understand that Mr. Wilcox from the FDAA
4 was urging a declaration of emergency --

5 A The timing becomes a question. I don't recall when
6 Bill Wilcox first suggested that a declaration of emergency
7 would be appropriate and desirable.

8 Q Okay.

9 A That he made such recommendations is clear and
10 unambiguous.

11 Q Okay. Is that that afternoon that --

12 A I don't recall. He made it to me in writing, or to
13 Jack Watson and me in writing, on more than one occasion; he
14 did it on the telephone. Whether he did it clearly and
15 unambiguously that afternoon, I just -- I simply don't re-
16 call. The meeting that took place following -- the meeting
17 in the Situation Room occurred in Jack Watson's office,
18 and Bill Wilcox participated in it.

19 And I simply do not recall whether at that meeting
20 for example, he suggested a declaration.

21 Q Okay. What was the purpose of the meeting after --
22 or the substance of the meeting after the meeting with Dr.
23 Brzezinski and --

24 A The meeting was called by Jack in his office, and
25 involved both the Federal Disaster Assistance Administration

1 and the Defense Civil Preparedness Administration staff.
2 We were all present, such as myself, and I don't recall
3 who else was there, but we -- the two agencies of the Federal
4 government that had been represented at the meeting in the
5 Situation Room, who were represented in Jack's office, were
6 DCPA and FDAA.

7 And the purpose of the meeting was to make assign-
8 ments as to which agency would take the lead in the field,
9 and what staff ought to be immediately dispatched to the
10 field to begin assisting, and taking the lead for the Federal
11 government in assisting the state and the local governments
12 in their preparations for a potential evacuation, or other
13 contingencies.

14 At the meeting in the Situation Room, that issue
15 was discussed briefly, and Bill Wilcox, as I recall, even
16 suggested at that meeting that it might even be appropriate
17 if he went to Harrisburg, or to the Three Mile Island site,
18 to in fact take personal charge of the Federal team in the
19 field, on the disaster assistance side.

20 No decision was made at that meeting -- it was
21 just a suggestion Bill had made. Bill, I think, comes from
22 Pennsylvania, as a matter of fact, and has some operational
23 experience in state government there. In the meeting in
24 Jack's office, we determined a couple of things -- number one,
25 that it would be a mistake to send the head of the Disaster

1 Assistance Administration into the field -- that we needed
2 to keep Bill Wilcox here, coordinating and providing the lead
3 for FDAA in Washington, dealing as he does routinely with
4 the heads of other agencies -- his counterparts across
5 the Federal government in Washington, that he should design-
6 nate himself the best person from his operation to assume
7 the responsibility for lead Federal official, if you will,
8 out in the field.

9 And as it happened, the person he was most com-
10 fortable with, and had the most confidence in, was the FDAA
11 Regional Administrator from Philadelphia, which is a Federal
12 regional headquarters city.

13 Q Robert Adamcik?

14 A That's correct.

15 Q A-D-A-M-C-I-K.

16 A Bob Adamcik was -- determined at that meeting that
17 being the FDAA official who would be sent to the field -- I
18 believe we called Bob Adamcik from that meeting at that
19 time, and advised him of his assignment, and instructed him
20 to begin moving immediately towards Harrisburg, and to make
21 contact with the Governor's office and the Governor's
22 disaster preparation people, and to provide whatever assis-
23 tance was needed, and give him -- in the course of his
24 doing business out there, and -- on-site, needed our assis-
25 tance, just to keep us, A, advised of what was happening, and

1 B, to call upon us for whatever assistance was needed --
2 also determined at that meeting that DCPA officials should
3 go into the field as well, and begin meeting with -- at the
4 county level, with people who in fact had been responsible
5 operationally for the development and maintenance of eva-
6 cuation plans which are county-based, and which had been
7 developed under the Federal coordination of the Defense
8 Civil Preparedness Agency, since it was a Civil Defense aegis
9 under which these evacuation plans were originally developed
10 a number of years ago.

11 I think John McConnell was the official who was
12 sent out to the field, but that's something that would have
13 to be checked. I know -- McConnell did not stay out in
14 the field indefinitely -- Adamcik stayed for the duration.

15 Q So the substance of that meeting following the
16 meeting in the Situation Room was to send Federal represen-
17 tatives, or to appoint particular Federal representatives, to
18 go out into the field and start coordinating and assisting
19 the State in the development of its own evacuation plans?

20 A That's correct. And let me -- not just to assist
21 the State in developing evacuation plans, but to assess -- to
22 assess the quality of the evacuation plans that were extant.
23 We knew evacuation plans existed.

24 What nobody could be certain of, was whether the
25 plans that existed were appropriate to meet potential

1 requirements in light of the situation unfolding at Three
2 Mile Island. So an assessment was required first, and then
3 and only then, if there was a need for further development
4 or improvement or amendment of those plans, to provide what-
5 ever assistance was needed to do that.

6 Q Am I correct that at some point during that after-
7 noon, the question came up of whether or not the President
8 should declare a state of emergency and bring into play the
9 Federal resources?

10 A The subject came up. I don't -- I simply don't
11 recall when it first came up, but there was no question that
12 came up -- and it came up relatively early. It may have
13 come up -- there's no point in speculating as to when it came
14 up. It came up but I don't remember precisely when.

15 I do know it was Bill Wilcox who raised it.

16 Q All right. Would you summarize the reasons that he
17 was advancing for declaring the state of emergency?

18 A Yes. Bill believed that from the standpoint of
19 operations of the Federal government and its multiple arms
20 that would be involved in providing assistance, that to
21 have a gubernatorially-requested and Presidentially-
22 declared state of emergency would set in motion and provide
23 authorities for actions to be taken that might otherwise be
24 more difficult to direct, or to have occur, without that
25 declaration of emergency.

1 For example, he pointed out that some budgetary
2 resources, which are only available under a Presidentially-
3 declared state of emergency, would not be available to help
4 defray costs of some of the items without the declaration.
5 So it had to do with the management capacity, in his view, of
6 how effective a response we'd be able to mount.

7 Those were the arguments, primarily. I mean, that
8 summarizes the arguments he was making in path of the decla-
9 ration. But bear in mind, normally, the declaration of
10 emergency is in response to a request for a declaration of
11 emergency, that is brought by the governor of the affected
12 State. It's not a unilateral determination.

13 Q Was there anyone urging that an emergency not be
14 declared, if it had been requested?

15 A No, no. As a matter of fact, the -- again, whether
16 it was at that meeting in Jack's office, following the
17 Situation Room discussion, or when -- but early, in that pro-
18 cess, it was determined that we should put in motion the
19 processing and preparation of those documents that the
20 Federal government would be responsible for preparing and
21 processing, if and when the governor made a request for
22 declaration of emergency, so that if such a request were
23 made, the Federal government's response would be virtually
24 instantaneous to the request that there would be no delay
25 in responding to the request.

1 We weren't prejudging the outcome of the decision
2 that the President might be called upon to make, but simply
3 that the President would be able to decide whether to declare
4 an emergency, as I say, virtually instantly upon the receipt
5 of a request from the governor. And that was done. As a
6 matter of fact, somewhere in the documents you've had access
7 to is a certification, I think, by Wilcox at some point
8 that the papers are prepared, and that they're ready for
9 execution if a request were made.

10 Q Do you recall whether there was any telephone
11 call from Jack Watson or his office to the governor's office
12 requesting the governor or his staff not to request a de-
13 clarations of emergency?

14 A I have a recollection that no such phone call was
15 made.

16 Q No such phone call was made.

17 A Certainly, no phone call of that sort was made in
18 my presence, and I know of no such phone call made by Jack
19 Watson urging that a declaration not be made. The conver-
20 sation -- Jack talked to the governor either during or
21 shortly after the meeting that we've just been discussing
22 in which Bill Wilcox and John McLain from DCPA were present,
23 to advise the governor that lead Federal coordinating respon-
24 sibility had been moved to his office, that he was available
25 to the governor day or night to take any questions or provide

1 any assistance that he could, and to advise the governor
2 with respect to the assignment in the field of Bob Adamcik,
3 and to indicate that we were sending relevant and competent
4 Federal officials to the scene to help him and local
5 government officials do the work that needed to be done.

6 That was the purpose of that phone call. I do not
7 recall whether the emergency declaration question was dis-
8 cussed at that time.

9 Q Do you recall whether the emergency declaration
10 question was discussed in phone calls between Jack Watson's
11 office, or your office, or anyone in the White House staff
12 in your presence, and the governor's staff, as opposed to the
13 governor?

14 A Absolutely. I myself had at least one, and pro-
15 bably several conversations. As a matter of fact, I would
16 say certainly I had at least two, and perhaps more, con-
17 versations with members of the governor's staff, specifi-
18 cally Jay Waldman, the governor's executive assistant -- that's
19 his title, regarding that matter.

20 And I believe I made clear to Mr. Waldman and
21 others that of course we were ready to respond as quickly
22 as humanly possible, if a request for an assist -- declara-
23 tion of disaster or emergency were made, that it was a
24 decision that the governor had to make, that we were not ad-
25 vising the governor to make, or not to make, such a request --

1 I wanted it to be perfectly clear that Jay Waldman and that
2 the governor understood that there would be no lag time, if a
3 request were made. We'd move the decision very quickly --
4 that the -- Jay Waldman advised me during those conversa-
5 tions that it was their assessment, from their perspective
6 in the field, as local officials, that a request for a
7 declaration of emergency would not be well-advised.

8 We did not disagree with their assessment. We in
9 no way tried to second-guess that judgment. I went further --
10 I told Jay Waldman that that was a call they had to make,
11 obviously -- that we would do everything we could to insure
12 that the Federal government would be able to respond to
13 their needs, in coping with the situation on-site and in
14 the surrounding counties and communities, and that if in my
15 judgment we were having operational difficulties meeting their
16 needs, providing the support and services they indicated to
17 us were required to get the job done, in terms of meeting
18 the emergency situation, that I would advise him immediately.

19 I had a signal drop phone in my office. All I had
20 to do was pick it up and push the button -- I was talking
21 to Jay Waldman -- advise him immediately that I thought,
22 based on the operational experience I was having here in
23 Washington, that he would be well-advised to advise the gover-
24 nor to make such a request.

25 I never felt it necessary to give Jay Waldman that

1 advice. Jack Watson, I don't believe, ever felt it necessary
2 to give the governor that advice. But we had a clear and
3 explicit understanding between the governor's office and
4 our office that if, from their perspective, a request for a
5 declaration were essential, that we would process the re-
6 quest instantly, and if, from our perspective, in managing
7 the operations and coordinating the operations of the Federal
8 government, a request for a declaration was necessary to
9 meeting their needs, we would so advise them.

nd 3
ape 4
10 Q As of that Friday afternoon, did you have a sense
11 of whether the Federal government had a -- meaning the
12 White House staff, coordinating the Federal response, did
13 you have a sense of whether the Federal government had a
14 position with respect to the governor requesting that emer-
15 gency, whether you felt that that request was necessary?

16 A It would be an exaggeration to attribute a position
17 to the Federal government in this circumstance. I mean,
18 bear in mind that Friday at 1:30 in the afternoon was the
19 first time that the relevant agency representatives all
20 gathered in one room at one place to kind of discuss the
21 situation.

22 Q You're talking principally, I guess, about you and
23 Jack as coordinators of this effort?

24 A Yes, I think that, speaking for Jack and myself,
25 we had a position that we thought that the governor's

1 perception of what was needed, in terms of allaying public
2 anxiety, in order to deal with the problems in an orderly
3 way that might unfold in the hours and days ahead -- that we
4 should take our lead on this question from the governor,
5 and that, if it was the governor's judgment that no declara-
6 tion of emergency assistance was required, that we would
7 concur in that, unless, as I said a moment ago, we believed
8 the absence of a declaration was hampering our ability to
9 respond to the governor's needs and to local government's
10 needs in coping with the crisis.

11 That was the edge on which we were walking, and we
12 believed that the governor was in the best position to make
13 the assessment as to whether an emergency assistance re-
14 quest, by itself, would add, to an unacceptable degree, a
15 level of public anxiety and potential panic, in a situation
16 in which -- by its very definition, not very clear to the
17 population at large as to what was happening.

18 Q Did you ever hear of any discussions or calls on
19 Friday afternoon between the White House and the governor's
20 staff, the substance of which would have been that a decla-
21 ration, or request by the governor for a declaration of emer-
22 gency, was not needed and not advisable because the governor
23 would be supplied everything he needed in the absence of
24 a declaration, and that it was not advisable because it might
25 raise public apprehension?

1 A Where the initiative was coming from the White
2 House in taking that position, vis a vis the governor?

3 Q Yes.

4 A The governor's staff? No, my recollection is, as
5 I just reported it -- and I myself was party to several of
6 those -- to several conversations between the governor's
7 staff and the White House, in which it was our clear percep-
8 tion that the governor's view, the governor's office view,
9 was that a declaration of emergency was not needed at this
10 point, as long as they -- they were very clear about this.
11 They wanted to be certain that there would be provision of
12 Federal assistance, appropriate Federal assistance -- that they
13 would not be denied assistance, that would be forthcoming
14 otherwise, were a declaration made.

15 I assured Jay Waldman that we would make the
16 appropriate Federal assistance available, as if a declara-
17 tion had been made, requested and made, but that if the time
18 came when that was not possible -- some resources were re-
19 quired that could only be made available under conditions of a
20 declared emergency, that I would so advise him.

21 And it was on that very clear understanding that
22 we proceeded, literally hour by hour and day by day. It was
23 always subject to a change based on our respective experi-
24 ences, he in Harrisburg and me in Washington -- Jack Watson
25 in Washington.

1 Q There was no request as far as you know by the
2 White House to the governor's staff that the governor not
3 request an emergency declaration?

4 A No, no, not to my knowledge. We discussed the
5 matter, as is obvious from this exchange between us, expli-
6 citly. You know, it was not a subject that was left to
7 speculation, both because I think the issue -- and this is --
8 I think the issue was raised by me with Jay Waldman on more
9 than one occasion, and because Bill Wilcox had taken the
10 initiative, as the Director or the administrator of the FDAA,
11 to suggest that a declaration be asked from the governor.

12 Our judgment was that the governor was in the
13 best position to make that call, and that we would support
14 him in that decision, and that's an important general point
15 to make, and I'll underscore it at this point in our con-
16 versation, that our posture, vis a vis the state and local
17 governments, was one of support -- the lead for a decision
18 to evacuate, the lead for a decision to declare an emergency,
19 the lead responsibility for coping, in an operational sense,
20 with the effects of this accident on the population in and
21 around Three Mile Island, was a state and local government
22 responsibility.

23 At no time was the responsibility for leading the
24 government's response ever viewed inside the White House, or
25 inside the Administration, as a Federal responsibility -- that

1 under the laws and under traditions and practices, and experi-
2 ence of coping with disasters and emergencies of one sort and
3 another, the Federal government's assets are made available
4 in support of local and state government, where the public
5 accountability reposes for making the decisions that have to
6 be made.

7 So, whether it was marshalling cots and blankets
8 and temporary housing facilities, or whether it was making a
9 decision with respect to declaring a state of emergency, or
10 requesting that a state of emergency be declared, our pos-
11 ture, our attitude, was to support the Governor, who was
12 the operational official -- the senior political and elected
13 official on scene.

14 Q Later that afternoon, I take it that there was a
15 meeting with Jody Powell and Jack Watson. Did you attend
16 the meeting?

17 A I do not believe I did. I don't recall partici-
18 pating in that meeting.

19 Q There was also a briefing supplied for Secretary
20 Califano. Were you involved in that?

21 A There was a telephone call -- yeah, I think I was
22 in Jack's office when Jack talked to Secretary Califano, at
23 least for part of that conversation. I don't recall that they
24 had a face-to-face meeting that afternoon.

d bd 25 Q Could you tell me what the substance of the telephone

1 call was, as you understood it?

2 A There were -- I don't recall all of it. The phone
3 call in part dealt with the request that Jack was making at
4 the Center for Disease Control -- which is located in Lanham
5 which is an agency of HEW -- begin to gear up to provide the
6 necessary medical screening and other resources and
7 assistance that might be necessary in the case of more serious
8 exposure to radioactive materials in which we would have to
9 do a fair amount of public screening -- that is, screening
10 of the public -- to assess exposure.

11 Up to that point, it was our understanding that the
12 exposure levels had not been so great that the -- that public
13 health was in jeopardy. Obviously, we were mindful of an
14 accident occurring or of the accident worsening. Public
15 health aspects were very much on our minds. So I know that
16 was discussed, and also the need to provide some public
17 health resources and assistance if an evacuation occurred.

18 We knew that there would be public health and
19 medical problems associated with an evacuation with the
20 numbers of people that were contemplated if an evacuation
21 had to occur.

22 Those were subjects of the conversation. There may
23 have been others. I just don't recall. I wasn't on the call.
24 I was not listening or participating in the phone call on an
25 extension.

1 Q I will show you what has been marked as Deposition
2 Exhibit 3, which is a memorandum from the President to Jack
3 Watson appointing Jack Watson as Federal coordinator.

4 (The document referred to was
5 marked Deposition Exhibit 3 for
6 identification.)

7 Q Was that memorandum produced as a result of a
8 personal conference between Jack Watson and the President, to
9 your knowledge?

10 A I don't know.

11 Q But is it your understanding that the President's
12 appointment of Jack Watson was a recognition or ratification
13 of the decision made at the meeting with Dr. Brzezinski --

14 A That's correct.

15 Q -- in the Situation Room?

16 A That's correct.

17 Q I show you what I have marked as Deposition
18 Exhibit 4 which is a memorandum from Jack Watson to the
19 President concerning Federal contingency plans, Three Mile
20 nuclear facility. It is dated March 30.

21 (The document referred to was
22 marked Deposition Exhibit 4 for
23 identification.)

24 Q I take it, from the White House chronology, that
25 that memorandum was prepared shortly after -- sometime after

1 5:00 p. m. that evening.

2 A That's correct.

3 Q Did you assist in the preparation of the memorandum?

4 A I did..

5 Q Does this memorandum summarize the activities that
6 you have been describing?

7 A Yes.

8 Q Is there anything that you considered at the time
9 or consider now to be of special significance that was not
10 included in this memorandum?

11 (Pause.)

12 A No. For example -- I mean maybe you have
13 something specific in mind, because I -- that was the first
14 of several --

15 Q First of several status reports.

16 A -- status reports we provided to the President.

17 Q I take it that that evening at about 5:00 that
18 there was a White House press briefing by Jody Powell shortly
19 after 5:00 o'clock. Did you attend the briefing at all?

20 A I went down to the Press Room briefly. I spoke
21 with a county commissioner from Dauphin County, a man by the
22 name of John Minich from the Press Room who had been trying
23 to reach us, and I think I returned his call from an office
24 outside the Press Room. While I went down to listen to the
25 press briefing, I ended up on the phone in an office and did

1 not listen to the press briefing.

2 Q At 9:15 you and Jack Watson spoke with Secretary
3 Califano and Rick Cotton, who is Executive Secretary within
4 HEW, about hearings. What is that a reference to?

5 A It's a reference to the fact that earlier in that
6 evening our office had been contacted by the Congressional
7 Liaison staff of the White House and advised that Senator
8 Kennedy was beginning to think about the schedule for his
9 subcommittee on health to hold public hearings on the
10 accident, focusing specifically on the public health aspects
11 of the accident.

12 It was a question of the timing. Jack had spoken
13 earlier in the day to an aide to Senator Kennedy, a man by
14 the name of Horowitz, about those hearings and setting a
15 date for the hearings which I think earlier had been set for
16 the 31st, literally the next day, Saturday.

17 It was a general -- our general sense -- following
18 our conversation and following the conversation with Rick
19 Cotton and Secretary Califano -- that the situation was still
20 unfolding, that it would be very hard to take the senior
21 officials in the Federal Government, who are responsible for
22 the public health aspects -- these are the secretary for
23 health, it's also the surgeon general, the head of the
24 Food and Drug Administration, the obvious senior officials of
25 the Federal Government -- who are responsible for the public

1 health aspects of managing the problem, the accident, and
2 have been as soon as the next day, Saturday, on the witness
3 stand talking authoritatively and definitively about what
4 has -- what had happened and what the public health conse-
5 quences were. We were talking about that. I'm really
6 summarizing for you the results of our conversations with
7 Secretary Califano. That was the subject matter and that
8 was the purpose of that conversation.

9 Q The hearings were, in fact, postponed.

10 A That's correct.

11 Q Who obtained the postponement?

12 A Jack Watson talked to Mr. Horowitz following our
13 conversations with the Secretary and our further conversations
14 with Congressional Liaison Staff at the White House, and one
15 additional conversation I believe I had with Mr. Horowitz
16 that intervened. But I think the final -- the conversation
17 where agreement was reached, that Saturday the 31st, would
18 be too soon and that, from our perspective, we needed to
19 have those senior officials working and dedicating their
20 energies to managing the problem out in the field, and that
21 that was a higher priority calling at the time and was
22 concurred in by the Senator's staff and the decision was made
23 to postpone. I don't believe we set the date at that time,
24 but it was postponed.

25 Q I take it your principal activities throughout the

1 remainder of Friday, Friday evening, were concerned with
2 logistical assistance in obtaining supplies of potassium
3 iodide for the area.

4 A That's correct. There are really several levels of
5 activity. One was the -- I did a fair amount of briefing on
6 the phone of Congressional delegation members -- that is,
7 Congressmen from the districts around Three Mile Island,
8 some of whom were out in the field and others were still in
9 Washington, or the staffs.

10 Frank Moore's office was referring -- by prior
11 agreement, was referring a number of calls to us. After
12 the decision was made to transfer the lead coordinating
13 responsibility to Watson, the Congressional Liaison Staff
14 needed to have people who could speak authoritatively to
15 the Congressmen and their staffs about what was happening,
16 what was the Federal Government doing, so that these
17 Congressmen would be informed in responding to their
18 constituency inquiries --

19 Q So that internally Frank Moore's office had agreed
20 with your office, I take it, to refer Congressional inquiries
21 concerning Three Mile Island to you.

22 A My recollection was that they suggested that those
23 inquiries be referred to us, and we agreed to accept them.
24 So there were three or four calls that afternoon and evening
25 that I took from members of the delegation from around Three

1 Mile Island, the conversations we just talked about with
2 respect to the Congressional hearings, spoke with Wilcox at
3 least once regarding the movement and how soon our Federal
4 representatives were going to arrive at their stations in
5 the field.

6 We then did have the question of the potassium
7 iodide availability raised. I spent some time later that
8 night working with the Defense Department and with the HEW
9 officials regarding the movement of that potassium iodide.

10 Q I take it that you left late that evening, Friday
11 evening --

12 A I did.

13 Q -- and came back.

14 A My own phone log shows that my last phone call was
15 at twenty of 11. So it must have been 11:00 or after when I
16 left.

17 Q I show you what I have marked as Deposition Exhibit
18 5 which is a memorandum dated March 31, 1979 from Col. Odom
19 to Dr. Brzezinski.

20 (The document referred to was
21 marked Deposition Exhibit 5 for
22 identification.)

23 Q In the first sentence of the memorandum, the
24 Colonel purports to be summarizing, in effect, the situation
25 as of 0900 on the 31st. Also in that memorandum he indicates

1 that the Governor is moving closer to requesting a Presidential
2 declaration of emergency and cites as reasons for that the
3 absence of a quick solution to the hydrogen bubble problem,
4 the NRC/HEW judgments that a large amount of radioactivity
5 could be released and also that NRC and Civil Defense
6 judgments that a 20-mile radius -- not just downwind -- but a
7 20-mile radius should be evacuated which might affect as
8 many as 600,000 people.

9 Were you aware of that kind of movement on
10 Saturday morning?

11 A On the part of the Governor?

12 Q Yes.

13 A No; that is, when you say "movement", moving
14 closer to requesting a declaration of a Presidential emergency?

15 Q Yes.

16 A No, I was not.

17 Q Was it communicated to you at all on Friday after-
18 noon or Saturday morning that the Governor was considering
19 requesting a declaration of emergency?

20 A Let me just -- if you don't mind, let me just check
21 my phone log for the 31st. The second status report, which
22 was sent to the President by Jack on March 31 -- and the
23 precise time at which that was sent I can't certify -- but
24 Jack's memorandum to the President, in fact, explicitly states
25 that: "The Governor continues to share my view that there is

1 no current need to make a formal request of you that a state
2 of emergency be declared." He goes on to point out that
3 there are minor, bureaucratic obstacles to getting contingency
4 planning and support work accomplished but we are cop'ng
5 with the situation.

6 In short, based on direct conversations with the
7 Governor -- and I was just looking at the phone log -- I
8 have no -- I had no early conversations that day -- just
9 looking -- well, at 11:15 that morning I had my first conver-
10 sation with J. Waldman, where he called me to give me a
11 status report. My own phone log says that Waldman reported to
12 me as of 11:15 that morning that an emergency request was not
13 necessary yet.

14 So our evidence that is coming to us directly from
15 the Governor and the Governor's office was that the status
16 from the previous day regarding the need for an emergency
17 declaration had been unchanged.

18 Q You had no knowledge of the concerns raised by
19 Col. Odom in his memorandum then, --

20 A This -- the first -- that is correct.

21 Q -- that the Governor, as of Saturday morning, was
22 becoming more concerned and moving toward requesting a
23 declaration of emergency.

24 Q That's correct. I had no -- I had no personal
25 knowledge of the views that Col. Odom attributes to

1 Governor Thornburg and, in fact, had -- from the sources I've
2 just referenced, the Governor's executive assistant and a
3 conversation Jack had with the Governor himself -- a different
4 perspective.

5 Q Your phone log indicates that early in the day on
6 Saturday you spoke with Secretary Califano. Do you recall
7 what the substance of that conversation was?

8 A I'm just looking at the number of phone calls that
9 day. I don't recall the substance of that conversation,
10 regrettably.

11 Q Let me show you what I have marked as Deposition
12 Exhibit 6, which is a memorandum from the Secretary to Jack
13 Watson, dated noon, March 31.

14 (The document referred to was
15 marked Deposition Exhibit 6 for
16 identification.)

17 Q Do you recall having that memorandum --

18 A Let me try and go back just a minute. I'm looking
19 at this phone log, and it says that at 9:49 a.m. Secretary
20 Califano called Jack Watson, unavailable. If that's the
21 phone call you're referring to, it doesn't say that I spoke
22 with Secretary Califano at 9:49. So it's -- and I notice
23 that in each one of the other entries where I spoke with an
24 individual, it's noted that I did the -- I spoke with the
25 individual or Jack spoke with the individual who called, and

1 I'm just suggesting it's entirely possible I didn't -- that I
2 did not take that call.

3 Q Okay. I'm just -- what I have referenced Saturday
4 morning -- looking more like 10:40 Secretary Califano spoke
5 with --

6 A Okay, yes, with both Jack and me, okay. I'm sorry.

7 Q And that is the conversation you don't remember.

8 A That's right. It still doesn't come back even at
9 10:40, although it's more recent than the 9:00 -- the 9:49
10 call.

11 (Laughter.)

12 Q Okay. Do you recall Deposition Exhibit 6 --

13 A Yes, I do.

14 Q -- coming into the office?

15 A I do.

16 Q Who was present when that came in, when that was
17 delivered?

18 A I believe both Jack and I were. There may have been
19 others present at the time but I don't recall who else was
20 present in addition to our clerical staff.

21 Q Do you recall reviewing the memorandum in Jack
22 Watson's presence or both of you reviewing the memorandum and
23 discussing it?

24 A Yes, yes.

25 Q Could you tell me the substance of the discussions

1 after you read the memorandum?

2 A Well, we discussed -- both read with great care and
3 discussed -- the content of the memorandum and the recommenda-
4 tions that the memorandum made to Jack.

5 Q Specifically, on page two there is a recommendation
6 made in underlined language to the effect that -- recommending
7 to Jack Watson that he seek assurances from the NRC that the
8 reactor is cooling safely and if those assurances can't be
9 obtained that he consider recommending to the Governor the
10 need of evacuation.

11 A Our -- do you want me to comment on that recommenda-
12 tion?

13 Q Was there any discussion of that recommendation?

14 A Yes. There was a discussion of substantive
15 points made in this memorandum that Secretary Califano sent.
16 In general, our reaction to the memorandum was to take it
17 quite seriously and to recognize that it was a communication
18 from the senior health official of the Government, based on
19 consultations he had had with his technical experts and
20 officials inside HEW.

21 We were also mindful of the fact that the technical
22 advice regarding the situation inside the plant -- technical
23 information and understanding of what was going on inside
24 that plant -- was not necessarily best achieved from HEW.
25 That is to say a judgment by a public health official about a

1 potential public health threat that was going to be
2 determined by events occurring at a nuclear reactor site
3 required not only the assessment of the public health people,
4 but required the assessment of the technical people who
5 were managing the situation at the site itself.

6 We were also mindful, at the time this memorandum
7 was received, that officials with responsibility for the situa-
8 tion on the scene with the support of the Federal Government
9 were working very hard, literally around the clock, to
10 prepare the necessary plans and contingencies -- contingency
11 resources to cope with any evacuation, partial or total, that
12 seemed indicated and that would be called upon by the
13 Governor.

14 In that context, we did not -- Jack did not conclude
15 that it would be wise to recommend to the Governor that an
16 immediate evacuation occur but that, rather, the Nuclear
17 Regulatory people on the scene who have been designated early
18 on through Dr. Denton, Harold Denton, that that link remained
19 the principal advisory link on the circumstances and situa-
20 tions at the reactor site itself and its impact -- or its
21 effect on the need for or advisability of an evacuation.

22 Q Do in effect the decision with respect to the
23 Secretary's recommendation was that, although it was
24 considered seriously, if an evacuation recommendation were to
25 be acted upon, it would be more appropriately acted on as a

1 result of advice from the NRC at the site. Is that what I
2 hear you saying?

3 A That's right, that's very close to our thinking --
4 in -- a couple of things. We did not believe -- we did not
5 eliminate from our minds the possibility that an accumulation
6 of evidence would come to us from our perspective in the
7 White House that might lead us to either recommend that the
8 President or some Federal official in Washington, including
9 Jack Watson, call the Governor and advise him, based on our
10 perspective and based on the information and accumulated
11 evidence we think we have, that we have reached a point where
12 an evacuation is advisable. We didn't dismiss that
13 possibility.

14 But I want you to know that our general posture
15 was not to be making advisory recommendations to the
16 Governor for actions that would require a balance of informa-
17 tion, a judgment, based on first-hand exposure to information
18 and facts and circumstances that could only be known there,
19 at the site and in Harrisburg, the state capital.

20 I want to be very precise about how I state this
21 to you, because I don't want you or anybody who reads this
22 deposition to think that we "precluded" a potential role or
23 giving of advice. We made no conscious decision that in no
24 circumstances will we make advice -- or give such advice to
25 the Governor, but that we did operate from the presumption

1 that the Governor had access to the communications facilities
2 that the White House had installed to -- to the best and the
3 most current and the most technical information the Federal
4 Government could provide on what was happening at that
5 reactor site, and that that probably was the determinative
6 information, along with the Governor's assessment from his
7 own technical people and public health authorities available
8 to him, both within HEW and the state public health
9 authorities, that all of that information and evidence had to
10 be weighed by the Governor there and that he was in a better
11 position to make that kind of judgment ultimately than were we.
12 So I'm trying to describe a predisposition rather than a
13 dichotomous, "either/or" proposition.

14 Q Let me pick up that context, then, that being the
15 case. Was there any discussion about informing the Governor
16 that you had just received this kind of strong recommendation
17 from the senior health official of the United States?

18 A Yes, and I'm trying to -- if you'll give me a
19 minute just to check the phone logs.

end tape 5

1
2 A The reason I am going through the materials for
3 that day, the 31st, is that I do have a recollection that
4 the thrust of the Califano memorandum was discussed by Jack
5 with the Governor that day. I am just checking the phone
6 calls.

7 At a minimum, we discussed the content of the
8 memorandum with Denton in the field, in the context of my
9 earlier comments about our sense that the link between this
10 kind of public health perspective and the technical informa-
11 tion about what was happening at the facility was very
12 important.

13 I notice in the phone logs, and I don't remember
14 this, but I notice that that afternoon, on the 31st, after
15 the memorandum was received, Jack and I had a conversation
16 with the Governor's press secretary and will Bob Willburn,
17 but my recollection of that conversation was that it related
18 more to the preparation of evacuation plans than it did to
19 the Califano memorandum. I can't be certain that we talked
20 about the Califano memorandum specifically.

21 At 4:50 that afternoon Harold Denton spoke with
22 Jessica Mathews. I am certain that by that time this
23 memorandum had been shared with Jessica. I believe it was.
24 I can't be certain. She may have talked about this memorandum
25 with Harold Denton at that time, at 4:50, but I am not certain.

1 The fact that her conversation with Denton is on
2 my phone log indicates that she talked to Harold Denton from
3 our offices, either from my office or from Jack Watson's
4 office.

5 Q Is your sense of recollection that this recommend-
6 ation of Secretary Califano was discussed with the Governor?

7 A With the Governor's office, that is my recollection.

8 Q Who was involved in that conversation?

9 A The phone call that was made to the Governor from
10 our offices that day or evening, it shows on the log is not
11 until 10:30 that night, and I know that that call related
12 to advising the Governor about the President's intentions
13 to go to the site.

14 So my recollection may not be accurate. I do
15 have a recollection of our discussing the memorandum. We
16 either discussed it with officials from the NRC if not the
17 State officials.

18 Q Finally, on page three of the memorandum where
19 it began in underlined language, the Secretary recommends
20 that Jack Watson make certain that the NRC closely consults
21 with public health officials before making decisions about
22 intervention in the reactor.

23 Do you recall discussion about that recommendation?

24 A Yes, I have a recollection as well, but that matter
25 was discussed later that day at a meeting that Jack and I

dlc-3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

convened of the Federal Interagency Group, which we were then working.

Q Do you recall what the immediate reaction to that recommendation was, as you read the memorandum and discussed it in the office?

A That it was an appropriate recommendation and consistent with the earlier observation I made, it was obviously a very important public health perspective to be brought to any of these decisions. We had to combine the technical, engineering and engineering and nuclear safety information from Denton and his colleagues at the site with the public health perspective--the technical information and the point of view from the public health team.

It was that link that Secretary Califano was urging be conducted and we agreed completely with that. I am looking for in the minutes the document summarizing the meeting that took place in the Situation Room in the afternoon of March 31.

HEW noted the need to have health professionals at the Emergency Operation Center in Bethesda of the NRC to consult with and that any recommendations to the Governor regarding evacuation plans be based in part on that joint consultation.

NRC responded at that point, saying they would like to have that kind of HEW representation at the Operations

dlc-4

1 Center and it says here that Jack Watson asked that HEW
2 send the best people there immediately.

3 Q Let me show you what I have marked as Deposition
4 Exhibit Number 7, which is a memorandum dated March 31, 1979
5 from Jack Watson to the President, which in effect is
6 Status Report Number two.

7 (The document referred to was marked
8 for identification as Deposition
9 Exhibit 7).

10 Did you assist in the preparation of that memor-
11 andum?

12 A Yes I did. That is the document that I was
13 looking for earlier. This shows all the phone log. My phone
14 log doesn't show it--the memorandum to the President.
15 It indicates that Jack Watson has talked with Governor
16 Thornburgh, with Harold Denton, with Joe Califano and with
17 Doug Costle .

18 It will become important to check the phone call
19 of the 31st. The President and Jack talked earlier that
20 morning, about 10:30 that morning, 10:22 that morning and
21 since that conversation.

22 Q It appears that at least from this memorandum
23 that Secretary Califano had requested a high level meeting
24 be convened concerning this incident. Do you recall that
25 conversation?

1 A Yes. I do recall that the request was made.
2 I was not on the conversation myself, to the best of my
3 recollection. But that Jack reported to me after talking
4 to the Secretary that in fact the Secretary had suggested
5 earlier that day to him that, or may have been that off a
6 conversation that the Secretary had with the President--I
7 am not sure just how that sequence of events unfolded.

8 But the suggestion was made that the President's
9 Senior Agency heads be convened with the President to
10 summarize and discuss the unfolding situation at Three Mile
11 Island.

12 As you can see, Jack's advice was that that meeting
13 would not be convened at this time; that we were working
14 with all the relevant Federal agencies in working groups of
15 varying sizes and kinds to cope with the specific requirements
16 of the situation and that the meeting wouldn't be necessary,
17 at least at this time.

18 Q Did you have an understanding of why the Secretary
19 was urging or the reasons he was giving Jack Watson for urging
20 that a high level meeting be convened as opposed to what was
21 taking place?

22 A No. I was not on the conversation. I believe that
23 it got to the Secretary's views with regard to insuring that the
24 interagency cooperation that was required to make the Federal
25 Government's response appropriate and successful was in fact

1 taking place. It was our judgement that that type of cooper-
2 ation coordination was occurring and to bring the agency
3 heads together would not achieve any improvement in the
4 operations of the Government.

5 Q Alright. Let's go off the record for a minute.

6 (Off the record).

7 A Jack believed that it was necessary to bring
8 everybody together at least one more time to make sure there
9 was a kind of a status report which everybody knew what
10 everybody else was doing and it was just a common sharing
11 of information.

12 We did not believe--Jack did not believe--right
13 along that it was necessary to convene that large group on
14 a continuing basis as a decision making entity, but that
15 from time to time it was appropriate for the large group to
16 convene so that there was periodic update of information
17 shared across the Government.

18 It was for that reason that the meeting was
19 convened.

20 Q Let me show you what I marked as Deposition No. 8.
21 It purports to be minutes of a meeting held approximately
22 5:00 p.m. in the Situation Room of the White House on March 31.
23 Are those the minutes to the meeting you referred to?

24 (The document referred to was marked
25 for identification as Deposition
Exhibit 8).

1 A Yes.

2 Q Who prepared the invitation list? There are
3 people who were not present at the previous day's meeting.

4 A The previous day's meeting in the Situation
5 Room?

6 Q Yes.

7 A By the time--our office prepared the invitation
8 list. It was our office staff that decided who needed to
9 be there. For example, you will notice that the Environmental
10 Protection Agency is represented at the meeting on Saturday
11 but was not present on Friday.

12 Between Friday and Saturday, we learned that EPA
13 was deeply involved and was cooperating with the Departments
14 of Energy and HEW and others in monitoring the radiation
15 situation. In fact, EPA was one of the first agencies to
16 respond in fact, on site because of the water in the Susquehanna
17 River having had some radioactive wastes placed in it.

18 EPA was involved. Specific officials of HEW who
19 had not been previously involved were involved. Rick Cotton
20 was at the meeting; the head of the National Cancer Institute
21 who happens to be an expert on radiation issues was present.

22 Because we were working with those people in those
23 agencies, in addition to the ones that were present at the
24 original meeting in the Situation Room we added then. You
25 will also recall that in the Califano memorandum there was the

dlc-8

1 explicit recommendation with which we concurred that there
2 be the public health issues be immediately and institutionally
3 plugged into the process.

4 Q The Department of Energy was not represented at
5 the Saturday, 31st meeting, is that correct?

6 A I cannot certify that they were not because there
7 was no decision to not invite them. The Department of Energy's
8 involvement was continuing, on-site. If no member of the
9 Headquarters staff of the Department of Energy was invited
10 to the meeting on Saturday, it was an oversight and not
11 because of some decision that was reached not to invite
12 them.

13 But there was no interruption in the field of
14 DOE services being made available as part of the Federal
15 response.

16 Q But the Department of Energy had been represented
17 at the meeting the previous afternoon in the form of
18 Mr. Crawford and Mr. Feinraub. Do you have any idea how
19 they got dropped from the list?

20 A No. No. As I say, to the best of my knowledge
21 it was not a decision to exclude the Department of Energy.
22 It was an oversight and to my knowledge nothing more.

23 Q But you were aware as of Saturday afternoon that
24 the Department of Energy was on the site performing environ-
25 mental monitoring?

1 A Indeed. We were aware of the Department of Energy's
2 involvement before Saturday afternoon.

3 Q I take it that a principal portion of this meeting
4 was devoted to a technical briefing by the NRC on the status
5 of the reactor and the potential of what was known about
6 the condition of the reactor. Is that fair to say?

7 A I don't know. You could state it in a slightly
8 different way. It is clear that the relationship of what
9 was happening at the reactor site, particularly with respect
10 to the hydrogen bubble and the possibility of the accident
11 worsening and emissions of radioactive materials into the
12 atmosphere occurring, was the key issue of concern.

13 The status at this point, since emergency prepara-
14 tions planning, evacuation planning, had moved much further
15 in the intervening 24 or 30 hours from Friday. The link now
16 was we were talking about such things as how much lead time
17 would one have if the situation at the reactor started to
18 deteriorate; how much lead time would you have before you
19 would be able to execute an evacuation; and evacuation of
20 what magnitude.

21 My point in answering in this way is to try and
22 convey the sense that the technical issues were now talked
23 about continuously in the context of the emergency planning
24 and emergency preparedness. There was not the separation.
25 The two were just constantly linked in assessing the situation.

dlc-10

1 Technically, it was with respect to the implement-
2 ation of the emergency plans if they were called into
3 action.

4 Q What was your sense of the danger that was
5 posed by the reactor site as of Saturday afternoon, listening
6 to the briefing?

7 A Bearing in mind that you are talking to a
8 layman, with respect to the matters under discussion with
9 respect to this hydrogen bubble- -

10 Q Maybe I can rephrase the question and make it
11 clearer. I am not asking for a technical run-down of the
12 condition of the core and temperatures and so-forth or even
13 was happening with the bubble.

14 I am asking more for your sense of the eminence
15 of public health threat as of this meeting.

16 A I had a sense that we were at the threshold at
17 the point. I had a sense that the situation was serious and
18 that decisions regarding the likely next events would have
19 to be made within the next day or so. One was operating
20 with the sense that there was not yet full understanding by
21 the technical people of either what had caused the hydrogen
22 bubble or what interventions might be taken to diminish
23 what they viewed as the dangers posed by the presence of
24 the hydrogen bubble.

25 It was that fact, the lack of technical understanding

1 of what caused it and how safe interventions might be.
2 Bear in mind that the technical people were on a very expedited
3 and emergency basis, analyzing all kinds of potential
4 intervention strategies for dealing with the hydrogen
5 bubble.

6 They were very frank to point out that each of
7 the intervention possibilities carried with it some risk
8 of an accident occurring with the intervention. It was
9 that fact that conveyed a sense that we were at some
10 cross-roads here; that one would have to see how things
11 unfolded .

12 Really not much in the next day or two, if the
13 hydrogen bubble problem did not dissipate and did not turn
14 around spontaneously or because of some other intervention
15 that hadn't yet been identified or thought of, that if the
16 situation remained unchanged for another day or so, it was
17 clear some decisions would have to be made.

18 Q Was there any discussion at this meeting of
19 coordinating press, dissemination of information?

20 A Yes, there was some. As a matter of fact, at
21 the very beginning of the meeting the minutes show that
22 HEW expressed some concern. I am not sure--the minutes don't
23 indicate which representative of the Agency did this and I
24 don't recall--but expressed some concern about the lack of
25 coordination in information coming from the site.

1 At that point, I indicated that all inquiries
2 of that nature cutting across agencies, where an agency
3 needed guidance as to how to handle a request for informa-
4 tion, should be referred to the White House Press Office.

5 I indicated that Pat Berio and Mr. Graham who
6 work in that office would be the proper people to call to
7 get that guidance.

8 Q So the reference in this minutes to "inquiries of
9 this nature " being referred to the White House Press Office
10 refers to inquiries by agencies of how to handle inquiries?

11 A Correct. Correct. Bear in mind that in the
12 field there were representatives, I think at one time, of
13 something like 11 or 12 separate Federal agencies, operating
14 in the field in one aspect or dimension of this problem
15 or the other.

16 There were I don't know how many different
17 representatives of the press from all over the world who
18 had come to follow the events. The Federal officials, along
19 with State and local government officials in the field were
20 being besieged with requests from Press about various aspects
21 of the accident and the Government's response to it.

22 Those officials were doing what most people
23 under those circumstances do. Questions they were confident
24 with regard to how they should answer they were answering.
25 Questions that they were not sure of or they weren't certain

1 of how the response affected other agencies or information
2 they didn't have and they simply were unsure of themselves,
3 they were probably referring to their public information
4 officials, either in the field or back in headquarters.

5 You had as a result multiple lines, and wholly
6 legitimate let me add, multiple lines of inquiry coming from
7 representatives of the press to Federal Agencies, and many
8 of those inquiries were causing the press offices of those
9 Federal Agencies to ask how should we handle this.

10 It was in that context that I responded the way
11 I did, and indicated you ought to call the White House
12 Press Office and get some guidance as to how that ought
13 to be handled there.

14 Q Let's take a minute and talk about the press,
15 then. Was there on Saturday or at any point during the
16 management of this incident, to your knowledge, a directive
17 from the White House that the various Federal Agencies should
18 not respond to the press inquiries of any kind, but
19 instead refer press inquiries to the White House?

20 A I know of no such directive; that is, a statement
21 from the White House that Federal Agencies should not
22 respond to press inquiries?

23 Q Yes, that any press inquiries from reporters
24 concerning the Three Mile Island incident should be
25 referred to the White House and the White House would be

dlc-14

1 the single source of information from the Federal Government
2 concerning the Three Mile Island incident?

3 A I know of no such directive that was so issued.
4 I remind you that the discussion at the very first
5 meeting in the Situation Room in which the general strategic
6 decision was reached that coordination of the Federal
7 Government's response would come through the White House
8 Press Office in the person of Jody Powell and his staff.

9 The fact that that general determination was
10 made at that meeting with the senior officials of the
11 respective agencies most involved and not all of the agencies
12 who ultimately became involved, sitting in that room, may
13 have lead people subsequently to wonder how we wanted or
14 how things were to be handled on that side of the issue.

15 But I do not know of any such directive that
16 was issued from the White House.

17 Q Let me give you a little vignette and I realize
18 that you wouldn't have personal knowledge of the vignette
19 but I am using that as a springboard for the question. We
20 have received a report like this one. A reporter, a science
21 reporter from a newspaper, goes to a representative of
22 the Federal Government from the Food and Drug Administration
23 asking the representative to confirm levels of radio-iodine
24 in milk, for example, and is instructed that that inquiry
25 has to be made to the White House because the Federal agencies

1 have been instructed not to talk to the press but to refer
2 all press inquiries to the White House.

3 To your knowledge, was there any directive or
4 memorandum or oral order from any quarter to the Federal
5 agencies that would have resulted in that kind of an
6 operation or procedure.

7 A Not to my knowledge.

8 Q Saturday night there was a story that came over
9 the Associated Press wire--

10 A Was I!

11 Q That, to the effect that the hydrogen bubble
12 might explode and caused a great deal of anxiety in the
13 population and in the persons managing the response on
14 the behalf of the various governmental organizations as
15 well.

16 What was your role in responding to the problems
17 raised by that story?

18 A I was handed a copy of the AP wire report--off
19 the wire service machine in the White House Press Office--
20 by Jim Perks who works in the White House, which the story
21 was first carried, and that was about 9:00 that night.

22 I was sufficiently concerned about that story,
23 both as to the accuracy of it--that is, were we facing
24 eminent threat of explosion at a risk above and beyond
25 that which I had been briefed on earlier in the day, and

dlc-16

1 about, obviously, the public anxiety and the public concern
2 dimensions. I used the drop-line and called the NRC on-site
3 and spoke with Victor Stello, who was , I am uncertain of
4 this, but I believe he was Harold Denton's Deputy on-site.

5 He was the senior official at the plant site at
6 that moment, because I asked to speak to the senior NRC
7 person, and I think since Denton was not available. I
8 described to Mr. Stello the AP wire story and asked him
9 about it.

10 As I recall the wire story, there were unnamed
11 sources at the NRC, where the basis of the story. Stello
12 reported he didn't know the source. He said that calculations
13 were being taken on a kind of a continuing basis about
14 possibilities--hypotheticals, if you will--given certain
15 chemical reactions, given certain mixes of oxygen and
16 hydrogen, given just a variety of scenarios, they were
17 being played out in theory what would be the circumstances.

18 If I recall the conversation --I think I do--
19 Mr. Stello speculated that it might be related to some of
20 that hypothetical analysis that was going on in an on-going
21 way as they were wrestling with the problem of the hydrogen
22 bubble and how to intervene to dissipate it.

23 Stello told me he would call Washington to get
24 more clarification to see what he could find out about the
25 story and the source of it. It wasn't much longer, my log

1 says I talked to Stello at 9:15 and that conversation
2 probably lasted somewhere between five and ten minutes;
3 my conversation with Stello at 9:17.

4 At 9:34, Stello called me back to report that
5 somebody by the name of Ingram, who was named in the story,
6 had just issued a statement that the quotes attributed
7 to him, Ingram, were not true.

8 I would have to go back, which I haven't done and
9 I haven't got it in front of me, which quotes were attributed
10 to Ingram in the story. But Ingram had put out such a
11 statement and that an Edson Case, a source apparently also
12 named in the AP story, did make some statements to the
13 press regarding the technical details of options being
14 considered to dissipate the hydrogen bubble.

15 As I recall the second conversation with Stello,
16 in that context he went on to speculate with me that looking
17 at those options, as I had learned earlier in the day in
18 our conversation, reported that there were dangers inherent
19 as they were looking hypothetically at each of these
20 intervention strategies, there were dangers of accidents
21 associated with or a deterioration of the situation at the
22 core with each of the intervention strategies being looked
23 at.

24 It might have been those hypotheticals that was
25 the basis of the story. I then called Edson Case to see if

1 I could get a handle on that situation. He confirmed that
2 he had done a technical briefing of the press following
3 a general press briefing that the Chairman of the NRC,
4 Joseph Hendrie, had conducted.

5 He said Hendry had covered general subjects and
6 my recollection is that following that general new
7 briefing in Washington, Hendrie had left the press conference
8 or the press briefing. He was no longer there. Whether
9 he was or not, Case then made himself available, presumably
10 on Chairman Hendrie's direction, to answer questions that
11 the press had of a technical nature.

12 He discussed some of the options related to
13 intervening to dissipate the bubble. That he, Case,
14 had discussed, either on his own initiative or in response
15 to questions, some of the options under consideration for
16 dissipating the bubble, and that he had discussed the
17 risks involved with some of those options.

18 That he and his public affairs staff had taken
19 press calls since the briefing to clarify the statements,
20 because I guess the AP story was the first to hit and that
21 it then obviously produced, as of my own call to him, after
22 talking to Stello twice, that the NRC staff were being
23 besieged with inquiries both from the press and from the
24 public, I gathered, about how to handle the situation and
25 what it all meant; what the AP story referred to.

1 Q Now he called again at 10:09. Do you recall what
2 that conversation was about?

3 A I don't recall in detail except that it was
4 obviously related to the same subject matter.

5 Q Did you, during your call with Mr. Case, order
6 the NRC Press Center closed?

7 A No. No, I did not order the NRC Press Center
8 closed.

9 Q Did you say anything that could have been interpreted
10 the NRC should stop making public press statements and that
11 Harold Denton should be the only source for public statements?

12 A I believe, and I don't recall whether it was
13 at the 9:35 call with Edson Case in which he briefed me on
14 what he had done at the Press Conference or whether it was
15 at the 10:09 call, but I recall talking to Case about two
16 problems that I saw, using the AP story as an illustration
17 of it.

18 That we were compounding a problem with multiple
19 sources of information. That a wire service story based
20 on information which at the moment I was willing to stipulate--
21 was accurate information--that the AP hadn't garbled facts
22 or anything. That they were reporting what they had heard
23 from one source in Washington.

24 We had Harold Denton and other officials, under
25 Denton's guidance, having daily press briefings out at the

dlc-20

1 site; that we had the company conducting press conferences
2 and press briefings out at the site; that the Governor and
3 others out in Harrisburg were conducting press briefings
4 on a regular basis.

5 Different stories were as if an echo chamber
6 were bouncing off each other from different sources and
7 escalating, in my judgement, public anxiety and understanding
8 and that we had to focus accountability and responsibility
9 for response to the public's legitimate right to know, where
10 the authoritative information reposed.

11 It was a serious mistake, in my judgement, to have
12 information coming from multiple sources, albeit within
13 the same agency, but that official information was coming
14 from multiple sources on speculative matters having to do
15 with on-going analyses of a situation in the circumstances--
16 that created circumstances such as the AP story created
17 here.

18 He, Edson Case, in my judgement, should at least,
19 for awhile, stop taking calls on the AP story until we
20 could get a handle on the situation; until we knew precisely
21 what was going on.

22 Not that he should close the NRC public affairs
23 office or public information office. As I recall the conver-
24 sation, Mr. Case indicated that the backlog of calls was
25 terrific and he was concerned about not taking calls, even

1 for a little while; that it was going to backlog the
2 situation even further and might contribute to further
3 misunderstanding if the press office was not taking calls.

4 I told him I thought that he should let that
5 backlog build up if necessary, if that was the price; to
6 let that backlog build up for awhile until we could clarify
7 the situation and make sure that Harold Denton, Harold Denton
8 as the Federal Government's Senior Official on-site, would
9 deal with the technical information and the situation unfolding
10 at the reactor site and could make a statement and could
11 respond as a sole source.

12 It was in that context that we had put it. In
13 no way did I ask him to close down their office .

14 Q You were in effect asking them not to respond
15 to press inquiries for a period of time, at least.

16 A For a period of time, that's right. For a short
17 period of time until we could develop a process for dealing
18 with the situation which was rapidly, in my judgement,
19 rapidly deteriorating; a public information situation that
20 was rapidly deteriorating, in which , almost like a wave,
21 the requests for information on clarifications upon inform-
22 ation was overwhelming the systems capacity to respond and
23 the very lack of response was further contributing, and that
24 I just felt we needed to put--say hold it, we got to have,
25 as we determined at the beginning of this process at the

1 meeting in the Situation Room on Friday, we have got to
2 have an orderly and responsive mechanism that is informed
3 to provide public information.

4 We had determined that that was Harold Denton.
5 And these multiple press conferences and briefings throughout
6 the NRC was causing a problem.

7 Q If I hear you correctly, what you are saying
8 is that you were asking them to stop responding to press
9 inquiries except through Harold Denton for awhile until
10 the mechanism--

11 A On this issue.

12 Q Only on that issue?

13 A Understand, my occasion for concern at that
14 instance was the AP story regarding potential explosion,
15 intervention accident-associated with the hydrogen bubble.
16 The fact that we still had not in a satisfactory way,
17 responded to the public's legitimate right to know what
18 was.

19 Q Were we facing eminent risk of explosion of
20 that hydrogen bubble? What were we doing about it?
21 It was that situation that was the occasion for my conver-
22 sation and my request for a deferral of response until we
23 could get a handle on that public information problem.

24 Q On that public information problem, referring
25 to the process as a whole, for referring only to the hydrogen

dlc-23

1 bubble issue?

2 A At that moment, I was talking exclusively about
3 the AP story and the hydrogen bubble issue.

4 Q But do I understand correctly that you were
5 expanding your concern to the public information problem
6 of multiple sources in a tense situation in trying to
7 establish a mechanism for dealing with that so the kinds
8 of AP problems would not happen again?

9 A I discussed, if I recall the conversation
10 correctly, I discussed with Mr. Case my general perception
11 of the problem--the larger generic problem which had been
12 discussed in general terms at the first meeting on Friday.

13 And that this was an example of that problem .
14 I remember making that general observation. We were having
15 this echo chamber effect of multiple stories, multiple
16 sources and therefore I think I made observations to the
17 following effect:

18 You could have two officials technically competent
19 dealing with precisely the same set of facts, and in their
20 effort to communicate what was going on in an accurate and
21 responsible way, use different adjectives to describe
22 precisely the same set of technical phenomena, but in the
23 use of different adjectives to describe that phenomena for
24 public understanding, then to produce different stories and
25 then you would get this echo effect again and misunderstanding.

1 So I was using --I expressed my gen
2 but I was focused in my conversation with him a
3 request that he defer answering calls until we
4 get a clarification of the problem, was dealing specifically
5 with the hydrogen bubble problem.

6 I made no general statement to him: don't handle
7 calls on a report regarding how NRC was going to handle
8 nuclear wastes, the water problem at Three Mile Island or
9 any other issue related to Three Mile Island.

10 It was the AP story and the hydrogen bubble
11 problem.

12 Q Were you looking for a way to solve the generic
13 problem at that point?

14 A No. I expressed my concern about the generic
15 problem but I was frankly trying to deal with the problem
16 of that story and that issue. I was not dealing with
17 an officer of the NRC.

18 First of all, I had no reason to believe I was
19 dealing with the right person in the NRC to solve the
20 generic problem anyway. I was dealing with a man who had
21 been the briefer on the hydrogen bubble problem.

22 Q Did you deal with Fouchard or Ingram or anyone
23 about this problem?

24 A The generic problem or the specific?

25 Q The generic.

dlc-25

1 A Did I? No. My involvement on this issue was
2 with respect to this AP story and--

3 Q With Stello and with Case?

4 A With Stello and with Case.

5 Q You didn't deal with Ingram or Fouchard?

6 A No, I did not. To the best of my recollection.
7 I hasten to add I do not believe my phone log is 100 percent
8 perfect. It is possible other phone calls occurred during
9 the course of that evening that were not logged in for one
10 reason or another. But I don't recall.

11 Q I think I understand the distinction you are
12 making between asking the NRC personnel not respond to
13 inquiries about the AP story and that specific bubble problem
14 and the generic problem of having multiple sources of
15 information on, even the same information, and causing
16 an echo effect because of characterizations and shadings
17 and nuances.

18 I guess what I don't understand is even though
19 you had started the wheels in motion to solve the specific
20 AP problem by having the NRC be quiet about that issue
21 for awhile--

22 A The NRC in Washington, but the NRC on-site,
23 through Harold Denton, could put out--

24 Q Could put, could respond--

25 A Could respond and be the source of authoritative

dlc-26

1 information on the subject.

2 Q Even though that would solve the specific
3 problem raised by the AP story, you were still stuck with
4 the generic problem. It might be the hydrogen bubble on
5 Saturday night, but things were happening so quickly that
6 it might be contaminated water discharge within 15 minutes
7 of that.

8 A That is correct.

9 Q And you would still have the same echo chamber
10 effect.

11 A That is correct.

12 Q Were you doing anything to solve the generic
13 problem?

14 A No, not in a systematic way. There were subsequent
15 conversations--I am just trying to recall as clearly as
16 I can--I don't recall whether Harold Denton had a press
17 conference following that AP story or how it was handled.

18 But I believe there was some effort to deal
19 with the situation from Harrisburg and from the site on
20 that problem.

21 Q Meaning the AP story?

22 A Yes, right. The generic issue from my perspective,
23 and understand, the press issue was not the central mission
24 our office was coping with. That in a certain sense, the
25 AP story and the involvement, my involvement personally,

1 and of our office in that particular event was extraordinary.

2 While we were taking individual calls from the
3 press on kind of a continuing basis, it was not dominating
4 our days or our conversations and that that one was
5 extraordinary because it is so immediately impacted on
6 the very issue our office was most concerned with, mainly
7 preparations for an orderly evacuation if it were determined
8 to be necessary, or coping with an immediate worsening
9 of the situation if that developed.

10 That was really the heart of what our unit was
11 doing in coordinating the Federal support to the State and
12 local Governments; this story struck at the center of that
13 responsibility, which is why I involved myself as I did,
14 by calling the people I called out at the site and to get
15 clarification of understanding and then determine that the
16 public health and safety and the orderly management of this
17 process was going to be helped by pinpointing responsibility
18 for answering questions on that subject.

19 Q So the responsibility for the generic problem
20 that you have referred to would reside in Jody Powell's
21 office, is that fair to say?

22 A I would say that we were coping with so many
23 different events, just kind of at our side of the house,
24 that I don't want to impute a conscious decision on my
25 part that it was somehow somebody else's responsibility.

1 We were talking constantly with Jody's office
2 and Jody's staff and with Jody himself when he was in town
3 when they returned with the President that night. I just
4 think the most accurate thing to say is that we did not
5 deal with the generic problem.

6 Q Were you aware, and I just want to make sure
7 this is clear, were you aware of, dealing with the generic
8 problem, that anyone within the White House had dealt
9 with the generic problem by issuing a directive to other
10 Federal Agencies saying do not respond to press inquiries.
11 Coordinate all those through the White House. Direct
12 all inquiries to the White House.

13 A As I say, I was not aware of any such directive.
14 The only thing I was aware of was the meeting in the
15 Situation Room on Friday in which I was a participant in
16 which, as I described earlier, the strategic decision was
17 made to coordinate.

18 You get into problems here of precision in
19 language. Our job as coordinating at the President's
20 direction under a written directive to coordinate the
21 Federal Government's response, to provide support to prevent
22 injury and threat to the public health did not mean that
23 Jack Watson or I were making all the operational decisions.

24 The FDA was making operational decisions. The
25 DCPA was making operational decisions. The Defense Department

1 agencies; all of them: Energy, HEW. They were all
2 making their decisions. We were coordinating and making
3 sure that there was--the gears were linking together in
4 an effective way.

5 That discussion in the Situation Room on the
6 public information aspects of this thing was very much
7 of that sort: to coordinate. In retrospect, it becomes
8 less clear exactly what coordination means under those
9 circumstances.

10 It is coordinating the dissemination of informa-
11 tion as opposed to coordinating the operations of the
12 Government. I think that is a real phenomena that we
13 lived with.

14 Q As I understood your testimony about the Friday
15 meeting, what was happening at that meeting was merely
16 setting the framework of the structure?

17 A Exactly, exactly.

18 Q It is desirable to have one source at the site
19 and one source up here; Jody Powell's should coordinate
20 public information.

21 A Right.

22 Q Without getting into the mechanics of how that
23 would happen?

24 A We didn't discuss it at that meeting. That is
25 right.

dlc-30

1 Q Before we leave the meeting on Saturday, is
2 my understanding correct that it was agreed or established
3 that the NRC would be the lead agency to coordinate--and I
4 shudder at using the word--to collate and disseminate
5 data generated by the environmental monitoring agencies?

6 A I don't recall that that decision was made
7 at that meeting. I would have to go back to these--are
8 you talking about the Saturday afternoon meeting in the
9 Situation Room?

10 Q Yes. I don't mean mean to limit the question
11 to a conscious decision. I mean a decision to make the
12 NRC the lead agency for the coordination of data or a
13 ratification of an existing situation, or the recognition
14 it would serve in that role.

15 A The reference I see immediately is on the next
16 to the last page of these minutes of the meeting, in which it
17 says that the NRC said that data on radiation levels, et
18 cetera, were coming in from various sources and that the
19 NRC Emergency Operations Center was analyzing it.

20 Q Was it your understanding that it was the lead
21 agency, as a result of--

22 A Frankly, the issue of lead agency for monitoring,
23 collating--not monitoring, but collating the several
24 sources of environmental data was an issue that came up
25 later and that it was not discussed at this meeting except

END OF TAPE

7

1 for the NRC's own report that it was being done and not
2 hearing any expressions of concern from other agencies
3 that were participating in the process of monitoring and
4 collating--or attributing to the data sources.

5 It was not a problem. Not being identified as
6 a problem; we took the expression of the fact that the NRC
7 was getting the data and that it was being distributed
8 properly; that it was being made available in ways that
9 were effective to the missions the agencies had to perform.

10 So, I frankly do not recall any lead agency
11 designation discussion at that meeting, let alone a
12 decision.

13 Q Let me show you what I have marked as Deposition
14 Exhibit 9, which is a memorandum dated March 31, 1979, from
15 Jack Watson to the President and is in effect and labelled
16 Status Report 3.

17 (The document referred to was marked
18 for identification as Deposition
19 Exhibit 9).

20 I take it that that report was prepared during
21 the evening of the 31st.

22 A Yes.

23 Q Did you assist in the preparation of this
24 report as well?

25 A Yes.

1 Q The second bullet under Paragraph One refers
2 to the request by Jack Watson to the NRC to develop criteria
3 to be used in whether a precautionary evacuation is
4 indicated and also the nature and extent of such an
5 evacuation in the light of likely radiation dispersal.

6 Was that generated as a result of this meeting
7 in the Situation Room in the afternoon?

8 A Correct. It was.

9 Q Was that an agreement or decision or consensus
10 reached by the participants that the NRC should develop
11 these kinds of plans?

12 A My recollection, if correct, the meeting occurred
13 following the meeting in the Situation Room in which Peter
14 Bradford and Victor Gilinsky, two members of the NRC,
15 in Jack Watson's office with Jack, myself, Jessica Mathews,
16 Frank Press, if my memory serves correctly, discussed this
17 question.

18 That meeting, I believe, was set up independently
19 of the meeting in the situation room, and not exclusively
20 as a result of the meeting in the Situation Room. But there
21 was--some of the same issues were obviously discussed in
22 the meeting.

23 A My recollection is that the meeting that occurred
24 afterwards in Jack's office with the people I just name, had
25 been scheduled to precede the meeting in the Situation Room

1 but just because we got overrun by events and the times of
2 meetings changed, the meeting in the Situation Room occurred
3 first and some of these same issues came up and then we
4 continued the discussion of them in the smaller group in
5 Jack's office.

6 So there was that relationship, but I don't want
7 to leave the impression it was just a one-on-one relationship
8 between the cause and the effect.

9 Q So out of that subsequent meeting, to your sense,
10 there evolved the request that the NRC develop these specific
11 plans?

12 A That's right.

13 Q Turn to page two. The third paragraph refers
14 to the AP story that we discussed. The first bullet under
15 that paragraph, there is specific reference to Jack Watson
16 speaking with Chairman Hendrie and Commissioner Gilinsky and
17 asking that they tighten and improve control of the NRC
18 public information process out of Washington.

19 It appears that some attempt was being made to
20 solve the generic problem

21 A Yes. I was going to say I think that represents
22 our effort to deal with the generic problem.

23 Q Do you recall what was asked that they tighten
24 and improve control? Do you recall what the mechanics of
25 that were? What the suggestion was?

1 A Fundamentally, that Harold Denton continue
2 to have responsibility for making and issuing public
3 statements on the situation at the reactor site and in the
4 reactor itself; that we expressed, Jack expressed, explicit
5 concern to members of the Commission about the multiple--
6 the echo effect problem-- multiple sources explaining the
7 same technical and scientific phenomena that were occurring
8 in the reactor with different words and producing then
9 stories that just dramatically heightened public anxiety.

10 It was in that context, but beyond reinforcing
11 what we understood to be Harold Denton's role in the
12 first place, we did not believe--I didn't talk to Jack about
13 this--but I don't believe Jack thought he was suggesting
14 to Chairman Hendrie that something new be done, outside of
15 what had been previously agreed.

16 That it was reinforcing what we understood was
17 the process we were going to follow with respect to Denton's
18 responsibilities in the field.

19 Q WOuld you agree that a fair interpretation of the
20 language "tighten and improve control", control being the
21 noun and suggests what you have been saying, that it is
22 an improvement of an existing control of the public informa-
23 tion process?

24 A Making the control that appeared not to be
25 working, work. Mainly, to put responsibility with the

dlc-35

1 Senior Federal Official competent and able to discuss and
2 explain what was happening in the reactor; to leave him as
3 the source of that information and not to be providing
4 multiple sources of information on those questions.

5 Q My question is was it your sense that the mechanics
6 of the improvement and the tightening of the control of
7 public information out of the NRC in Washington, in effect,
8 meant that there would be no public information coming
9 out of the NRC in Washington; that the AP story would not
10 happen? That it would come through Denton exclusively?

11 A Those are two different things. To say that
12 the AP story would not happen, obviously, I would hope that
13 something like the AP story wouldn't happen. But it was
14 neither my thought nor Jack's thought.

15 I am certain that no public information would
16 come out of the NRC in Washington. I have been as explicit
17 as I can. I am going to say it one more time because I
18 think this is very important to this mission of the Commission
19 in understanding the public information issue.

20 The question was not one, the goal was not one
21 of controlling public information on the public's right to
22 know with respect to all things that were occurring over
23 which the NRC had appropriate jurisdiction and responsibility.

24 We were concerned that there be a single official
25 spokesperson regarding events inside that reactor. People

1 were not concerned about modeling that was going on at
2 Department of Energy facilities in Idaho to examine ways
3 of intervening with the hydrogen bubble.

4 They weren't concerned that the scientists at
5 the University of California were being involved in trying
6 to cope with the problem or that staff at the NRC in Washington
7 were working around the clock.

8 The public's concern was what is going to happen
9 inside that reactor. What is going on inside that reactor.
10 We were concerned that those events be explained to the
11 press and to the public by a single authoritative and reliable
12 source from the Federal Government.

13 Obviously that was our responsibility: the
14 Federal Government. We believed that Harold Denton had
15 that mission, had that responsibility and in effect Jack
16 was saying to the Chairman of the NRC that he hoped that that
17 agreement would be made as effective as it could be and that
18 the AP story was an example of it not being effective.

19 That people not on site, not there examining the
20 situation, in full command of the dynamics of the situation
21 in that reactor, were explaining hypothetical alternatives
22 about what might be happening in that reactor or what could
23 happen inside that reactor from Washington, D.C.

24 We thought that was the problem and believed
25 that it violated the spirit of the agreement about Mr. Denton's

1 role out in the field. That he would be the source of
2 information.

3 So with respect to the reactor and what was
4 happening in the reactor , this concern was being expressed,
5 this agreement was reached, not that the NRC not be able
6 to respond to legitimate inquiries from the press and the
7 public about other activities that the Washington. NRC
8 was engaged in with regard to TMI.

9 Q Was that contact with the Chairman and Commissioner
10 Gilinsky about tightening and improving the control on the
11 NRC of Washington in response partially also to a request
12 from the Governor that the Federal Government, in effect,
13 uphold its end of the bargain by making Harold Denton the
14 single source?

15 A I do not recall that the Governor ever made such
16 a request. I do know that the Governor expressed very deep
17 concern in this conversation with Jack about the effects of
18 the AP story on the populace, but I don't recall that the
19 Governor said to Jack you have got to do something or that
20 he made any request with respect to that matter.

21 He expressed his very serious concern about the
22 matter, though, and the effects the story was having .

23 Q That same night, according to this memorandum,
24 Jack Watson also spoke with the President of the utility and
25 suggested that the company discontinue separate press briefings

1 on the situation on the site, leaving that to Harold Denton.
2 What precipitated that call?

3 A I think it is fair to say that was another effort
4 to deal with the generic problem, but the proximate cause
5 of that phone call, as I recall, was a briefing that a
6 company spokesperson whose name I do not recall at the site,
7 essentially dismissed the hydrogen bubble problem as a
8 problem, in direct contradiction of the statements that
9 were being made by Harold Denton and others.

10 That we had a problem; that we were working on
11 it; here is what we are doing to work with it. Denton was
12 not being Pollyannaish about the problem nor was he saying
13 that it was irremediable. He was simply the source of
14 information. He was telling what the problem was and what
15 the NRC and technical staff were doing to cope with it.

16 As I recall, a spokesperson for the company
17 made a statement in effect that the problem was gone, that
18 we were passed the crisis with respect to the hydrogen
19 bubble, and of course it got immediately carried. Immediately
20 carried.

21 We looked into that right away and discovered
22 that the spokesperson was referring to a bubble in a different
23 facility, part of the complex, but not the reactor vessel
24 itself where the hydrogen bubble that was concerning every-
25 body was located.

dlc-39

1 He was talking about a different hydrogen bubble
2 in a different physical structure at Three Mile Island.
3 So it wasn't that what he said was untrue. It is that
4 what he said had no bearing on the issue that was causing
5 public anxiety.

6 It occurred to us, Jack and myself, that the
7 situation would be well served if Mr. DeCamp, who is the
8 President of the company, would concur and permit Mr. Denton
9 to be the accountable and responsive person on public
10 information on what was happening at the facility.

11 This incident I just described to you was
12 representative of another facet of the public information
13 problem that we were all coping with and facing. Notice
14 that in the memorandum, with respect to Jack Watson's
15 conversation with Chairman Hendrie and Commissioner Gilinsky,
16 Jack Watson asked that they tighten and improve control

17 With respect to the conversation with Mr. DeCamp
18 he suggested there was no order, there was no effort on the
19 part of the White House to instruct, but it was a request
20 and Mr. DeCamp complied with that request.

21 Q By the person the President had designated as
22 his coordinator for Federal activities?

23 A That is correct.

24 Q I am not trying to put you on the spot by all
25 of this public information--

1 A No, no. I think it is essential--

2 Q --or second guess you at all, but I am trying to
3 probe the considerations that led to some of the decisions
4 that were made. I guess the final question I have is
5 we have a situation here where, in effect, the NRC has
6 been asked to control or restrict the information coming
7 from the NRC Headquarters in Bethesda in favor of having
8 Harold Denton be the single source of information, and
9 also a request by the White House to the utility that it
10 discontinue a request that was honored, as it turned out,
11 discontinue separate press briefings, leaving briefings
12 concerning conditions at the site to Harold Denton, as well.

13 From the other end of the information chain, from
14 the reporters' end, three sources are now down to two, and
15 the multiple source is the reporters' best ally, first
16 for obtaining information and secondly for confirming
17 information that appears to be in the rumor category.

18 The effect of these decisions may well have been,
19 some might argue--I am not asking you to agree with it--but
20 some might argue that the effect of these decisions is to
21 dry up sources for a reporter leaving only one source of
22 information, as Harold Denton.

23 Did you consider that effect at all?

24 A Yes. Notice what we were suggesting in requesting.
25 We were requesting and suggesting that when official statements

1 were made describing what was happening at the reactor
2 that it be made by the man the President of the United
3 States had designated as the Government's representative
4 and the technically competent individual to manage the
5 Federal Government's response to that problem.

6 Q Official in the sense that it is coming from
7 the utility as well?

8 A No, I am talking about Denton, that he, Denton,
9 both with respect to the utility and the NRC that everybody
10 involved defer, in effect, for purposes of public statements,
11 official public statements about what was happening at
12 that reactor site, to the man closest to it with the informa-
13 tion and who, in our judgement, had the capacity to
14 interpret that technical information in ways that laymen
15 and the general public could understand and comprehend.

16 It is a very important thing. I think one of
17 the elements of this particular event that lends to the
18 responsible part of the problem and the complexity of it,
19 is that it involved a highly complex and not well understood
20 in the public sense a set of phenomena and machines and
21 facilities whose interworkings and processes are not as
22 a matter of course known to the general public and to the
23 working press.

24 It is a different matter to report, for example,
25 what was happening at TMI on the technical side of the story

1 with respect to dangers, possibilities of explosions,
2 chemical reactions, melt-downs and all the other situations
3 that were contemplated than reporting an automobile
4 accident or some other event whose major features are
5 widely understood .

6 That is why I said earlier, we were not suggesting
7 or restricting the press as we neither had the desire to
8 do or could we if we had the desire to do it as to multiple
9 sources: validating, corroborating information that was
10 provided by Mr. Denton at the site.

11 There was nothing to stop any reporter from calling
12 any other source, in or out of the Government, nuclear
13 engineers, reactor safety experts, at universities, at
14 other companies, to get their judgements on what was being
15 told them by Mr. Denton.

16 We were not trying to cut off the normal kind
17 of reliability and validity system that reporters use
18 by going to multiple sources. What we are saying is that
19 you have got events going on at a single place. If the
20 Government is trying to explain to the public through the
21 press what is going on inside that reactor vessel from
22 one official source at the reactor site and another official
23 source in Washington, D.C., and with a company spokesman
24 at the site and others, that it had a high probability of
25 producing the kinds of effects we were witnessing:

1 statements about hydrogen bubbles that didn't relate to
2 the hydrogen bubble that people were concerned about;
3 interpretations of hypotheses about risks of explosions
4 which only added to public anxiety than to public understanding.

5 That is why we sought to funnel--one source of
6 explanation about these technical and scientific
7 phenomena inside the reactor, not with respect to all other
8 matters impacting on the accident and the NRC's response
9 to it or other agencies' response to it.

10 We thought about that and determined that
11 from the standpoint of managing this crisis and respecting
12 the people's right to know that this was a responsible
13 step to take.

14 Q I want to ask one more question about that
15 because we have got to get into Sunday here.

16
17
18
19
20
21
22
23
24
25
END OF
TAPE 3

Page 9

1 Q Recognizing the benefits of having the one single
2 source at the site and having, in effect, sent that message
3 throughout the NRC, meaning the NRC people off site in
4 Washington, having requested them as of Saturday night to
5 tighten up the control of public information and, also, from
6 the utility, the situation that's left is since those are
7 the only two parties, NRC and utility, in a position to know
8 what is going on inside the reactor, you leave the public
9 information flow in a position of being like a faucet with
10 a spigot. When Harold Denton gives a press briefing, the
11 spigot is turned on and when he doesn't, it's off. Was
12 there any consideration given to updating between his
13 briefings supplying information on a more regular basis than
14 the -- than the three or four times daily that Harold Denton,
15 given the rapidity with which events were changing?

16 A Not that I recall. I do not recall how frequently
17 Harold Denton briefed the press. I just don't, as a matter
18 of fact, recall that. I reiterate what we were looking to do
19 was to provide accountable and responsible sources of infor-
20 mation that would go through one person who would be
21 knowledgeable about what was happening. But we were not
22 cutting off -- we were not cutting off the reporter's ability
23 to reach a variety of other sources in and out of the
24 government who might have partial information about a subject
25 or might be in a position to clarify somebody's understanding

1 on some aspect of what was going on.

2 Q Certainly, the requests that had been made of the
3 NRC and of the utility on Saturday would have an inhibiting
4 effect on confirming or amplifying information that Denton
5 provided through sources within the NRC or the utility. Do
6 you read it, it may also have that effect?

7 A State that again.

8 Q Okay. Let me state what I understand you to be
9 saying is that although Harold Denton is the single source
10 at the site, you are not cutting off reporters from taking
11 the information they get from Harold Denton and going through
12 the cross-checking process that reporters do. Both within the
13 government and without, testing what he's giving them and
14 having explanations to amplify on whatever it is that he
15 said, do I understand you correctly to say that?

16 A Nor are we cutting off, just to use as an example,
17 the Chairman of the NRC from having press conferences or
18 statements on other -- other aspects of NRC responsibility
19 and overall accountability for what was happening.

20 Q Okay, would inspect the conditions within the
21 reactor --

22 A Right.

23 Q -- that cross-checking process would essentially
24 be cut off within the NRC and utility sources.

25 A I don't have any sense -- I don't have any sense

1 from those days that that -- that that fact occurred. That
2 reporter has either stopped or people stopped responding to
3 reporters' inquiries about what was happening at the site --
4 remind you, in fact, I'm restating, not so much restate, but
5 focus -- focus the central public policy issue from our
6 perspective. The official statements that were made about
7 this matter carried weight -- what was happening in the
8 reactor carried weight above and beyond sources. Stories
9 that were either unattributed or that were from people not
10 identified in the public mind with what was happening at the
11 reactor site, that, obviously, people were turned in, lit-
12 erally as well as figuratively, upwards of a million people
13 perhaps in the immediate area, a 30 mile radius around that
14 reactor site, were listening to their television stations,
15 were listening to their radio stations, and just getting
16 constant information about what was happening and what the
17 risks were and what-not.

18 It struck us that the government had a responsibility
19 to insure that the information was reliable and as solid and
20 as unambiguous as circumstances permitted. Understanding that
21 it was not going to be totally unambiguous, just given the
22 fact there was not total information or knowledge about what
23 was happening by anybody; therefore, you got -- there are
24 trade-offs -- there are trade-offs -- to provide for an
25 orderly and responsible and knowledgeable source of infor-

1 mation about what was happening at that reactor site and
2 not just factual statements. But, Denton, as you recall from
3 those that were in, people who listened to already his press
4 conferences, was constantly assessing. He wasn't just report-
5 ing the technical facts, he was also assessing in response
6 to questions and on his own volition and that became very
7 important, that information and those assessments from
8 Harold Denton became very important to public understanding
9 and public response to the threats at the reactor site.

10 Public -- the possibility of public panic was
11 always a part of our consideration and, therefore, was
12 important for that -- for that -- for the credibility of that
13 source of information to be sustained and nurtured. One
14 of the very deleterious consequences of the echo-effect
15 I described earlier, two technically competent officials
16 describing the same phenomenon, they both understand in the
17 same way, but use different words to describe, bouncing off
18 each other, is to throw into grave doubt the credibility of
19 both sources, seemed to us logical and appropriate that the
20 technical expert at the scene be responsible for that and
21 that -- and that both served the public right -- the public's
22 right to know and did so in a way which was not restrictive
23 of the press, the press' right to have access to as much
24 information through their own roots as they could get.

25 MR. HURON: Excuse me, we are going to have to go

1 off because --

2 (Discussion off the record)

3 Q I will want to ask you, I promise, one more question
4 on this public information --

5 A That's all right.

6 Q -- point because I'd be interested in your -- in
7 your reaction. Believe me, I understand the considerations
8 in having a single source and, in effect, by having a single
9 source enhancing the credibility of that source and all of
10 the --

11 A Different point --

12 Q -- the --

13 A -- it's different -- the problem was having
14 multiple sources would negatively affect the credibility, it
15 was not that we thought somehow Harold Denton's credibility
16 would turn on the accuracy of what he said and the way he
17 said it, not by anything we did.

18 Q Right. But, having multiple sources of information
19 tends to dissipate credibility among those sources and, in
20 fact, may affect all sources by reducing their credibility.

21 A In a situation like the sort I've described where --

22 Q Like this.

23 A -- you've got technical events occurring inside.

24 Q Right, where people really aren't in a position to
25 judge for themselves.

1 A Right.

2 Q And having one source, on the other hand, tends to
3 establish that source as a credible source unless proven
4 otherwise by events. And I understand those considerations
5 and the ones involving the problems of panic with conflicting
6 sources and so on. But in a situation like this, a technical
7 situation, where people are not in an ability to respond
8 critically to information that they are receiving from util-
9 ity or from the government, did you consider, or did you
10 think that any public information purpose would be served,
11 in one sense, by the fact that there were apparently different
12 shadings in interpretations of facts relating to the reactor.
13 And maybe I can illustrate my point with an example: if
14 you have one expert in a position to know, coming out and
15 saying that fact A means that you should start thinking that
16 the danger is more imminent than you did yesterday; where
17 expert number two in a position to know says that fact A
18 means that the danger is the same as it was yesterday, and
19 perhaps, an expert number three saying that fact A doesn't
20 exist at all, having that diversity of opinion picked up by
21 the press and reported to the public is in itself serving a
22 public interest function by permitting people to acquire
23 enough information, conflicting though it may be, to make
24 the judgement for themselves that these guys really don't
25 know what they're doing. I'm going to Philadelphia, which

1 may have been what many people concluded during the incident.
2 And, what I'm getting at is the centralization of information
3 in an incident like this tends to foreclose that kind of
4 critical evaluation of what people at the site are really
5 able to do in managing the incident and what they know about
6 the incident and I'm wondering whether you considered that
7 possibility and what your reaction was.

8 MR. HURON: Is the question whether he considered it at
9 the time or what his general philosophical reaction is today?

10 MR. HARVEY: I'm saying whether it was considered at
11 the time.

12 MR. HURON: Okay.

13 THE WITNESS: It was considered at the time among all
14 the issues that were discussed when we were deciding -- had
15 to cope with the issue of responsibly and completely res-
16 ponding to the public's right to know. Our judgement --
17 our judgement was that nothing we were doing was going to
18 (a) deny various experts' assessment of the facts as they
19 were being reported, for example, the same facts reasonable
20 people could differ as to the meaning of those facts and they
21 did. There were people who were calling for immediate
22 evacuation from the area as a result of, well, the facts
23 as they were being reported from Denton's press conferences.
24 And so there were people who heard only Harold Denton or just
25 off of Harold Denton's information came to different con-

1 clusions. It was nothing in what we were doing that was
2 going to preclude or reduce experts and laymen alike from
3 coming to different conclusions and, in fact, substantial
4 numbers of people did come to different conclusions one
5 from the other.

6 Again, it was a limited -- it was a limited decision
7 with respect to the particular events inside that reactor
8 and the reporting of them, the briefing of the press on them.
9 I just -- to recapture for you the sense of so many different
10 actors, so many different agencies in and out of the govern-
11 ment working on the problems at Three Mile Island, the
12 information, the availability and access of the people through
13 the press and otherwise, the information was not a problem.
14 I have talked to literally dozens of reporters who were
15 at the reactor site and who were in Washington covering one
16 or other dimensions of the Three Mile Island accident. I
17 have had -- no one has told me they had difficulty getting
18 information. We were looking at a particular piece of the
19 public information issue and it is, how to insure that there
20 is reliable and complete and responsible information about
21 what is happening inside that reactor in a way that balances
22 the people's right to know and the need to protect public
23 safety and to avoid public panicing. There were multiple
24 sources of information -- multiple -- on every facet of what
25 was occurring and I don't believe that our effort to deal with

1 the facet I've just defined crosses a balance or represents
2 an inconsistency, if you will, with the overall commitment
3 to the public -- public information on this, what was
4 happening and the people's right to access that information
5 and make their own decisions as to how they wanted to respond
6 to it. I understand others might differ with that analysis,
7 but that was the analysis we went through, sure enough.

8 Q Take it that on Saturday night the decision was
9 made that the President would visit the site on Sunday, the
10 following day, were you involved in -- in that decision?

11 A The President was travelling that day and the
12 decision was made by the President and his party on board
13 Air Force One on the sites in Wisconsin, I believe where he
14 was travelling that day. Jack was called, I believe, by
15 Jody Powell, who was with the President, to advise him that
16 the President had decided to visit the site the next day and,
17 among other things, asked Jack to so advise the governor.

18 MR. HARVEY: Can we go off the record?

19 (Discussion off the record).
20
21
22
23
24
25

1 Q On Sunday morning, the President was preparing to
2 leave to go to Three Mile Island. Did you participate at all
3 in briefing the President for his trip?

4 A No, I did not. I participated Saturday late -- late
5 Saturday night after the President and his party returned
6 from the Wisconsin trip and discussions in Jody Powell's
7 office about the logistical arrangements the next day that
8 had to be made, and there was some discussion that I might
9 go with the advance party out to Three Mile Isl. to help
10 prepare for the trip but determined that wasn't necessary.
11 Then I participated not at all the next day in any briefings
12 with the President.

13 Q I take it that you did not go to the Three Mile
14 Island Plant with the President.

15 A I did not.

16 Q What were you doing Saturday morning?

17 A Are we talking Saturday morning now or are we are
18 we Sunday again?

19 Q I'm sorry, Sunday morning, April 1st.

20 A On Sunday morning, April 1st -- I don't recall
21 precisely what time -- I attended a meeting in Jack's office
22 briefly with Jack and Jessica in which we discussed the
23 President's trip in general. I then went to HEW to listen to
24 a briefing that was taking place for HEW's public health
25 officials by an NRC staffer. HEW folks had asked for

1 somebody from NRC to come over and brief them on the situation
2 at the reactor site. The Commissioner of the Food and Drug
3 Administration, the Assistant Secretary of Health, the head
4 of the National Institutes of Health, the head of the Cancer
5 Institute, the General Counsel of HEW, the Undersecretary of
6 HEW, the top public health officials of the department and
7 legal officials were there. I do not remember the name of
8 the individual from the NRC who did the briefing --

9 Q Brian Grimes.

10 A That's correct. I recall that now -- briefed that
11 group.--there was a representative from EPA there as I recall
12 at the meeting -- and conducted a briefing essentially on the
13 status of the situation inside the reactor.

14 Q Saturday, after the meeting in the Situation Room,
15 you had asked NRC officials to develop evacuation scenarios
16 and plans.

17 Had those plans and scenarios been developed as of
18 the meeting at HEW Sunday Morning?

19 A To my recollection, no. The request for the
20 scenarios and plans was in part based on the discussion we
21 had earlier on Saturday, the day before, with Commissioners
22 Gilinsky and Bradford, in which it became apparent to us that
23 the commissioners or the commission staff was looking at
24 evacuation assumptions -- precautionary or otherwise -- based
25 on assumptions about the nature of radioactive material and

1 how it might be dispersed in the atmosphere, talking about --
2 they used words such as "spikes" as one dispersal pattern
3 which might be the path through which an evacuation might be
4 most effective.

5 It was clear to us in listening to that discussion
6 that the evacuation plans that were being updated and
7 amended and developed out on the site by the Governor's
8 people who are our assistants -- Federal assistants -- were
9 evacuation plans based on concentric circles in ever wider
10 radii from the center, depending upon technical advice.

11 One of the key points we made in that discussion
12 with Commissioner Gilinsky and Commissioner Bradford was the
13 need to kind of resolve the different assumptions about how
14 an evacuation would occur, whether it would be a quadrant or
15 a circumference. It was an important logistical point; it
16 wasn't just an academic exercise.

17 Some of the assumptions that were outlined in a
18 piece of paper that Commissioner Gilinsky had were then the
19 subject of discussions I think out in the field, between
20 NRC people and some of our FDA folks Saturday night and
21 presumably Sunday morning.

22 I do not believe, to the best of my recollection,
23 that those discussions had concluded as of the time I was at
24 the briefing at HEW.

25 Q Is it your understanding, as a result of the

1 meeting on Saturday, that the NRC commissioners would come up
2 with a piece of paper describing different scenarios within
3 the reactor and the possible health effect and recommended
4 evacuation quadrant or radii?

5 A They were to come up with a summary document; not
6 an elaborate document, but a summary document that looked at
7 different alternatives that dealt with those issues, yes.

8 Q And was it your understanding that they were to
9 meet with the HEW health officials the following morning with
10 the document and consult with them about the conclusions
11 reached?

12 A I just don't recall that that specific assignment
13 was made but obviously it would have been a logical thing to
14 do, that is to look at where public health resources were
15 and other public health related issues, logistic and otherwise,
16 in reaching some of those judgments.

17 Q Were there any -- was there any discussion at the
18 HEW meeting about the failure of the NRC to produce that kind
19 of a document?

20 A I don't recall a discussion of that sort. There
21 was certainly extensive discussion about evacuation, both
22 precautionary and emergency evacuation, that might have to
23 be carried out under rapidly changing situations and concern
24 expressed about the status of evacuation plans in general.
25 But I frankly don't recall in sufficient detail the discussion

1 as to whether the specific issue you referred to was addressed.
2 But evacuation was clearly discussed at that meeting.

3 Q I will show you what I have marked as Deposition
4 Exhibit 10, which is a document of several pages entitled,
5 "NRC Procedures for Recommending Evacuation". Is that
6 correct -- dated April 1.

7 (The document referred to was
8 marked Deposition Exhibit 10 for
9 identification.)

10 Q Was that document available at the HEW meeting?

11 A I saw this document on Sunday, April 1, but I don't
12 recall whether I saw it at the HEW meeting. I just don't
13 remember. It's entirely possible it was but I just don't
14 remember.

15 Q Do you recall --

16 A Some of the issues that the document deals with --
17 lead time -- were discussed. Of that I'm certain. But
18 whether this document, per se, was available I just don't
19 know.

20 Q Do you recall how that document was used, if at all?

21 A My recollection of this document's use was (a) it
22 was a subject of discussion in Jack Watson's office. I'm
23 trying to recall -- at the minimum, I think it was Sunday
24 afternoon. I frankly -- I think it was -- let me just check
25 my -- on Sunday afternoon at 4:00 after the President --

1 Jack Watson had traveled with the President to the island,
2 Three Mile Island, when Jack returned with the President at
3 about 4:00 o'clock, Jack and I and Frank Press, Jessica
4 Mathews, and Victor Gilinsky met in Jack's office. I'm quite
5 clear in my memory that this document was discussed at that
6 time.

7 Q What was the substance of the discussions?

8 A Well, the substance of the discussion really
9 focused on the lack of compatability -- part of the
10 substance, I can't recall everything that was discussed, but
11 one of the points that was discussed was the lack of
12 compatability between some of the assumptions under evacuation
13 scenarios and the actual evacuation planning that was going on
14 at the site.

15 For example, one evacuation scenario contemplated
16 that the NRC document, I'm positive, contemplated possible
17 precautionary evacuations out two miles from the plant site.
18 In fact, from a logistical and operational standpoint, we
19 were working in increments of five miles. There was no two-
20 mile scenario that could have been implemented. Again, that
21 was just a -- it was an operational problem, much like the
22 spike versus the quadrant versus the circumference type of
23 problem.

24 A proposal was made, as one evacuation scenario,
25 for a five-mile circumference around the reactor site and

1 then 10 miles within a 90-degree sector or quadrant of a
2 circle around the site out to, say, 10 or 15 miles. It was
3 that issue rather than a detailed and time-consuming
4 discussion of the probabilities of the different events that
5 might give rise to one or another of these evacuation
6 scenarios being implemented that occupied us at that meeting,
7 although we did spend some time being briefed on it. Since
8 neither Jack or I were technically competent to assess that
9 information anyway, we essentially took it as a briefing.

10 I recall that Commissioner Hendrie was en route to --
11 he was en route to Pennsylvania. I believe it was Sunday.
12 I think we agreed at that meeting that it would be important
13 for Commissioner Hendrie to have this document, he was going
14 to have a meeting with the Governor, and that he have this
15 document with him to talk to the Governor and the Governor's
16 emergency preparedness people to get closure and resolution
17 of the differing assumptions about evacuation scenarios.

18 Q The afternoon on Sunday you had an interview with
19 a CBS crew making a documentary of the Three Mile Island
20 incident.

21 A Yes.

22 Q I take it that various Federal agency people were
23 asked by the White House and by their superiors to cooperate
24 with the CBS crew in making this documentary.

25 A Yes.

1 Q What was the rationale behind that?

2 A Nothing extraordinary; simply that this crew had
3 very early on -- I don't remember precisely when the phone
4 call came. But this -- CBS had asked early on that they
5 be permitted in as unobtrusive a way as possible to get some
6 film footage of the Government managing and responding to
7 the accident at Three Mile Island. That struck us as a not
8 unreasonable request. We agreed with their request and
9 tried to be cooperative.

10 We had at least one interview with them and
11 permitted them to film some footage of some meetings in Jack's
12 office. I called Bill Wilcox and asked him to cooperate in
13 providing some opportunity for the film crew to get some
14 footage I think at the FDAA's Operation Center, and I think I
15 talked to Commissioner Hendrie or somebody at the NRC and made
16 a similar request of him.

17 It was simply to make it possible for that news
18 crew to get some film. They also had crews out in the field
19 as well interviewing people and filming Federal and state and
20 local officials at work on the problem. Lest there be anything
21 inferred from my silence on the subject, we received no other
22 requests from any other news source to engage in such an
23 exercise. That was the only one we received and we tried to
24 cooperate.

25 Q Were there any other -- other than the discussions

1 concerning the evacuation scenarios from the NRC, the CBS, do
2 you recall any other substantial activities on Sunday? None
3 is indicated in the White House chronology here.

4 A. There was a continuing series of phone calls,
5 discussions with people out in the field and us, continued
6 efforts to make sure that the planning and the emergency
7 preparedness activity was up to speed.

8 We took some steps to insure that there were
9 adequate gasoline supplies along evacuation routes, that other
10 support services were in place. It was more of a continua-
11 tion of activities that had been started in the preceding
12 couple of days, rather than a substantial number of meetings
13 to make new decisions.

14 There was a question about setting up backup
15 facilities -- establishing backup facilities for Federal
16 officials if an evacuation occurred. There were lots of
17 Federal officials who were on site who would have to be
18 relocated, and we were looking at alternative sites for
19 housing them and providing support services to them.

20 Q Now, on the second -- according to the log or
21 chronology, unconfirmed reports began coming in to the
22 effect that things were somewhat coming under control. You
23 and Jack Watson attended the Cabinet meeting.

24 Was the Three Mile Island situation discussed at
25 the Cabinet meeting?

1 A Yes. At the opening of the Cabinet meeting, the
2 President summarized the situation at Three Mile Island,
3 based obviously on the information we had been providing him
4 in our status reports and based on his own direct conversa-
5 tions with Harold Denton out at the site and other sources.

6 It was a relatively short briefing that the
7 President provided the Cabinet. I recall there were one or
8 two questions asked, and they were by Cabinet members and --

9 Q What kinds of questions?

10 A About the status. There were questions about was
11 it improving, and that kind of thing.

12 Q I take it that there was a meeting in the afternoon
13 of Chairman Hendrie, you, and Jack Watson, and Jessica
14 Mathews concerning the status of the site.

15 What was your sense, as you came away from the
16 meeting, of conditions at the site?

17 A I don't recall that I had a particular sense off
18 of that meeting, specifically. I agree with your character-
19 ization of that day, Monday, the 2nd. There was a general
20 sense all day long that the situation was stabilizing and
21 improving. I don't recall the day in which we started to get
22 some reports of data that the size of the radiation bubble
23 had, you know, significantly reduced. I don't remember
24 whether it was Monday or Tuesday, but there was a general
25 sense on Monday that the threat of either flammability or

1 explosion inside the reactor vessel, traceable to the hydrogen
2 bubble, had significantly reduced.

3 Q During the 2nd, there was a memorandum prepared to
4 the President about the energy speech which dealt, at least
5 to some extent, with the context of the Three Mile Island
6 nuclear accident.

7 Q Were you involved in the preparation of that
8 memorandum at all?

9 A I was consulted on it but I was not involved in
10 the drafting of it, no.

11 Q What was the nature of the consultation?

12 A I'm trying to recall who in fact actually drafted
13 it, and I don't -- I don't recall. But I talked to Frank
14 Press and I talked to Jack Watson, and I believe I may have
15 talked to Stu Eisenstadt or people on Stu's staff, about the
16 memorandum.

17 Q That afternoon of the 2nd, you were -- or it was
18 agreed that you and Jack Watson would brief the Democratic
19 Congressional leadership in the Speaker's office the
20 following morning.

21 A Uh-huh.

22 Q I take it that this memorandum that I have marked
23 Deposition Exhibit 11, which is a memorandum from you to
24 Jack Watson, dated April 3, was prepared for that briefing.

25 Q Is that correct?

1 A That's correct.

2 (The document referred to was
3 marked Deposition Exhibit 11 for
4 identification.)

5 Q And that this briefing for the preparation of the
6 memorandum came in the context both of Three Mile Island and
7 also in the context of the President's impending energy
8 speech, to which the memorandum from Jack Watson, Frank Press,
9 and Stuart Eisenstadt referred.

10 I notice that under the heading of "Brief History
11 and Context", there is some discussion of the safety of
12 nuclear energy as an energy source up to the Three Mile
13 Island incident, the Navy's experience, for example.

14 I guess this is a general question. I recognize
15 that in one sense I may be throwing a marshallow right
16 across the plate, but I think it is important to understand
17 the context in which decisions were made in the Executive
18 Branch.

19 To what extent did the future of nuclear power or
20 the development of nuclear energy as an energy source play a
21 role in decisions and decisionmaking, both during the
22 incident and perhaps more likely in the long-term management
23 and conduct of White House personnel and management of the
24 incident?

end T-10 25 A Obviously, it's a question

TAPE 11
dlc-1

1 A Obviously, each person on the White House staff
2 needs to answer that question for himself or herself. I
3 can tell you categorically that that question of the long-
4 term future of nuclear energy as a source played absolutely
5 no role in my mind with respect to the hour by hour emergency
6 management decision-making that was going on.

7 We were coping with the unfolding situation at
8 Three Mile Island and we were not making decisions about
9 the long-term future of nuclear energy, although one would
10 have had to be a fool not to understand that there would
11 be long term implications of what was going on at Three
12 Mile Island.

13 But for myself, I can state categorically, that
14 the long term issues of nuclear policy were not, did not
15 weigh on me with respect to deciding questions that were
16 brought to me for decision or matters where I was asked
17 for my advice with respect to handling the emergency.

18 The issue became germane when we suggested and
19 the President indicated he concurred and asked our unit
20 to take some hand in shaping the Three Mile Island Commission,
21 structuring a Commission, and in that context determined
22 that it was very important, after the President decided,
23 that we create a Commission that was both technically competent
24 but also broad-gaged and would not view its mission as
25 deciding the extremes of nuclear energy.

1 It had to really look at what happened at
2 Three Mile Island and then derive and deduce lessons and
3 general propositions from those facts . So it was really
4 not until that time that , speaking for myself, I started
5 to think explicitly in my decision making, my advice giving,
6 about the long-term nuclear energy policy issues.

7 Q At any point in the management of the incident,
8 say from the 28th to the end of April, did you ever hear
9 anyone discuss or refer to the implications of decisions,
10 courses of action, on the public perception of the safety
11 of nuclear power or the future of nuclear power itself,
12 within a decision making mode?

13 MR. HURON: Would you repeat the question? I just got
14 the tail end of it.

15 Q I will start again, I guess. During the period ,
16 let's say, of the 28th of March--I will change it and say
17 to mid-April, clearly the critical phase of the incident,
18 when decisions were made and discussions about potential
19 or possible courses of action were discussed are taking
20 place, did you ever hear anyone raise a question concerning
21 the implications of a certain course of action or decision
22 on the public perception of the safety of nuclear power
23 or the future of it?

24 A No.

25 Q I will show you what I have marked as Deposition

1 Exhibit 12, which is a memorandum dated April 2, from
2 Jack Watson to the President. It comprises of the fourth
3 status report.

4 (The document referred to was marked
5 for identification as Deposition
6 Exhibit 12).

7 Did you assist in the preparation of this
8 memorandum?

9 A Yes, I did.

10 Q Is it fair to say the sense of what you were
11 trying to convey in this memorandum to the President was
12 that things appeared to be shifting although guardedly so
13 from an acute to a chronic but less imminent public health
14 threat?

15 A There were two things we were trying to convey
16 in this memo. The first is to say in effect that the
17 emergency preparations were satisfied or in place, at that
18 time appeared to be; and if the event occurred to require
19 an evacuation, we believed we were ready to cope with it.

20 It gave him illustrious examples of the steps
21 we had taken in his name to get ready for that eventuality.
22 And that our judgement, from the information we were receiving
23 from the NRC technical people, was precisely as we stated it,
24 that we appeared to be moving to a situation at the reactor
25 which the risk of an accident had not been eliminated and

1 would not be eliminated for some considerable period of
2 time, but it was unknown as to how long it would be.

3 That we thought that we had an obligation,
4 assuming the situation sustained itself for a period of
5 time as we were diagnosing it, we had an obligation to
6 provid contingency support in case of deteriorization
7 but that it need not be at the level of readiness that was
8 characteristic of the point we had then reached through
9 three or four days of intensive activity.

10 That a determination would have to be made
11 as to what the appropriate level of continued readiness
12 would be and that would have to come necessarily as a
13 result of conversations with State officials and mutual
14 decisions.

15 : As you see in the memo, we asked the FDA and
16 others to start doing that kind of review and analysis
17 and preparation for conversations that we would then have
18 with the Governor and his people to determine what would be
19 a mutually appropriate Federal-State-local condition of
20 readiness below what I will call "red-alert", but it was
21 not a stand-down to the situation that preceded the occurrence
22 of the accident.

23 Q I take it that on April third conditions appeared
24 to improve to the point where it could also be pronounced
25 with some confidence that the acute phase had passed and

1 it appeared to be a more long term, chronic problem with
2 the cool-down.

3 A I don't remember the date, but I do believe that
4 by then there had been announcements from the reactor
5 site, from Denton or his representative, that the size of
6 the hydrogen bubble, if not completely dissipated, had
7 reached the state where there was no longer a danger that
8 the bubble pressure would expose the core and we would
9 have continuing threat of a melt-down, but that we clearly
10 had substantial long term problems in terms of how to
11 approach the clean-up, et cetera.

12 Q Let me show you Exhibit 13, which is a memorandum
13 from Jack Watson to Governor Thornburgh attaching a memorandum
14 from Secretary Califano to Jack Watson, attaching a memorandum
15 from the Surgeon General to Secretary Califano, all of which
16 are dated April third. The substance of the Secretary's
17 memorandum and the Surgeon General's memorandum is the
18 question of whether and how potassium iodide should be
19 administered or distributed at the accident site.

20 (The document referred to was marked
21 for identification as Deposition
22 Exhibit 13).

23 Did you request the Secretary to prepare
24 recommendations concerning potassium iodide?

25 A Yes, my request to HEW as I recall it was, in fact,

1 not to the Secretary himself but was a request to the Public
2 Health Service and I think most specifically it was to
3 Julius Richmond, the Assistant Secretary, but it may have
4 been some other official.

5 But in any event, the request was to Public
6 Health Service and it was the result of conversations I
7 had had with Jay Waldman and others in the Governor's
8 office regarding the advisability or prophylactic administration
9 of the potassium iodide.

10 Apparently there was some discussion in Pennsylvania
11 about that issue, whether it was a desirable thing to do
12 it or not. There were some Federal health officials out on
13 site that may have been discussing the advisability of it.

14 As you recall from earlier initiatives, we had
15 taken efforts to insure that adequate supplies of potassium
16 iodide were available in the area and I think by the time
17 the conversations were turning to the question of whether
18 prophylactic administration should be made, we had supplies
19 on site which raised the issue.

20 Q Do you recall when you were requested by Jay?
21 If I understand you correctly, the substance of the request
22 from Jay Waldman was "may we have from the Federal Government
23 recommendations concerning potassium iodide?"

24 A I don't recall the details of my conversations
25 with Jay Waldman, but it was from a conversation that I had

1 with Jay that either I suggested that if it would be helpful
2 to him to have such advice I would be glad to make the
3 request for him, or it was in response to a request he may have
4 made, but I simply do not recall whose initiative it was.

5 But in any event, I did make the request to the
6 Public Health Service for advice on that question which
7 was transmitted in the form of the two memoranda in this
8 Exhibit 13 to Jack Watson from Secretary Califano which
9 we then transmitted to the Governor.

10 Q Were there any discussions with Jack Watson about
11 transmitting these memoranda--

12 A Between who?

13 Q Between you and Jack Watson.

14 A Yes, it was a very quick discussion. It was--
15 I showed Jack the memorandum that we had received from
16 Secretary Califano. I think I had been called by Rick Cotton
17 or somebody else and advised that it was coming. I may
18 even have checked several points along the way between my
19 conversation with Jay Waldman and receipt of it as to what
20 was the time we were likely to receive it.

21 I had indication when it was coming, in any event.
22 When it arrived, I looked at it. I took it into Jack, I believe
23 and showed it to him and said read this. I believe we should
24 transmit it to Governor Thornburgh immediately.

25 Q And it was transmitted via telecopy?

1 A Yes.

2 Q Was there any consultation with the State about
3 potassium iodide before these memoranda were transmitted?

4 A As I say, I was talking to Jay earlier before
5 my request.

6 Q I mean between the time that the request evolved
7 and the time that you transmitted the memoranda?

8 A I had a number of conversations with State
9 officials about the potassium iodide issue, but I do not
10 recall the sequence with enough precision to know when, in
11 relationship to this memorandum, one or the other of the
12 conversations took place.

13 I called Jay Waldman. It is obvious by definition
14 I called him and advised him about this memorandum and told
15 him it was coming and what its contents were.

16 Q What was his response?

17 A It was that he would receive it and study it and
18 look at it. He did so and we talked further after he had
19 received it. He said the Governor's office had looked at it.

20 Q What was the sense of the Governor's office
21 reaction to that?

22 A They were not prepared to accept the recommendation
23 to administer the potassium iodide so that it would be
24 personally available to all persons whose proximity to the
25 site, say within ten miles, that within the 30-minute advance

1 warning, the standard that the Califano memorandum suggested.

2 They had public health and technical medical
3 advice from other individuals including physicians, I think
4 at the University of Pittsburgh, one of whom his name I
5 don't recall but was described to me as a national expert
6 on exposure to radioactive iodine and to the use of potassium
7 iodide.

8 The medical and technical opinion, the advice,
9 was different than Secretary Califano's. The judgement,
10 and I can't reconstruct for you all the supporting arguments
11 and points of view, but the judgement was that the recommendation
12 the specific recommendations need not be followed based on
13 their advice.

14 They appreciated the analysis and the quick turn
15 around, but they were not going to do the things that needed
16 to be done. In any event, my response was that the note
17 in point six of the Califano memo says that in any event,
18 those in touch with the local situation should assess these
19 recommendations in light of knowledge about current risks
20 and about the likelihood of advance warning of releases.

21 It was in that context that they made their
22 judgements and I pointed out that the memorandum was
23 provided for their guidance, and again, our posture was one
24 of continuing support and not trying to make the decisions
25 out there in the field.

1 Q You received this memorandum in the early
2 afternoon?

3 A 2:30-3:00.

4 Q Earlier that day, in fact in the morning, the
5 Secretary's testimony concerning Kennedy hearings was in
6 the office and there was some consultation between you and
7 Jack Watson, the Secretary, Frank Press and Rick Cotton
8 concerning the substance of the Secretary's testimony.

9 Was there any discussion about the potassium
10 iodide recommendations at that point?

11 A If there is a copy of the Secretary's testimony
12 available, if I could look at it and refresh my memory
13 on that point. The FDA has arranged for the manufacture
14 of the potassium iodide.

15 Q There is no explicit reference in his testimony
16 to the recommending of the distribution or administration
17 of the potassium iodide. He notes that the FDA has procured
18 the potassium iodide.

19 A I do not recall that there was any discussion with
20 Frank Press or with Secretary Califano on that specific
21 point in the development of this testimony.

22 Q At some point, the Secretary's recommendations
23 about potassium iodide and specifically the recommendations
24 to distribute it so that people in a certain radius had
25 it available to them in the event that they needed it, became

1 public. Do you have an understanding of how that became
2 public?

3 A How it became public? No I don't. I don't know
4 whether it was made public by HEW or by Federal officials
5 in the field or by the Governor's office. I just have no
6 idea.

7 Q But your understanding is that those recommendations
8 did eventually become public?

9 A I recall that they did. I may myself even have
10 been called about it by a reporter, but I don't--

11 Q But you don't know how that ended up in the
12 public press?

13 A No.

14 Q As things went into the long term mode, I take it
15 that during this week, the first through the seventh, perhaps
16 a little later than that, perhaps during the second week,
17 Rick Cotton contacted you concerning the Department of
18 ENergy's role on site.

19 Do you recall how you came into the issue of
20 the long term monitoring effort?

21 A Yes, I recall that both Rick and--I got a block
22 on his name from EPA--

23 Q Stephen Gage?

24 A Steve Gage --visited me at my office. I think
25 Rick called me on the phone and said he thought there was

1 a problem that needed to be addressed that was inter-agency
2 in character and had to do with the integrity of the data
3 on the long term monitoring of radiation data in and around
4 the Three Mile Island site.

5 That they wanted to discuss it with me. I think
6 we set up the meeting right away. They came over to my
7 office. We discussed it. The discussion really turned on
8 the need to designate a lead agency to take responsibility
9 for collecting, collating, maintaining all the various
10 radiation monitoring data that was being developed by DOE
11 and NRC and EPA and USDA and the FDA and everybody else.

12 Q What was the problems he described to you?

13 A The problems he described was that no explicit
14 assignment had been made, and that in the meantime the
15 process was moving forward in a de facto way, and as I
16 recall the conversation, both Steve and Rick believed that
17 the importance of maintaining this data was critical, to
18 both the long term understanding of what happened, the
19 effects, and understanding the public health consequences of
20 it.

21 So it is obvious as to why it is important and
22 that we need to have an explicit mandate from the White House
23 since so many Federal agencies were involved and that the
24 crisis period was moving and that the danger existed of the
25 Federal presence in the field, the high degree of coordination

1 that existed during the crisis period might relax as the
2 crisis passed and we would not have the same effective
3 cooperation over the long pole.

4 I asked them to make recommendations to me as
5 to how that might be carried out from their perspective and
6 it was based on their recommendations and my discussions
7 with Jack Watson and consultations with others subsequently
8 that led to the memorandum that Jack sent to the Secretary
9 of Energy, the Administrator at EPA, the Secretary of HEW,
10 and several other people establishing a mechanism for
11 the long term monitoring.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
END OF
TAPE 11

1 Q Did Rick Cotton tell you that the Department of
2 Energy was de facto the lead agency on the site?

3 A That may be my words, I don't know that he put it
4 quite that way, he indicated that from his perspective, if
5 I recall correctly, from his perspective there was no clear
6 assignment of lead agency responsibility out there, that
7 DOE was exercising the responsibility, but that -- there was
8 concern that without some decision, clear instructions, long
9 term structure and institutionalization of it, that it
10 would kind of, as I said earlier, lacking the crisis, it
11 just wouldn't hold together as well and it was very import-
12 ant that this be done on a long term basis.

13 Q As a result of conversations with Rick Cotton and
14 Steve Gage, did you develop the understanding that the weight
15 of the responsibility for collating, storing, archiving and
16 disseminating data at the site lay with DOE as opposed to
17 other agencies -- act -- it was acting in that coordinating
18 role?

19 A Insofar as I had an impression that anybody was
20 doing it, my impression was DOE was doing it, but that it
21 was de facto, as you say, rather than because of any mandate
22 or assignment of responsibility.

23 Q Now, did they raise a specific concern with per-
24 mitting that situation to go forward, that is, having DOE
25 perform that function?

1 A You mean as opposed to some other agency?

2 Q Yes.

3 A They may have expressed some concern about it.

4 The principal concern that was expressed was the one I've
5 already described, that it shouldn't be left as a responsib-
6 ility that devolved upon a single agency without instruction.
7 The lead agency had to be designated, of that I'm very clear.
8 As to expressions of concern about the Department of Energy
9 as opposed to some other department carrying the role, there
10 may have been some expression of concern regarding DOE's
11 identity with -- since it was the department that was res-
12 ponsible for energy development in general around the country,
13 alternative energy sources, that the objectivity -- it was
14 very important to protect the public's sense of the objective
15 collection and maintenance of the data that related to public
16 health exposures and environmental exposures, and air and
17 water, and food and the rest. And that, at the margin, it might
18 be preferable if an agency other than the Department of Energy
19 had that lead responsibility, that in that context I asked
20 them to give me some recommendations. They did so and we
21 consulted with other people. I remember having a personal
22 conversation with Secretary Schlesinger about this assignment
23 before the memo was sent out and after having developed it
24 and giving it to Jack.

25 Q Having received a draft of it, you mean?

1 A A very early draft, yes. This -- the memo that
2 went out was re-worked inside our office, but I had asked
3 for Cotton and Gage, that they develop a working draft that
4 we could use to refine the development and decide how we
5 wanted to proceed.

6 Q I'm sure you -- this exhibit 'm on -- 13, which
7 is a draft of a document dated April 10, memorandum from
8 Jack Watson to the Secretary of Health, Education and Welfare,
9 Department of Energy, the Nuclear Regulatory Commission, and
10 the Administrative Vehicle Protection Agency, is that a
11 draft that you would have received?

12 A It looks like a draft I would have received, whether
13 it is the draft I received or whether it's the first draft,
14 or whether there were subsequent drafts, I simply don't recall,
15 but obviously, the content and the general approach is --
16 is very close to the approach we ultimately took.

17 Q We made a mistake in designating that draft 13,
18 it is, in fact, Deposition Exhibit 14. If I could show you
19 Deposition Exhibits 15 and 16, 15 being a draft of that same
20 memorandum, but entitled, "revised draft" and 16 being what
21 appears to be the final draft of that memorandum.

22 Do you recall seeing 15, the revised draft?

23 A Well, as I say, I recall seeing drafts, plural,
24 of the document. I cannot recall the sequence of which
25 draft came first or second, but there were -- I don't recall

1 that there were dramatic changes between the drafts, in any
2 event, and the final memorandum that went out.

3 Q Do you recall why the Nuclear Regulatory Commission
4 was dropped as a recipient of the memorandum?

5 A Didn't we copy -- yes, we copied Chairman Hendrie

6 Q Okay, so that -- so it was a change to a cc:, then,
7 rather than direct it?

8 A In terms, you mean, the -- being an addressee of
9 the --

10 Q Yes.

11 A -- that's right, I think -- yes, I recall why --
12 why it was changed, the Nuclear Regulatory Commission is an
13 independent regulatory body that was not, in the same sense
14 that these departments are, responsible to the Chief
15 Executive.

16 Q Now, when you discussed this long term monitoring
17 assignment with Secretary Schlesinger, did you raise the
18 concern of the credibility of the data that would be gen-
19 erated out of the incident?

20 A I don't recall the -- you say credibility, I want
21 to make sure, when I use the term, the integrity of the data,
22 I'm using it I guess in the technical sense of storing it,
23 collating it, identifying it, insuring that subsequent re-
24 quests for data, you know, that there was a way of cor-
25 roborating the reports of the data referred to. I had no

1 doubt that any Federal official, from any department, had
2 no doubts about it.

3 Q Well, maybe we can go back and define our terms.
4 Did Rick Cotton and Steve Gage raise to you a concern that
5 if the Department of Energy were assigned the role of
6 collating and coordinating data collection and dissemination
7 over the long term monitoring effort, that the credibility
8 of that data, meaning the information generated by the
9 monitoring agencies might be affected because the Department
10 of Energy was charged with the responsibility for developing
11 nuclear energy and, therefore, might be perceived to be in
12 a conflict of interest position?

13 A I think conflict of interest would be overstating
14 their concern, but I think that the general issue was
15 discussed, yes, as I described earlier. I just want to make
16 sure my use of the term integrity of the data is not --

17 Q Integrity as opposed to credibility.

18 A Any question about the honesty of the people from
19 any department who were collecting the data.

20 Q Okay. Did either of them raise that concern that
21 there was a danger of the integrity of the data --

22 A No.

23 Q -- as opposed to the credibility and the public
24 reception?

25 A No, not to my knowledge, not to my recollection.

1 Q Did you -- in your discussions with Secretary
 2 Schlesinger, did you raise the issue of the credibility of
 3 the data as opposed to integrity in discussing this long
 4 term monitoring assignment?

5 A I frankly don't recall. It was a -- it was a
 6 relatively brief conversation. I called the Secretary, I
 7 told him what was in the -- in the memorandum that Jack
 8 Watson had not yet signed, but was prepared to sign that would
 9 go to the three agency heads with a copy to the Chairman of
 10 the NRC and asked him whether he had any difficulty with it
 11 And, as I recall, the Secretary indicated that DOE could
 12 do the job, or words to that effect, but that he had no
 13 problem living with -- living with this and it was -- it was
 14 a normal conversation of an agency head who would, you know,
 15 express confidence in his own agency's ability to conduct
 16 the function of this in an area of the agency's competence.

17 Q Was anyone else consulted other than Rick Cotton,
 18 Steve Gage, and the Secretary?

19 A I asked -- I personally did not consult with other
 20 people except with Jack Watson and I may have discussed the
 21 matter with Jessica somewhere along the way and have an
 22 explicit consultation with her on it, Rick Cotton and Steve
 23 Gage may have consulted with other people in developing the
 24 draft which was in response to my request for such a draft,
 25 but I can't testify to whom they consulted and so --

1 Q I take it that you agreed with this position, this
2 issue, the assignment that was made as you presented this
3 memorandum draft to Jack Watson, is that fair to say?

4 A Did I personally share the recommendations --

5 Q Yes.

6 A -- these proper recommednations?

7 Q Yes.

8 A -- oh, yes.

9 Q Okay, what was the basis for your -- your view?

10 A My view was the -- I agreed with the recommendations
11 we needed to have somebody explicitly designated, that it
12 was a mistake to let the long term monitoring occur and
13 assume that it would go on in an appropriate, well-managed
14 fashion unless the designation was made. I agreed that these
15 three agencies had principal responsibilities, albeit it,
16 not exclusive responsibilities, there were state and other
17 agencies that outside of our administrative responsibilities
18 that would be actively involved. And, I believe that the
19 EPA was the proper agency to take the lead in carrying out
20 that mission because from a public -- public prosepctive,
21 the EPA had as a Statutory mandate the protection of air
22 and water quality and that the public should be assured that
23 the agency that was going to be responsible for collecting
24 the data was also the agency that -- whose principal mission
25 was the purity of the air, water and the environment since

1 the environmental pollution issue was central to the concern
2 here. There was obvious technical competence that the
3 Department of Energy and HEW provided and continue to provide,
4 but that -- it was good, it was a reassuring step from the
5 prospective of public concern to have the EPA take this lead,
6 which is -- which is not --

7 Q Credible?

8 A -- let me -- let me quickly hasten to add, any
9 expression of non-confidence in the Department of Energy
10 or the Department of Health, Education and Welfare with
11 respect to the technical competence.

12 Q Did the credibility issue enter into your
13 decision making process at all as expressed to you by Rick
14 Cotton?

15 A No, the issue that entered mine was as I just
16 described it, in that perspective.

17 Q Finally, almost as a postscript, there was an
18 issue early on -- during the thick of the crisis where
19 Congressman Ertel and as relations with the state and him
20 going to a briefing, do you recall what that issue --

21 A No. Early on?

22 Q Well, Friday -- between Friday and the weekend.

23 A A briefing on site or in Washington?

24 Q In Harrisburg.

25 A To be conducted by whom?

1 Q The Governor's office. You're not familiar with
2 those?

3 A I'm not. I have absolutely no recollection.
4 It's entirely possible I was involved in it, but I have
5 no recollection of it at this moment.

6 Q Finally, there's just one last question: part of,
7 obviously, what the Commission is going to be doing is
8 developing recommendations and I wanted to ask you if you
9 had, as a result of having this experience and having some
10 months to reflect on it, any recommendations or kind of
11 perspective that you think the Commission ought to consider
12 as it goes through the next more contemplative 60 days and
13 coming up with recommendations for the President?

14 A A couple of observations: I'm sure anyone who goes
15 through the kind of experience I went through and others
16 went through, will look back with hindsight and wish for
17 several things. Number one, that there had been more fore-
18 thought given to how public agencies would deal with and
19 respond to an accident at a nuclear facility. As far as I
20 could determine during the worse moments of that weekend,
21 we had really no advance thinking to which we could repair,
22 no advance planning, that was unique to the potential problems
23 of the nuclear accident at a reactor site. That we had
24 generalized evacuation plans in place, was from my perspective,
25 both at the time and now in hindsight, not of great help.

1 That what one wanted was very careful and considered thinking
2 about all of the dimensions of a public emergency of a
3 crisis that would derive from a nuclear accident. We simply
4 didn't have it and I think we need to develop it, not
5 just for Three Mile Island, but for other facilities as
6 well. Precisely what those -- what would go into such a
7 plan, I'm not competent to suggest. I mean if I give some
8 detailed thought to it, I'm sure I'd make some recommendations
9 others would confirm.

10 I think that the need to have clear responsibility
11 for decision making and for -- accounting for the actions
12 of public agencies at a time of rapidly changing circumstan-
13 ces is demonstrated. I think we came pretty close under
14 circumstances involving multiple agencies and different
15 levels of government to achieving, if not an ideal management
16 change, at least a workable one. I don't come away from the
17 experience believing that there were any fundamental flaws
18 in the way responsibilities were apportioned and the way
19 people conducted themselves in response to those chains
20 of command that were established ad hoc. There was good
21 response.

22 The relationship between the state and the
23 federal government, in my judgement, could not have been
24 better. That is not to say that we did everything right
25 or that there aren't things we wouldn't do differently

1 were we doing them again. With the advantage of knowledge
2 of what happened in this case, just simply to say that the
3 attitudes, the spirit of cooperation, of an understanding
4 of the different roles, the federal government's was a
5 supportive role; the lead for decision making was in the
6 governor's hands; the allocation of responsibility between
7 Denton on the site and Watson in Washington, the relationship
8 of the governor both to Watson and to Denton and the
9 governor's staff, to Watson's staff, to me, to others and
10 to the NRC staff, generally, that worked very well. It
11 worked well. -- There was quick response, there was a sharing
12 and openness of information. There was a -- there was just
13 a continuous communication going on and when problems
14 developed, quick response.

15 It was the absence of any forethought to how one
16 would handle it. The fact of the matter is we were not
17 ready, in my judgement until Sunday, really, were we assured
18 that we had enough of the things in place that needed to be
19 done had something occurred. That is not to say we would
20 have been unable to respond to a worsening or deteriorating
21 situation on Saturday or Friday, we would have, and I believe
22 we probably would have done a reasonable job, but simply
23 to say that the detailed plans were not in place, the
24 logistical analysis hadn't -- hadn't been heard.

25 The emergency declaration question which would be

1 end our conversation with, I thought about that. I do not
2 believe that there was any Federal resource that was either
3 delayed or not made available to the state or other local
4 officials because we didn't have a declaration of emergency.
5 I also have no doubt that the simple bureaucratic and
6 administrative and operational processes would have been
7 marginally easier had we had such a declaration, that is
8 not a second guess of the decision that was made and one
9 which I concurred in at the time that we should not take the
10 risk of exacerbating public anxiety and perhaps induce some
11 panic by asking for a state of emergency if we were still,
12 nonetheless, able to continue to provide support.

13 The cooperation across government agencies at the
14 Federal level was good, it was quite good. From the
15 Secretarial level on down, the operating units, it was quite
16 good. We had multiple agencies participating on the emer-
17 gency management and disaster preparation side. The re-organi-
18 zation of the Federal government's emergency planning and
19 management capacity had already been passed by the Congress,
20 but this accident occurred before it had been administratively
21 put into operational practice. The existence now of the
22 Federal Emergency Management Administration, had it been in
23 place with its administrator named and confirmed by the Senate
24 as is now the case, would have made a difference. It would
25 have meant with one individual would have had -- in place

1 rather than an ad hoc chain of command which we created
2 by naming FDA, we would have had it statutorially that
3 cut across agencies, a major recommendation relates to the
4 question of the real need for more detailed planning for
5 both mitigation of the consequences of the nuclear accident
6 at the reactor site and for dealing with the crisis condi-
7 tions of an accident that might result in a serious admission
8 of radioactivity.

9 Q Were you aware throughout the incident of IRAP,
10 I-R-A-P, the Interagency Radiological Assistance Plan?

11 A No.

12 Q Did you ever hear anybody mention it during the
13 incident?

14 A Not that I recall -- not that I recall.

15 MR. HURON: Early on, the first meeting on Friday,
16 March 30 was the first general meeting, in the Situation
17 Room, the agenda was prepared and people were invited prin-
18 cipally by Colonel William Odom, is that correct?

19 MR. EIDENBERG: That's correct.

20 MR. HURON: Okay. Following that meeting, did
21 Odom, as far as you know, have any further role in the
22 management or advice with respect to the Federal Government's
23 handling of the situation?

24 MR. EIDENBERG: Not to my knowledge. As we left
25 the -- that first general meeting in the Situation Room,

tm

1 Colonel Odom said to Jack Watson, following up on Dr.
2 Brzezinski's comment that any help that he could provide
3 of a logistical or advisory sort in carrying out the
4 responsibilities, that now were shifting from Brzezinski to
5 Watson, he would be glad to help on. I called Odom at one
6 point during the ensuing several days when I was seeking
7 advice as to whom I spoke in DOD to insure that certain
8 material was moved. I wanted to make sure I was going to
9 call the right place ... the Department of Defense. I think
10 he refers to that -- that item in his memorandum, to
11 Brzezinski that we talked about earlier, but that was the
12 only -- the only contact that I had with Colonel Odom on
13 this matter after that general meeting. I have no knowledge
14 of his -- his playing a role beyond that.

15 MR. HURON: It is accurate to say that the only
16 NSC person who played an active role in terms of your
17 knowledge was Jessica Mathews?

18 MR. EIDENBERG: In my judgement, that's right,
19 from my perspective and in my experience, yes.

20 MR. HURON: Fine.

21 MR. HARVEY: Then, relating to what period of time?

22 MR. HURON: From -- from Friday following the
23 Situation Room meeting.

24 MR. EIDENBERG: Correct.
25

tn 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. HARVEY: That's it.

(Whereupon, at 7:12 o'clock p.m., the hearing was concluded.)

I have read the foregoing pages, 1 through 160, and they are a true and accurate record of my testimony therein recorded.

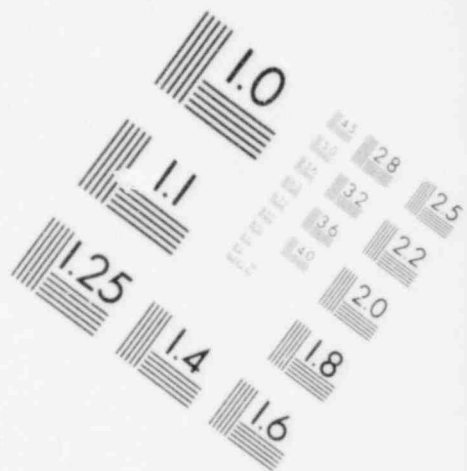
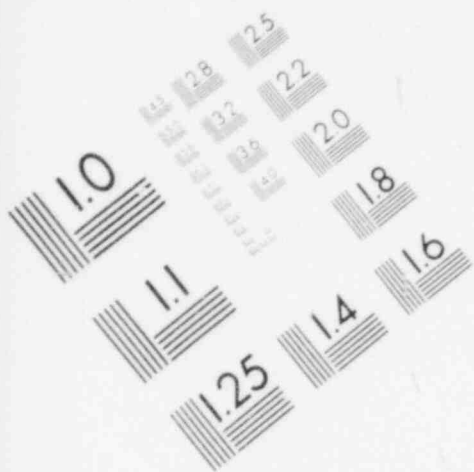
EUGENE EIDENBERG

Subscribed and sworn to before me

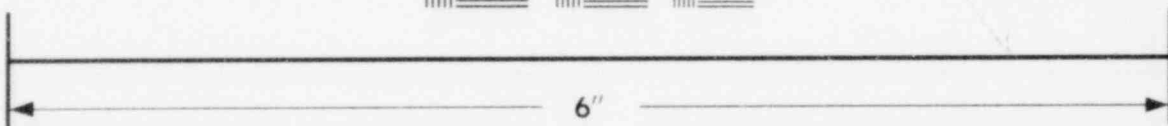
this _____ day of _____, 1979

Notary Public

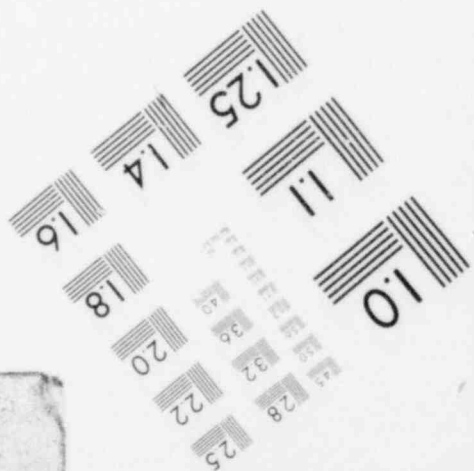
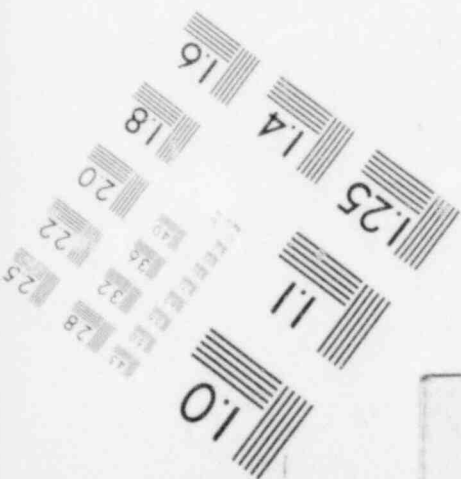
My Commission Expires: _____



**IMAGE EVALUATION
TEST TARGET (MT-3)**



MICROCOPY RESOLUTION TEST CHART



REPORTER'S CERTIFICATE

1
2
3
4 DOCKET NUMBER:

5 CASE TITLE: Accident at Three Mile Island
6 deposition of Eugene Eidenberg

7 HEARING DATE: August 23, 1979

8 LOCATION: Washington, D.C.

9 I hereby certify that the proceedings and evidence
10 herein are contained fully and accurately in the notes
11 taken by me at the hearing in the above case before the
12 President's Commission on the Accident at Three Mile Island
13 and that this is a true and correct transcript of the
14 same.
15
16

17 Date: August 24, 1979

18 Heaven L. Cook
19

20 Official Reporter
21 Acme Reporting Company, Inc.
22 1411 K Street, N.W. Suite 600
23 Washington, D.C. 20005
24
25

Eidenberg

CONFIDENTIAL

ACTION / INFORMATION

March 30, 1979 Exhibit =

MEMORANDUM FOR: ZBIGNIEW BRZCZINSKI

FROM: WILLIAM E. ODOM *Wo*

SUBJECT: Meeting on Nuclear Power Plant Accident

I am attaching an agenda at Tab A. I believe it is self-explanatory. I suggest the following outcomes from the meeting:

- (a) As clear a picture of the situation as possible.
- (b) Assignment of coordination and operations center responsibility at a single point at the federal level. The choices are either the NMCC at Defense or one of the several systems on the domestic side, e.g. Federal Disaster Assistance Administration (FDAA), Defense Civil Preparedness Agency (DCPA) and Federal Preparedness Agency (FPA).
- (c) An inventory of federal assistance which can be tapped to support the state of Pennsylvania.
- (d) A gross coordination strategy.

I have cleared this with Cassie and Jack Watson.

cc: Cassie Matthews

CONFIDENTIAL

Review on March 30, 1981

CONFIDENTIAL

AGENDA FOR SCO ON NUCLEAR POWER PLANT

IN PENNSYLVANIA
(Ad Hoc Meeting)

Friday, March 30, 1979

1. NRC briefing on the situation at the plant.
2. Whether or not to revoke the license of the utility.
3. Potential federal assistance in the situation demands:
 - Who will coordinate the federal assistance;
 - an operations center and reporting system at the federal level;
 - kinds of assistance which are available:
 - evacuation;
 - decontamination.
4. Communication to the public concerning both
the situation and the meeting:
 - who coordinates the news line;
 - news line for today;
 - contingency lines for resumption of the
situation.

CONFIDENTIAL

Friday, March 30, 1979

WASHINGTON

UNCLASSIFIED WITH
CONFIDENTIAL ATTACHMENT

Eidenberg
Exhibit #2

INFORMATION

MEMORANDUM FOR:

THE PRESIDENT

FROM:

ZBIGNIEW BRZEZINSKI

SUBJECT:

Meeting On Nuclear Reactor Accident

Attached at Tab A is the Summary of Conclusions of the meeting today.

UNCLASSIFIED WITH
CONFIDENTIAL ATTACHMENT

AD HOC COMMITTEE MEETING

Friday, March 30, 1979 (1:30-2:30 p.m.)

ATTENDEES

Defense:

Dr. James B. Wade
Colonel Archie A. Rider

NEC:

Mr. Joseph M. Hendrie

JCS:

Lt. Col. Billy Brown

DCPA:

Mr. Clifford E. McLain
Mr. John McConnell

Energy:

Mr. Jack Crawford
Mr. Herbert Frierroth

White House

Dr. Zbigniew Brzezinski
Jody Powell
Jack Watson
Eugene Tidenberg

FDAA:

Mr. William Wilcox
Mr. Ray Newsome

NSC:

William E. Odom
Jerry Schecter
Jessica Matthews

FPA:

Mr. Joseph Mitchell
Mr. Arnold Lewis

SUBJECT: Ad Hoc Meeting on Nuclear Power Plant Accident
in Pennsylvania - Thursday, March 29, 1979

SUMMARY OF CONCLUSIONS

The ad hoc group meeting was convened today to deal with the Three Mile Island reactor plant emergency. Dr. Brzezinski opened the meeting by announcing the following agenda: (1) A briefing on the situation at the plant and potential dangers; (2) plans for federal assistance to the extent the situation demands; and (3) Coordination of press and public statements by federal agencies.

Review of the Situation:

Chairman Hendrie of the NEC described the situation as stable at present. He further elaborated on what is necessary to maintain stability. Small discharges into the open air, as have already occurred, may be tolerated with the present circulation rate of cooling water at the plant. The amount of water being pumped into the auxiliary tank is one step less than needed, but it occurs, and the amount of water being pumped from the plant is 1,000 gal to 500 gal of water.

CONFIDENTIAL

Friday, March 30, 1979

CONFIDENTIAL

of other potential hazards exist, however, due to a hydrogen sulfide about 1,000 cubic feet in size, which could cause the oxygen level to drop below the oxygen level, thereby causing death. The oxygen level will be maintained within the confined plant area. The estimated "leak" of hydrogen sulfide from the open air and confined area and city down, could cause a hydrogen sulfide concentration of about 100 ppm. If this occurs, the evacuation of the surrounding area. If this occurs, the evacuation of the surrounding area will be about 20-mile diameter area would be required. A five-mile radius evacuation of children and pregnant women is a five-mile radius has been announced by Governor Hromburg. This five-mile area contains about 13,000 population. The 20-mile diameter area could affect as much as 100,000 population.

Federal Emergency Management Arrangements

It was decided to organize federal emergency management efforts in the following way. First, Mr. Harold Denton of the NEC, who is presently at the power plant, will be the single source of information about conditions at the plant. He will report by direct White House signal line to the White House and to Governor Hromburg as well as to the NEC. NRC is arranging signal drop at the reactor site, in the Governor's office, and at the NEC, to provide direct uninterrupted conference communications between all these points.

Second, contingency planning for emergency evacuation, the FEMA operations center will serve as the single point at the federal level. All other agencies will coordinate directly through FEMA. Jack Watson, at the White House, will be kept in touch with contingency planning and operations through the FEMA center.

Press Briefings and Public Releases

Press briefings and public releases will be coordinated by Cody Howell. He will depend upon information from Harold Denton at the plant, and he will coordinate statements with Governor Hromburg's office as well as with Jack Watson's staff for contingency evacuation matters.

Mr. Hromburg, Colonel Olson, and Cassius Matthews will provide assistance to Jack Watson and Cody Howell as appropriate and further management of the situation.

CONFIDENTIAL

Emergency Res. Ex. #3

THE WHITE HOUSE

WASHINGTON

MARCH 30, 1979

MEMORANDUM TO JACK WATSON

You are officially designated as coordinator for me on the efforts of Federal agencies to limit any physical damage and to prevent any personal injury from the Three Mile nuclear power plant in Pennsylvania.

Keep me thoroughly informed. I am available to give any necessary assistance.

Jimmy Carter

Handwritten signature or initials at the top right of the page.

THE WHITE HOUSE
WASHINGTON

April 20, 1954

MEMORANDUM FOR THE PRESIDENT

FROM:

JOHN HARSON *John*

SUBJECT:

REVISION OF CONSTITUTIONAL PROVISIONS

1. The proposed amendments to the Constitution are as follows:

- Amend Article I, Section 2, Clause 3, to read: "The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature."
- Amend Article I, Section 3, Clause 3, to read: "The Senate shall be composed of two Senators from each State, chosen by the Legislature of the State in which they may be, for six Years; and each Senator shall have the Qualifications requisite for Senators of the most numerous Branch of the State Legislature."

2. The proposed amendments are intended to clarify the qualifications of members of the House and Senate and to provide for a more direct election of the House of Representatives.

3. It is recommended that the proposed amendments be submitted to the States for their ratification.

- The proposed amendments are being submitted to the States for their ratification.
- The proposed amendments are being submitted to the States for their ratification.

4. The proposed amendments are being submitted to the States for their ratification.

- Asked the DOJ's Director of Military Security to provide the necessary information and/or assistance to the evacuation office.
- Asked the State's Office of Public Health to provide the necessary information and/or assistance to the evacuation office.
- Asked the State's Office of Health Services to provide the necessary information and/or assistance to the evacuation office.
- Asked the State's Office of Health Services to provide the necessary information and/or assistance to the evacuation office.
- Asked that the State's Office of Health Services to provide the necessary information and/or assistance to the evacuation office.

There is no question that we are currently in a country of...
 such as by... We want to be ready to...
 upon, but the... and every level...
 that... the... of...

THE WHITE HOUSE

WASHINGTON

Edenberg
Exhibit #5

INFORMATION

March 31, 1979

MEMORANDUM FOR: ZBIGNIEW BRZEZINSKI
FROM: WILLIAM E. ODOM *WO*
SUBJECT: Update on the Three Mile Island
Reactor Incident

The technical situation in the reactor incident is unchanged this morning at 0900.

Governor Thornburgh is moving closer to requesting a declaration of a Presidential emergency. Factors compelling him are:

- Absence of any quick solutions to the reactor hydrogen bubble condition.
- NRC/HEW technical judgments that a very large amount of radioactive material could eventually be released.
- Judgment of NRC and Civil Defense officials that a 20-mile radius, not just 20-miles downwind, should be evacuated. About 600,000 people could be involved.

With the powers of a Presidential emergency, Governor Thornburgh can deal with this evacuation more effectively.

Defense has been providing Federal support in the form of helicopters and air transportation last night and this morning. At present there is some confusion over a request for a large air transport capability to bring lead bricks to the reactor site. Harold Brown will resolve it.

We are at a rather significant decision point. Sometime today we will probably have set in motion a major population crisis relocation.

Continuing Top. Ex. 16



DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
WASHINGTON, D.C. 20492

Noon, March 31, 1979

1979 MAR 31 PM 2 17

MEMORANDUM FOR THE HONORABLE JACK WATSON

SUBJECT: Three Mile Island Nuclear Power Plant Accident

At my request, the top public health officials of the Department, including the Surgeon General, the Director of the Center for Disease Control, the Director of the National Center for Human Resources, the Director of the National Institute of Environmental Health Sciences, the Commissioner of Food and Drugs, and the Director of the FDA's Bureau of Radiological Health, have reviewed the information available to date regarding the accident at the Three Mile Island Nuclear Power Plant in Pennsylvania.

We met late Friday afternoon with the Administrator of the Environmental Protection Agency and his staff as well as with the Commissioners of the Nuclear Regulatory Commission and staff from the National Security Council.

We have examined the information the NRC has provided on the status of the containment and on the amount of radioactive material released to the plant so far. We have also reviewed the need for the plant to be shut down and the health consequences of the accident. We have also reviewed the need for the plant to be shut down and the health consequences of the accident.

Based on this review, the Public Health Service scientists concluded:

0
The information provided by NRC, the Commission on the Accident at Three Mile Island, and the Environmental Protection Agency is insufficient to determine the health consequences of the accident. The Commission on the Accident at Three Mile Island and the Environmental Protection Agency should continue to provide information on the status of the containment and on the amount of radioactive material released to the plant so far.

- o Both public (Federal and State) and private institutions should immediately take all precautionary action necessary to carry out an evacuation. These agencies should include careful review of the special needs and problems involving (a) handicapped individuals such as the handicapped, the sick, and those without cars; (b) special institutions such as hospitals, nursing homes, and prisons, and (c) the critical public health concerns (sanitation, food, emergency shelter, etc.) incident to any large scale evacuation.
- o Your coordinating units should work with HW on supplying potassium iodide -- a chemical that individuals should ingest as a precautionary health measure in the event substantial amounts of radioactive iodine are released to the environment -- as well as providing instructions to pharmacists and the public on the preparation and use of this material.

Decisions About Interventions

The information that has been made available to us indicates that the interventions being considered are the most effective that can be carried out to protect the population in the event of a nuclear accident. It is our belief that the public health experts from HW and other agencies are assessing the consequences of the public health risks associated with the radioactive release, and that the public health risks to be taken, such as evacuation, are being evaluated in the light of the health consequences. It is our belief that you should make certain decisions about the intervention.

HEW Activities

We have undertaken a number of activities at HEW which I list below. In two other areas, we are prepared to assist -- but we need to know what you expect us to do.

- o First, we will be prepared to provide either you, the NRC, and/or the Governor's office with our assessment of the public health implications of the environmental monitoring data.
- o Second, we are prepared to provide assistance in the event of an evacuation -- such as infectious disease specialists, and food and drug officials -- to whatever extent you request.

But we need to know what responsibilities you expect us to shoulder so that we can be prepared to respond fully and effectively.

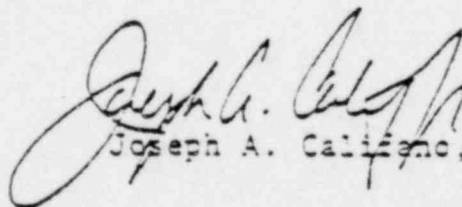
To assist you in your coordinating efforts, I summarize briefly the activities that we have undertaken with respect to the Harrisburg accident:

- FDA personnel are in the area and are taking daily samples of water, fish and other food within a ten-mile radius of the plant to detect any radioactive contamination of the food or water supply. The results of these analyses of these samples are being provided to NRC.
- The FDA has identified all food processing plants in the area under its jurisdiction and will sample their raw materials and finished products, as necessary to detect any contamination.
- HEW is providing personnel, on a 24-hour basis, to the NRC's control center to assist in reviewing NRC, EPA, HEW and DCH data from environmental monitoring as well as to provide that data to an HEW panel of public health scientists for review. They

will make recommendations to the local agencies to questions about the public health and safety in the area.

- The CDC has purchased supplies of potassium iodide and is getting these to the area so that they can be made available for the public should radioactive iodine be released into the atmosphere. We are also printing "patient" instructions on use.
- In keeping with our responsibilities under the Interagency Radiological Assistance Plan, we are preparing our resources to assist in the event of any evacuation of the area.
- We will be prepared, if necessary, to provide training to hospital personnel in the area to treat radiation injuries.
- The Center for Disease Control is reviewing the extent to which environmental data are being collected and will make recommendations to you if additional data should be collected to provide an adequate basis for evaluating the near- and long-term public health consequences of exposures resulting from this incident.

I will keep you informed of our activities and of any further recommendations for action we believe necessary to protect the public health.


Joseph A. Califano, Jr.

Edwin D. Exp #7

THE WHITE HOUSE
WASHINGTON

March 31, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: JACK WATSON *Jack*

SUBJECT: Status Report -- Three Mile Nuclear Facility Report #2

Since talking with you, I have talked with Governor Thornburg, Harold Denton, Joe Califano and Doug Costle.

- o I advised Joe that no meeting with you is required at this time. Neither do I believe it necessary for me to convene the high level meeting Joe suggested. I will continue to work with the appropriate agency people, and will convene necessary working meetings.

If a higher level session is indicated, I will convene it.
- o The Governor continues to state my view that there is no current need to make a formal request of you that a state of emergency be declared. While there are minor bureaucratic obstacles to getting the contingency planning and support work accomplished, we are coping with the situation. There is nothing to be gained by a formal declaration, and the request would significantly escalate public anxiety.
- o Harold Denton reports the situation at the reactor site is stable. It will be several days before a decision is made about the nature of the intervention that will be made to cool the core. Circumstances could change, but in this timeable hole, we will have time to get the military and civilian support systems in a ready condition before any intervention begins.

The major decision will be whether to evacuate as a precaution before intervention.

Rex Watson began the meeting at 9:20 a.m. by commenting on the good communication among the Task Force Members. He noted that he had regular and good communication with the Governor's office and the Governor as necessary.

HW voiced concern about a lack of interaction/contact between agency public affairs' offices and the state. HW feels the agencies need more guidance on how to handle inquiries coming directly to them.

Gene Hidenberg said that all inquiries of this nature should be referred to the White House Press Office. If there is need for direction, the agencies should call Pat White or Rex Grantham.

HW said they were very concerned about the lack of input from a health/medical HW professional in the NAC Emergency Operations Center. They feel they are able to get specific data into/out of the state but not to/from NAC.

Watson noted that regular reports are being sent to the President from him and that one will be submitted to the President upon his return tonight. Watson stressed the fact that the federal posture is one of maximum support and assistance to the state.

The HDA reported that the six counties involved are in good shape for evacuation. Within the 10-mile radius, 5 counties could evacuate in three hours, 1 county would need 4 hours. Within the 20-mile radius, evacuation could be done in approximately 5 hours.

The number of people involved are approximately 175,000 within the 10-mile radius and 745,000 within the 20-mile zone.

A question was posed about the likelihood of a hydrogen explosion. NAC reported that the preliminary calculations indicate that this is not a problem today, but could be a potential problem in the next few days. In a worst case situation, the lead time for evacuation could be 0 - 1/2 hour.

DOE is not the evacuation of the area, but the evacuation of the area from the area. This is the evacuation of the area from the area, but the evacuation of the area from the area is not the evacuation of the area from the area.

Watson stressed the confidence that he had in the, with any future meetings, and stressed that he would be any part of their discussion be based on a clear, solid, known situation only.

Watson again emphasized the federal government must remain low; (1) because the state and local governments have the lead, and (2) because public anxiety could increase by federal officials expounding on the situation. Watson asked that press statements not be made by the agencies, but by the White House or the State officials only.

Watson illustrated this point by saying that some DOE officials had made press statements regarding the movement of lead bricks which led to speculation as to their purpose.

NSC suggested another round of press conference calls be made to the agencies' public affairs officials to give them updated information. The White House press office said they would do this.

Hidenberg reported on a conversation with state officials he had just completed.

-- The 20-mile plan is in working order. Lesser radii are being considered, but the focus is presently on the 20-mile zone. The population numbers in the 20-mile zone are 25, -30,000 in a 5-mile radius, 6, -100,000 in a 20-mile radius. However, it is unclear how many people have left already voluntarily.

(EPA expressed concern about a possible "telescoping" effect. In evacuation orders, should one general evacuation order be issued, stage plan would be difficult to implement.)

1 The evacuation of the area is being carried out by the State Police and the National Guard. The evacuation is being carried out in a systematic manner and the State Police are providing transportation for the evacuees. The National Guard is providing security for the evacuation area.

(The suggestion that cancelling elective elections might be desirable).

1 There has been great difficulty in determining the number of houses in the evacuation area. No reliable count is available on the number of houses or persons in them. The State would check out figures they have that might help the state in their assessment.

1 If National Guard troops are called in, the Guard would need 2-4 hours lead time. The State Police already have training plans in process. County placement plans are also in process.

1 Public notice is being carried by radio/TV. The insurance company covering the area is offering a \$500 advance "advance" for persons within the five-mile radius who want to voluntarily leave the area and who are designated by the Red Cross to need this assistance. In order to do so, this is being carried out under the authority of the company and not by any action or intervention by the federal, state, or local governments.

1 The Governor is studying the situation regarding the evacuation of the area. The Governor is studying the situation regarding the evacuation of the area. The Governor is studying the situation regarding the evacuation of the area.

1 The State Disaster Commission is providing assistance to the evacuees. The State Disaster Commission is providing assistance to the evacuees. The State Disaster Commission is providing assistance to the evacuees.

The second phase of the task force was to determine the best possible evacuation plan for the area. The task force has been working on this since the first phase. It is expected that a final report will be submitted to the Government in the next few weeks.

(The task force has also been asked to consider the possibility of evacuating the area in the event of a nuclear accident. The task force has been working on this since the first phase. It is expected that a final report will be submitted to the Government in the next few weeks.)

Watson stressed that the task force was not to be confused with the evacuation plan. The task force is to provide the best possible data base to the Government and its officials.

HEW again noted the need to have health professionals at the Emergency Operations Center in Bethesda to coordinate the evacuation plan. The task force has been working on this since the first phase. It is expected that a final report will be submitted to the Government in the next few weeks.

Watson then clarified the "advisory roles" of the task force and the NRC. Harold Denton is advising the Government and will make any on-site decisions/recommendations (i.e., when to evacuate); the task force needs to provide the best possible data base to Denton to help in making these decisions as well as providing plans for evacuation with the view of assisting the State in making decisions on the evacuation plan.

The task force will be working on this since the first phase. It is expected that a final report will be submitted to the Government in the next few weeks.

The task force has been working on this since the first phase. It is expected that a final report will be submitted to the Government in the next few weeks.

... ..
... ..
... ..
... ..
... ..

... ..
... ..
... ..
... ..
... ..
... ..
... ..
... ..
... ..

Names and phone numbers were exchanged and the group agreed to leave phone numbers where they could be reached at all times with TOM (634-17800). Everyone was put on call status for possible meetings and consultations tomorrow.

The meeting adjourned informally at 7:10 p.m.

Eisenberg Rep. Ex #9

THE WHITE HOUSE
WASHINGTON
March 21, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: JACK WATSON *Jack*
SUBJECT: Status Report -- Three Mile Island
Nuclear Regulatory Report #

Since my report earlier today, the following developments have occurred:

- (1) I met with the working group representing all appropriate Federal agencies for two hours this afternoon.
 - The status of contingency planning for a possible evacuation is satisfactory. We are staying in close and constant touch with the work being done at the state and local levels, and the Federal support mechanisms are all coming into place. DOD has appropriate logistical support units on alert. The Red Cross is moving some materials into position, and FEMA is coordinating the Federal activities in the field.
 - I asked the Nuclear Regulatory Commission (through Commissioners Gilinsky and Bradlow who attended the meeting this afternoon) to develop (a) the criteria to be used in determining whether a precautionary evacuation is indicated; and (b) the nature and extent of such an evacuation in light of likely radiation dispersion patterns, anticipated wind direction and velocities, etc.
 - It is clear that the major discretionary decision the Governor will have in the next 2-3 days is whether to evacuate, as a question, before the release of the release side of the reactor. Current estimates indicate that every individual within the evacuation zone will be exposed to a radiation dose of 0.1-0.2 rads, which is considered to be a very low level of radiation and is not expected to cause any health effects.

(2) I have briefed Harold Brown on our contingency planning and have good communications with, and support from, DOD.

(3) An AP story which was on the wire tonight based on various named and unnamed sources from the NRC Operations Center in Bethesda has seriously raised public anxiety levels in Pennsylvania. I immediately talked to the Governor about the story who was very concerned about its effects on an already anxious population in the vicinity of the site. Harold Denton briefed the press in Harrisburg in an effort to allay fears and clarify the situation.

- I also talked tonight with Chairman Hendrie and Commissioner Galinsky of the NRC and asked that they tighten and improve control of the NRC public information process out of Washington.

- I also spoke tonight with Herman Dieckamp, President of General Public Utilities Company, and suggested that the Company discontinue its separate press briefings on the situation at the site, leaving that responsibility to Harold Denton. He agreed to do so.

- I have alerted the Governor to your planned site visit. He was most gracious and will work to make your visit productive. I said that I would be back in touch with him tomorrow to keep him fully advised of our plans for such a visit.

NRC PROCEDURES FOR DECISION TO RECOMMEND EVACUATION

Who Decides

1. Combination of consequences and times require immediate initiation of evacuation: Senior NRC Official on site recommends to Governor.

2. Unplanned event with substantial risk takes place or is imminent or situation judged excessively risky but there is time for consultation. Senior NRC Official notifies Governor and NRC HQ. Chairman makes recommendation to Governor after consulting with Commissioners if possible.

3. Planned event involving significant additional risk. Chairman and Commissioners makes recommendation.

Unplanned Events

EVENT	EXPECTED PLANT RESPONSE	RELEASE AND TIME	WARNING TIME	EVACUATION SCENARIO
1. Loss of vital function or unplanned leaks.	Restore function within 1 hour	No significant change		Possible pre-cautionary evac 2 mi; stay inside 5 mi
<u>Examples</u> Reactor Coolant Pump Trip;	Switch to Alternate Function involving Primary Coolant in Auxiliary Building	Small leak less than 1 gal/hour		possible pre-cautionary evac 2 mi; stay inside 5 mi
Loss of offsite power;		Large leak 50 gal/min	2 hour	Evac 2 miles Stay Inside 5 miles
Loss of feed-water; Depressurization to go on RHR; Leak in Auxiliary Building	Serious possibility of failure to restore a vital function See 2			

- conservative

These tables include a number of assumptions about activity and weather, chosen realistically. In an actual release, the release rate and weather should be evaluated as they are at the time, and the decision based on those values.

EVENT	EXPECTED PLANT RESPONSE	RELEASE AND TIME	WARNING TIME	EVACUATION SCENARIO
2. Sequence leading to Core Melt	Maintain Containment Integrity (likely) with Containment Cooling	Design Containment Leak Rate	4 hour	Precautionary Evac 2 mi all around and 5 mi, 90° sector stay inside 10 mi
	Containment expected to Breach	Significant release of core fission products	24 hour (time for containment failure)	Evac 5 mi all around and 10 mi, 90° sector, stay inside 15 mi
3. Hydrogen flame or explosion possible inside reactor vessel	Mixture in flammable range			Precautionary 2 mi (?) <i>f 5 mi, 90° sec.</i>
	Explosion; major damage Core Melt See 2			<i>10 mi at 15 mi</i>
4. Evacuate or Lose Control Room	Loss of Control Treat like major release			Precautionary (3) 2 mi Evac 5 mi all around and 10 mi 90° sector, stay inside 15 miles

EVENT	EXPECTED PLANT RESPONSE	RELEASE AND TIME	WARNING TIME	EVACUATION SCENARIO
Planned Manuever	Probability of losing vital function	See releases under loss of vital function	Timing of manuever can be set to provide as much time as necessary	Precautionary evacuation 2 miles, stay inside 5 miles PLUS See outcomes under loss of vital function.

Action Guidelines

- a. Notify evacuation authorities two hours in advance (if possible) to standby for a possible evacuation.
- b. Projected doses of 1 rem whole body or 5 rems thyroid stay inside.
- c. Projected doses of 5 rems whole body or 25 rems thyroid mandatory evacuation of all persons.

Assumes general warning already that some form of evacuation may become necessary.

Weather

The table is based on a realistic prediction of the weather for the next few days, based on the April 1 forecast which would result in high doses at a given distance. At the approach to decision time for evacuation, the appropriate meteorological condition will be factored into the dose estimates to determine the evacuation time, sectors, and distances for the evacuation.

NRC is predicting the dispersion characteristics of the region for the currently measured meteorology as the incident progresses. Rain could lead to higher local radioactivity levels.

Heat-Generation

The reactor core is now quite cool compared to the conventional design-basis calculations.

1. The reactor is new, so no fuel has more than 3 months equivalent operation, compared to 1-2 years average for other plants.
2. The neutron chain reaction has been shut down for over 4 days.

It should also be noted that the concrete basemat of this plant is unusually thick.

As a result of the above differences, calculations for this plant at this time predict that the core will not melt its way through the containment.

Event 1 - Sprays and Coolers Operative
Time=0 Flow stops, core and water start heat-up
Time=100 min Core starts to uncover
Time=150 min Core begins to melt
Time=200 min Molten core is in lower head of reactor vessel, pressure is 2500 psia
Time=210 min Reactor vessel fails, containment pressure goes to 25 psia
Time=210 min Hydrogen burns, containment pressure goes to 67 psia
Steam explosion possibility - minor consequence

CONTAINMENT SURVIVES (Failure assumed 130 psia)

Time=10 hours Molten core has melted about 1 meter into basemat
Time=days Major problem - handle hydrogen, oxygen - maintain containment integrity

CAUTION: - Keep sprays running
- Keep water many feet over molten debris
- WITHOUT RECOMBINERS Hydrogen continues to build up

BASEMAT SURVIVES

Event 1 Conclusion: This event should not produce major releases

Event 2 - Sprays and Coolers Failed Before Flow Stops
Time=0 to Time=210 min Same as Event 1 - containment pressure is 25 psia
Time=810 min Containment pressure is 70 psia
Time=1 day Containment fails due to steam (mostly) overpressure - about 135 psia

CONTAINMENT FAILS

Event 2 Conclusion: This event leads to major releases.

Handwritten signature: [Signature]

THE WHITE HOUSE

WASHINGTON

April 3, 1979

MEMORANDUM FOR JACK WATSON

FROM: GENE EIDENBERG

SUBJECT: Congressional Leadership Briefing:
April 3, 1979 10:30 a.m.

You are to brief the Democratic leadership on the House of Representatives on the status of the Three Mile Reactor and emergency plans to protect the health and safety of the public in the area.

Brief History and Context

- Not counting nuclear submarines and foreign reactor sites, the U.S. has enjoyed 400 - 500 reactor-years of safe operation. There are approximately 70 nuclear reactor sites which are generating electricity. The cumulative years of operation yield the reactor-year number.
- Three Mile's accident is the first serious accident in this time.
- It has been a serious accident. The full nature and cause of which will not be known for some time.
- Nonetheless, no one has been killed and maximum cumulative exposure to the population to date has been no more than probably less than 1/2 the dosage of an average chest x-ray.
- The president told the Cabinet yesterday that his visit to the control center at the Three Mile site exposed him to less radiation than an airline passenger receives flying across the country (coast-to-coast) at 30,000 feet.
- The accident produced two serious problems that occupied everyone's attention for the past five days:

- explosion of the reactor core (the
fuel rods) has been reported
led to the loss of a reactor rod and
- the development of a hydrogen bubble with
the potential of explosion
could have become explosive (a nuclear
explosion was never a possibility).
- the status of the situation is now:
 - the core is cooling and is unexposed;
 - the hydrogen bubble is all but dissipated
and the risk of explosion is all but gone.
- the NRC and other officials on site are, of course,
monitoring the situation closely; we have a "closed
system" with an unknown extent of damage to the
reactor core and support systems. The greatest
and greatest concern is being given to every move.
- the next important step (at a time not yet set) will
be to engage those systems which will bring the
core to a cold and shut-down condition.

Emergency Planning - State/Federal Roles

From the time on Friday last when the President directed
you to coordinate federal efforts at state and local
levels, the first objective was to prevent
uncontrolled releases resulting from the accident, you have
been the following:

- immediately contacted the Governor and his top
officials on the status of state and local emergency
plans;
- on the same day contacted the Governor and his top
officials to discuss the status of state and local
emergency plans, and to discuss the
status of state and local emergency plans;
- discussing emergency response plans;
- discussing the status of state and local
emergency plans;

1 ~~_____~~

1 ~~_____~~

1 _____

1 ~~_____~~

1 ~~_____~~

1 ~~_____~~

1 ~~_____~~

1 _____

1 _____

1 _____

... to the ...

... the ...

It is our opinion that the ...

White House communications facilities were ...

At no time during this ...

We all have reason to be proud of the response of the federal government.

You should also know that Governor ...

Next phase

Assuming the good news of the ...

... the ...

I have asked Mr. [Name] to make the same review from our perspective.

I have asked Mr. [Name] to make the same review from our perspective.

When I have recommendations from Mr. [Name], if they are so, I will meet with the Government's staff to make a judgment as to what recommendations to make to the Government and the President.

Emergency Rep. Cr. #12

THE WHITE HOUSE
WASHINGTON

April 2, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: JACK WATSON *JW*

SUBJECT: Status Report - Three Mile Nuclear Facility Report #4

Current Status Contingency Plans

The level of cooperation across the Federal government and between the state and Federal governments remains high. Contingency plans for evacuation are in place and in a state of operational readiness. You have reason to be proud of the extraordinary efforts of a lot of people in the Federal agencies who have been working 16-20 hour days for the last four days.

I thought it would be helpful for you to have some general sense of the kinds of actions I have authorized over the past 72 hours. The following are illustrative:

- the manufacture and delivery of supplies of potassium iodide which can be administered to the general population as a prophylactic to radioactive iodine;
- establishment of a Federal Emergency Operations Center at the U.S. Fire Administration's Manufacturing, Md. facility in case Federal officials are required to be evacuated from the Manufacturing area;
- the establishment at Carlisle Barracks in Pennsylvania of an NRC operations center if NRC personnel are required to be moved from the reactor site;
- the collection and storage of food, blankets, experiences, medical care facilities, medical and other support supplies in the event of an evacuation;

- The ...
- The ...
- Special ...
- U.S. ...
- ...

In every case, the ...

Continuation

The ...

1. The first part of the document discusses the general principles of the law of contract, which are based on the freedom of contract and the sanctity of contracts. It is essential to understand these principles as they form the foundation of the legal system.

2. The second part of the document deals with the formation of a contract, which requires an offer and an acceptance. The offer must be clear, definite, and communicated to the offeree. The acceptance must be made by the offeree and must mirror the terms of the offer.

3. The third part of the document discusses the discharge of a contract, which can occur through performance, agreement, frustration, or breach. Breach of contract is a violation of the terms of the contract, and the injured party may be entitled to damages.

4. The fourth part of the document deals with the remedies available for breach of contract, including specific performance, damages, and rescission. The court will grant specific performance if the subject matter of the contract is unique.

5. The fifth part of the document discusses the law of tort, which deals with the wrongs committed against individuals. The most common tort is negligence, which occurs when a person fails to exercise the duty of care owed to others.

6. The sixth part of the document deals with the law of property, which deals with the rights of individuals in land and personal property. The most important concept in property law is the right of ownership.

7. The seventh part of the document discusses the law of succession, which deals with the transfer of property upon death. The testator's will is the primary instrument used to transfer property.

8. The eighth part of the document deals with the law of trusts, which is a fiduciary relationship where one person holds property for the benefit of another. Trusts are used to manage property and provide for the needs of beneficiaries.

9. The ninth part of the document discusses the law of agency, which deals with the relationship between a principal and an agent. The agent acts on behalf of the principal, and the principal is bound by the agent's actions.

10. The tenth part of the document deals with the law of partnership, which is a relationship between two or more persons who agree to carry on a business together. Partners share the profits and losses of the business.

Notes on the Law of Contract

1. The law of contract is a branch of law that deals with the legal consequences of agreements between two or more parties. It is based on the principle of freedom of contract, which allows individuals to enter into agreements as they see fit.

2. A contract is a legally enforceable agreement between two or more parties. It must be formed by an offer and an acceptance. The offer must be clear, definite, and communicated to the offeree. The acceptance must be made by the offeree and must mirror the terms of the offer.

3. The law of contract is based on the principle of freedom of contract, which allows individuals to enter into agreements as they see fit. This principle is subject to certain limitations, such as public policy and the protection of vulnerable parties.

4. The law of contract is also based on the principle of the sanctity of contracts, which means that once a contract is formed, it must be honored. Breach of contract is a violation of this principle, and the injured party may be entitled to damages.

5. The law of contract is a complex area of law, and it is essential to understand its principles and rules. This document provides a general overview of the law of contract, and it is intended to be used as a guide for further study.

6. The law of contract is a branch of law that deals with the legal consequences of agreements between two or more parties. It is based on the principle of freedom of contract, which allows individuals to enter into agreements as they see fit.

7. A contract is a legally enforceable agreement between two or more parties. It must be formed by an offer and an acceptance. The offer must be clear, definite, and communicated to the offeree. The acceptance must be made by the offeree and must mirror the terms of the offer.

8. The law of contract is based on the principle of freedom of contract, which allows individuals to enter into agreements as they see fit. This principle is subject to certain limitations, such as public policy and the protection of vulnerable parties.

9. The law of contract is also based on the principle of the sanctity of contracts, which means that once a contract is formed, it must be honored. Breach of contract is a violation of this principle, and the injured party may be entitled to damages.

10. The law of contract is a complex area of law, and it is essential to understand its principles and rules. This document provides a general overview of the law of contract, and it is intended to be used as a guide for further study.

Sidney Rep. - Ex # 13

THE WHITE HOUSE
WASHINGTON

April 3, 1979

1979 APR 3 PM 2 28

MEMORANDUM FOR GOVERNOR THORNBURG

FROM:

JACK WATSON *Jack*

I am sending you the attached memorandum from Secretary Califano for your information and guidance. We stand ready to assist you in any manner needed.

FOR IMMEDIATE TRANSMITTAL TO THE GOVERNOR.



THE SECRETARY OF HEALTH, EDUCATION AND WELFARE
WASHINGTON, D. C. 20201

April 3, 1979

1979 APR 3 PM 1 17

MEMORANDUM FOR THE HONORABLE JACK WATSON

Enclosed are recommendations of the Surgeon General with respect to thyroid blocking. Both the Director of the National Institutes of Health, and the Director of the National Cancer Institute, and the Commissioner of the Food and Drug Administration support these recommendations. These recommendations are:

- 1) Have workers in the plant and others on the island begin taking blocking doses now.
- 2) Have potassium iodide now personally available to all persons whose proximity to the site is such (perhaps up to ten miles distant) that they will not have as much as 30 minutes advance warning of I-131 exposure.
- 3) Have potassium iodide available at convenient distribution points for distribution to other persons who may be exposed, such that they can have the medication at least 30 to 60 minutes in advance of possible exposure.
- 4) Accompany all distribution with notification to the effect that: All persons may take potassium iodide safely for a short time. All persons who: a) have goiter or know thyroid disease, or b) are pregnant or c) are breast-feeding a child should notify their physician when they start taking iodide and after they have stopped.

1861
The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1861.

1862
The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1862.

1863
The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1863.

Joseph A. Caffery

Joseph A. Caffery, Jr.

1864

MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE
FOOD AND DRUG ADMINISTRATION

TO : The Secretary
From:

DATE: APR 8 1978

FROM : Assistant Secretary for Health
and Safety General

SUBJECT: Request for a Federal Advice on Thyroid Blocking

On April 2 we were asked by Gene Eidenberg to provide guidance from Federal health officials for the Governor's staff in Pennsylvania on the advisability of providing precautionary iodine blocking for residents of the Three Mile Island area. The following is based upon consultation with Dr. Donald Fredericksen, Director, NCI, and three of his staff (Drs. Rall, Robbins, and Wolff, NCI/MD) and Commissioner, FDA, his staff (Dr. Richard Cross, Dr. Jerome Halperin and Dr. Paula Botstein, Bureau of Drugs) and Dr. Arthur Cotton, Director, NCI. Dr. Fredericksen had already consulted with his own advisory group on the morning of April 2.

The recommendation of the group is that workers in the plant and others on the island begin receiving blocking doses now. Persons further from the facility, perhaps up to 10 miles distant, should have the solution made personally accessible and be given instructions for its use, but should not receive precautionary doses as long as the dose can be given at least 30 minutes before a significant exposure to I-131 becomes probable. Persons at greater distances should have the solution available at convenient distribution points that can be reached within a time adequate to allow blocking doses to be administered at least 30 minutes before significant exposure. It is not possible for us to give recommendations in terms of precise distances from the facility, because the logistics of distribution and the probability of release affect these determinations.

Our advice is based upon the following considerations:

Blocking Effectiveness and Kinetics. Guidance on these subjects has been provided by the National Council on Radiation Protection and Measurements, Ad Hoc Committee on Thyroid Blocking, Report #55, recently published in the Federal Register (Dec. 15, 1978; copy attached). The blocking effect depends upon the action of non-radioactive iodine, provided as a saturated solution of potassium iodide (SKI) at an adult dose of about 100 mg/day in comparison with the usual daily intake of about 100 micrograms of the thyroid. In experiments in which the iodine content of the thyroid gland was determined, blocking was fairly complete when the

should ~~be~~ ^{be}

blocking dose and the radioactive iodine were given simultaneously. About 50% blocking was seen when the KI followed the radioactive dose by 5-4 hours. Of course in real life since the exposure to radioactive iodine is continuous and the thyroid steadily accumulates it, so the blocking solution is effective even if doses of the KI ~~beginning~~ ^{follow the exposure.} commenced and continued even if the exposure has been hours or even days before. The kinetics of this interaction do argue ~~that~~ that the largest effect will be obtained if the KI solution is administered before the radioactive dose. If, however, the thyroid has been exposed to elevated levels of iodine by the administration of KI over several days — as would be likely in a continuous precautionary dosage regimen — there may be "escape" from protection against a subsequent dose of radioactive iodine.

Possible Side Effects. The possible side effects of continuous administration of KI at high dose levels include some skin rashes (not serious), or (in a few cases per 100,000 population) hypothyroidism or hyperthyroidism. The latter effect, which is treatable, is especially likely in persons with goiter — a condition detectable in more extreme cases by visible swelling of the neck. Persons with this condition should be advised to consult their physicians while taking and advised KI dosages, and to continue consultation after the regimen has been discontinued. Pregnant and lactating women also may be subject to some elevated risk from continued KI administration. Like those persons with thyroid disease, pregnant and nursing women should take KI when the rest of the population is advised to do so, but should consult their physicians during and after the regimen.

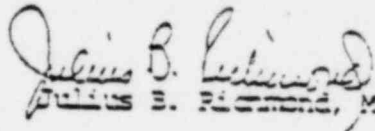
Other Risks and Benefits. The psychological effects on the population that may associated with an official program of protective medication are difficult to assess, but obviously should not be ignored. To some it may appear that hitherto unrevealed difficulties, now foreseen by the authorities. On the other hand, a successful program might well provide some reassurance that those responsible are displaying foresight and solicitude. It may also generate some positive sense of control on the part of residents over a situation in which they have been relatively powerless to avertive outcomes up to now. We believe that only those directly in touch with the behavior and mood of the population at risk can make such judgments — and that only with difficulty.

The summary

The report also is written on the basis of the information available from the site, about the nature of the problem that it will be necessary to deal with. The problem is one of varying degrees of exposure to the site. It is believed that the benefits of protective action clearly outweigh the risks close to the site, where sufficient time to evacuate the exposure does not exist. Whether this time extends to miles or to five miles we cannot say.

We would appreciate that instructions will also need to be given to the population regarding blocking doses about how to discontinue the regimen after the need for it has passed. The dose must be tapered, presumably by a programmed decrease in the frequency of taking the medication.

It is our understanding that Dr. Neil Wald of the University of Pittsburgh is consulting with State health officials on this matter. Dr. Wald is highly knowledgeable in this area, and has been in regular communication with members of the NCRPM subcommittee and other experts.


Julius B. Richmond, M.D.

Executive Order # 117

DRAFT

SUBJECT: Emergency Environmental Protection Activities at Three Mile Island

TO: EPA; DHEW

FROM: Secretary of Health, Education, and Welfare
Secretary of Energy
Commissioner, Nuclear Regulatory Commission
Administrator, Environmental Protection Agency

It is clear that the Federal agencies must continue to play a role in assuring the citizens around the Three Mile Island station of their safety during the final stages of the plant's shutdown and initiation of cleanup. I believe it is essential that the involved Federal agencies work closely together to provide the most credible environmental information during this time. Therefore, pursuant to the President's direction that I coordinate the assistance efforts of the Federal agencies for the Three Mile Island accident, I am designating the Environmental Protection Agency as the lead agency for these continuing efforts. In addition, I am asking each of the agencies named here to continue to make the appropriate contributions and to provide the necessary resources for these tasks.

Environmental Protection Agency

As the lead agency, EPA should assume responsibility for planning and coordinating the environmental protection work required by all of the Federal agencies involved since the accident occurred on March 28, 1979. The Agency should continue

Vertical text on the right margin, possibly a file number or reference code.

in the vicinity of Three Mile Island to facilitate data collection, and to inform the public, through the Nuclear Regulatory Commission, of off-site radiation levels. The Agency should also continue to operate at an adequate level its environmental monitoring network for air and water-borne radioactivity. Finally, EPA should prepare a report of such environmental radioactivity for the newly established Commission to investigate the accident.

Health, Environment, and Welfare

The Food and Drug Administration should continue to continue radiological analyses of milk and food in the vicinity of Three Mile Island at appropriate intervals. These, and all previous analyses, should be promptly submitted to the Operations Center. Other environmental data collected by FDA, such as decontamination readings, should also be included in the annual Federal report.

The Center for Disease Control and the National Institute of Occupational Safety and Health should keep the EPA Operations Center informed of their activities, either at the reactor site or off-site. Any environmental data gathered by CDC or NIOSH should be submitted to the Operations Center for inclusion in the report.

This document contains information that is exempt from release under the provisions of the Freedom of Information Act, 5 U.S.C. 552, because its disclosure would be injurious to the national defense.

Department of Energy

The Department of Energy should continue to sample and conduct radioanalyses of soil and vegetation in the vicinity of Three Mile Island at appropriate intervals. Also, all all previous analyses, should be promptly submitted to the operations center. Other environmental data collected by DOE, or its contractors, such as radiation intensity measurements from helicopter flights and detector readings, should also be included in the central Federal report. The Department should also continue to provide meteorological support at the operations center, as needed.

I am very pleased with the reports I have received of the excellent cooperation among the Federal agencies assisting in the remediation work. I trust that this spirit of cooperation will continue and that all of the participants will maintain their vigilance until the risks of radiation releases are reduced to a minimum.

If there are any questions on these assignments, please call me or Gene Eisenberg (456-6337).

File in Ex-15

REVISED DRAFT

(4/10/79)

SUBJECT: Long-Term Environmental Radiation Monitoring at
Three Mile Island

FROM: Jack Watson

TO: Secretary of Health, Education, and Welfare
Secretary of Energy
Commissioner, Nuclear Regulatory Commission
Administrator, Environmental Protection Agency

It is clear that the Federal agencies must continue to play a role in assuring the citizens around the Three Mile Island station of their safety during the final stages of the plant's shutdown and initiation of cleanup. I believe it is essential that the involved Federal agencies work closely together to provide the most credible environmental radiation monitoring data. Therefore, pursuant to the President's direction that I coordinate the assistance efforts of the Federal agencies for the Three Mile Island accident, I am designating the Environmental Protection Agency as the lead agency for these monitoring efforts. In addition, I am asking each of the agencies named below to continue to meet the responsibilities indicated and to provide adequate resources for those tasks.

Environmental Protection Agency

As the lead agency, EPA should assume responsibility for coordinating the collection and documentation of the environmental radiation data obtained by all of the Federal agencies involved since the accident occurred on March 28, 1979. The Agency should continue to maintain an operations center staffed with radiation specialists

in the vicinity of Three Mile Island to continue data collection and to inform the public, through the Nuclear Regulatory Commission, of off-site radiation levels. The information and data collected by EPA should be made available to the other participating agencies on a regular basis. The Agency should also continue to operate at an adequate level its environmental monitoring network for air and water-borne radioactivity. Finally, EPA should prepare a report of such environmental radioactivity for the newly established Commission to investigate the accident.

Health, Education, and Welfare

The Food and Drug Administration should continue to conduct radioanalyses of milk and food in the vicinity of Three Mile Island at appropriate intervals. These, and all previous analyses, should be promptly submitted to the operations center. Other environmental data collected by EPA, such as dosimeter readings, should also be included in the combined Federal report.

The Center for Disease Control and the National Institute of Occupational Safety and Health should keep the EPA operations center informed of their activities, either at the reactor site or off-site. Any environmental data gathered by CDC or NIOSH should be submitted to the operations center for inclusion in the report.

Department of Energy:

The Department of Energy should continue to sample and conduct radioanalyses of soil and vegetation in the vicinity of Three Mile Island at appropriate intervals. These, and all previous analyses, should be promptly submitted to the operations center. Other environmental data collected by DOE, or its contractors, such as radiation intensity measurements from helicopter flights and dosimeter readings, should also be included in the combined Federal report. The Department should also continue to provide meteorological support at the operations center, as needed.

The Environmental Protection Agency should make every effort to obtain all pertinent environmental radiation data from the Nuclear Regulatory Commission, the State of Pennsylvania, and the utility.

I am very pleased with the reports I have received of the excellent cooperation among the Federal agencies assisting in the Harrisburg area. I trust that this spirit of cooperation will continue and that all of the participants will maintain their vigilance until the risks of radiation releases are reduced to a minimum.

If there are any questions on these assignments, please call me or Gene Zidenberg (456-6537).

THE WHITE HOUSE

WASHINGTON

JULY 13, 1950

Edwin ... X. # 10

MEMORANDUM FOR THE HONORABLE ...

FROM: JACK HANSON *Jech*

SUBJECT: ...

... the ... of ...

...
... the ... of ...

