

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES
HOUSE SELECT COMMITTEE - THREE MILE ISLAND

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In re: Three Mile Island Hearing

Verbatim record of hearing
held in the Majority Caucus
Room, Main Capitol Building,
Harrisburg, Pennsylvania, on
Tuesday,

August 21, 1979
10:00 A.M.

HON. JAMES L. WRIGHT, JR., Chairman
Hon. Bernard F. O'Brien, Vice Chairman
Hon. Nicholas B. Moehlmann, Vice Chairman
Hon. Eugene Geesey, Secretary

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Reported by:
Nancy J. Adelman, RPR

Dorothy M. Malone
Registered Professional Reporter
135 S. Landis Street
Hummelstown, Pennsylvania 17036

8001300402

ALSO PRESENT:

Fred Taylor, Esquire
Counsel

Marshall Rock
Assistant Director of Research

Peg Foran
Administrative Assistant

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CHAIRMAN WRIGHT: We will call the Select Committee on Three Mile Island to order. You remember, over the past several weeks, we spent most of our time talking to emergency management officials from the various counties surrounding Three Mile Island. Today, we'll move into talking to the State officials from the State Police, the Department of Agriculture, the Department of Education, who will explain to us their experiences and make their recommendations to the Committee. Our first witness today is Daniel F. Dunn who is Commissioner of the Pennsylvania State Police. Commissioner Dunn, do you mind rising and raising your right hand. Anybody else going to testify with you?

DANIEL F. DUNN, called as a witness, being duly sworn by Chairman Wright, testified as follows:

CHAIRMAN WRIGHT: I see that you have a statement. Would you like to read it or make it for the record, sir?

COMMISSIONER DUNN: Thank you, Mr. Chairman. Members of the House Committee on Three Mile Island, I want to thank you for allowing me to present my views of the incident. I must begin by saying I am personally proud of the high level of discipline and dedication to public service that was displayed by members of the State Police. Every trooper responded without hesitation and did whatever was necessary to get the job done.

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State troopers were among, if not the, first State representatives to respond to the scene. Shortly after our receiving notification, troopers were maintaining order at the gates and on the highways as well as transporting Met Ed personnel by helicopter to take radiation level readings. At the height of the incident, troopers, some from as far away as Greensburg, continuously patrolled the highways and communities surrounding TMI, assisting local officials and maintaining law and order. This incident again dramatized the capability of our department to mobilize sizable numbers of personnel to respond to emergencies in a timely manner.

I know we did our job but frankly there are certain aspects of the incident that bothered me. One was the lack of personal protection offered my people. How much radiation did the trooper on patrol or the pilot flying over the site receive? Our personnel had no effective device to measure radiation doses. Looking to the future, I feel every trooper responding to a similar emergency should be equipped with a reliable device that will record just how much radiation he or she receives. Along the same lines, instruments capable of monitoring existing radiation levels should be furnished to our agency. The equipment available to us at the time of TMI could not measure the type of radiation emitted from the plant.

As a result of this experience, a more realistic and flexible evacuation plan has been developed. We must

insure this plan will not become obsolete. This can be accomplished through periodic review and updating of the plan as well as exercises to insure the readiness of all concerned agencies. Naturally, similar plans are being prepared for all nuclear sites. While we had no operation plan to handle an evacuation of the magnitude that would have been required in this incident, our standing operations plans for mobilizing in response to large scale incidents proved invaluable to us in organizing our department's response.

The public also ^{must}/be considered. People cannot evacuate in an orderly fashion unless they know what is expected of them. A few municipalities informed their residents but, for the most part, the media provided the information during this incident. For one reason or another, some did not get the word. I submit that each household in an affected area should have evacuation information in their possession, information that could be enclosed with a municipal or public utility bill.

The biggest problem confronting us during the crisis was the lack of a single reliable source of information. Information initially received was often incomplete and/or conflicting. Valuable time was lost attempting to verify information received and the conflicting data made planning for a proper response most difficult. A critical element of a successful response to any future incident of this nature

would be an established effective communications system capable of immediately providing information to appropriate agencies.

Finally, I think that everyone learned from the TMI episode and we must be sure that we continue to profit from this experience.

I will be happy to attempt to answer any questions you may have.

CHAIRMAN WRIGHT: Thank you, Commissioner Dunn. I'm Jim Wright, Chairman of the Committee.

BY CHAIRMAN WRIGHT:

Q Do you have any monies in your present budget for the purchase and the operation of protection equipment and/or protective clothing?

A No, sir.

Q Do you plan on asking for some the next time you submit a budget; or to put it another way, do you feel that is the responsibility of your department or is it the responsibility of some other department?

A I honestly feel, sir, for this type of an operation that the money should be provided by the people who are operating the nuclear facilities or by the federal government itself. I don't think it should be a State responsibility.

Q Assuming that the State is not successful in getting Federal monies for this protection and for the detection

devices that might be required, would you then request --

A If that determination is made, I think I would ask for the bare bones necessary devices to protect our people.

Q Do you have any idea what those devices would cost?

A I have no idea, sir; very expensive.

Q Are you in consultation with DER, for example, in this area or with the National Guard with regard to what their experiences might be and/or recommendations?

A We have been reviewing this with PMEA and hoping to study the whole problem statewide rather than from our own agency viewpoint. I think this is like other equipment; if you buy it in quantity, you are better off than if you go out and buy one and I go out and buy one and so forth.

Q At some point in your remarks you talk about communications and you said that local municipalities apparently only got some of their information via the media. "For the most part the media provided the information during the incident." Can you elaborate on that? What were your experiences there and if there was a breakdown, can you explain why there was a breakdown?

A I don't know as I would describe it as a breakdown, sir. I think this was a very, very unusual incident. I guess we all know by now, the first of its kind, at least in this country. I think, as in any emergency or disaster, there is some confusion and I think in this case the preparedness level

wasn't what it could have been which I don't blame on anyone. It has never happened before. But as a result, let's say rumors were flying. Depending on who was putting out the rumor depended on how well it flew. I would say in a situation like that, if there is anything you don't need, it's rumors. They compound anybody's problems, especially ours. I would say, for an example, Friday night there were many rumors going around about looting and they were followed by rumors about evacuation and we got to the point where the only way our people could communicate was by radio because all of the telephones were tied up by people saying who is looting what; should we go now or what shall we do and so forth, which actually we are not in a position to help them at that stage. We need the communications for our own emergency traffic.

Q When were you first aware of the accident at Three Mile Island?

A The desk officer at Troop H in Harrisburg which is headquarters received the first notification that anything was wrong at 7:14 on Wednesday morning.

Q From whom?

A It was from a Mechanical Engineer, Ronald Warren, at Three Mile Island.

Q Do you know if he is the fellow who is supposed to report to you?

A I have no idea, sir. He's the lead Mechanical

Engineer, I assume, on that shift.

Q When did you hear from PMEA or from DER?

A I don't know that I heard from them formally at all on Wednesday or Thursday. They knew we were aware because of the actions we took and the first steady contact we had or first official communications with them would have been on Friday.

Q What was the first action you took?

A We dispatched two units down to help with traffic and maintain order at the gates.

Q When was this, on Wednesday?

A Wednesday morning.

Q As a result of the phone call you got from the engineer?

A Yes. The engineer indicated that there was a mechanical difficulty and a state of emergency had been declared.

Q On site or off site?

A On site.

Q On site. Did you have to get authorization to move personnel in there from --

A No, sir. We have the primary responsibility there anyway.

Q Would you explain that?

A Yes, sir. Ever since the plant, as I understand it,

ever since the plant was developed and opened, there are certain regulations promulgated by principally NRC and there was a two mile evacuation plan in effect from the time the plant opened on the books and had been laid out and there were certain procedures that they are required to follow and one of them is in any type of an emergency, they have to notify us.

Q They have to notify the State Police?

A Yes, sir.

Q Okay. That answers that question. So, you moved in how many people?

A Three, two cars.

Q Two cars. What was your next step? I assume you increased the amount of personnel at some point and at some point, you provided helicopters. Can you tell us the sequence; what happened after you moved those first two cars in?

A Well, as I said, that was at 7:14 in the morning. At 7:20 the first three men were dispatched to Three Mile Island. At 7:30 the officer of the day was contacted and at 8:05 the commanding officer, Captain Everly, of Troop H called Three Mile Island and he was advised that Unit Two had an on-site emergency and he was requested to supply three or four troopers for traffic and one helicopter which he did.

Q When did the helicopter arrive?

A It went into service at Middletown at 8:40. So, it

would have arrived within three or four minutes.

Q The helicopter is located here in Harrisburg?

A Yes, at Middletown, at the airport.

Q You have a pilot on hand all the time?

A Yes, sir; two shifts of the day. The rest of the day they are standby. Sixteen hours a day is covered. We do very little night flying.

Q What did you do with the helicopter?

A The helicopter was used by Met Ed people to take radiation samples.

Q What did you do, land at Three Mile Island and pick them up?

A I don't know exactly where they landed, sir. I think they landed over by the observation site and picked up one or two of their personnel with instruments and then flew in the area around the Island.

Q Do you know approximately what time that was?

A It would be shortly after 8:40 because as of 10:30, it was already monitoring, having loaded the equipment.

Q How many helicopters did you eventually have on site?

A On site at any one time, two.

Q Two. Did you transport DER personnel or NRC personnel in those helicopters?

A Yes, sir. For that purpose, for monitoring.

Q And they brought on board equipment?

A Yes, sir; various types of monitoring equipment. I couldn't tell you what they are. I have no idea.

Q I assume you used your communications equipment for them to transmit whatever information they had to other sources?

A Oh, yes, sir. They used our radio from the helicopter.

CHAIRMAN WRIGHT: Representative O'Erien?

BY REPRESENTATIVE O'ERIEEN:

Q Commissioner, you stated in here you were concerned by, for your personnel about radiation. Didn't you have equipment on the helicopter monitoring the radiation to protect your personnel?

A After we picked up the people from Met Ed, they were making measurements. I don't know whether they are effective as far as the personal protection of our people or not.

Q Why would you need equipment if both the Federal Government, DER and Met Ed would have it? Didn't your troopers get a check in the machine over at Met Ed to see that they did not have any radiation?

A I'm thinking in terms, sir, of the troopers who didn't go through the machine who were patrolling in various sectors throughout the area.

Q Well, there were machines available. Why wouldn't you insist that they go through the machine to see that they

did not have any radiation?

A I think the kind of radiation you are talking there, sir, would be -- again, I'm not an expert on this -- would be something that could be measured at a fairly high level. I'm more worried about the cumulative effect of people who were down there for six, eight, sixteen, how many hours of shifts.

Q Wasn't both the Federal Government and the company monitoring the radiation in the areas there, at least weren't the people being informed that the radiation was at a level that would not hurt anybody?

A From what I observed at the site, practically everyone from the company and everyone from NRC was equipped with their own measurement devices. I guess they are the newest type of dosimeter. These were not available to me or my personnel.

Q I'm not opposing you getting it but I just don't understand if the troopers are in the area, did they have the feeling that they were not being protected; that they were just being thrown into somewhere and not told what the radiation level was at?

A In all honesty, sir, I don't know what their feelings were. It's my feeling that they are entitled to more protection. I feel that if anybody is going to go into an area where there is a possibility of radiation, they should have the benefit of an effected instrument to measure what's happening

to him personally.

Q We did pass legislation that DER should be properly equipped. Would this satisfy you; that if DEF went into an area with your troopers in an accident in the future, or do you also feel that your department should be equipped also?

A I feel that if a man is going to go in there, and in many cases our **men** respond to various calls and incidents, they can't look for DER man or whatever. I think they should have their own monitoring devices. I don't say every man in the State Police needs one or we need hundreds of them or anything but a reasonable number in the areas where these type of incidents could occur.

Q Did you check to see what the cost would be on these at all?

A No, I haven't, sir. I am waiting for a study state-wide to see what everyone feels they need and what would be the best way to purchase.

Q That's all I have.

CHAIRMAN WRIGHT: Fred Taylor?

BY MR. TAYLOR:

Q Commissioner, throughout the hearings so far we have been hearing from various people involved with emergency management and emergency preparedness and the actions they took the day of and the succeeding days after the accident at Three Mile Island and one of the things that have come up is

the fact that the communications problem was rather severe. My question is I read a story in a local newspaper which almost knocked me off the chair last week saying that during the big windstorm that hit Harrisburg last Friday, that the Dauphin County Emergency Operation Center was out of communication with the world for about two hours because lightning hit something. My question is does your communications system within your own organization provide for a backup, battery powered, or otherwise powered, system so you can communicate with your people?

A Yes, sir.

Q And --

A Our radios will function as long as there are two or more of us left. The telephone, here today gone tomorrow. I don't blame the telephone company if lightning strikes.

Q Okay. The next question is does your communications system also talk to PNEA?

A We had a communications system of our own, a link with PNEA downtown. If you mean can we contact with PNEA throughout the State --

Q Should lightning strike the antennas over on top of the Transportation Building.

A Well, they would have to have their radio in operation to talk to our radio. If the phone goes, we have no special phone of our own that goes through.

Q Okay. During the time when the TMI incident occurred, during that three or four days --

A Yes, sir.

Q Were you in radio contact with them?

A Yes, sir. We had our own people at PMEA Headquarters throughout. We have a command post there. We keep a command post at PMEA any time there is an ongoing emergency, commanded by our own people. They have telephone contact. They have radio contact.

Q And during the whole incident, you were in contact with PMEA?

A Yes. We were right there on the scene.

Q My second question is that in your testimony you said that as a result of this TMI experience, a more realistic and flexible evacuation plan has been developed. Is that your own plan or is that the plan that has been developed through PMEA?

A It's a coordinated plan. We have contributed our ideas and what we can do. National Guard, PMEA and the County Civil Defense PMEA organizations all have been consulted, all had input and so forth. It's not anything we are claiming as ours. We developed our part of it in conjunction and coordination with all of these people.

Q Okay.

A As I said, there was a two mile plan to begin with and as you remember, quite rapidly we went from two to five,

from ten to 20 which really increases the problem.

Q Okay.

CHAIRMAN WRIGHT: Representative Stuban?

BY REPRESENTATIVE STUBAN:

Q Commissioner, Mr. O'Brien began questioning you about the type of equipment that you should have to monitor and everything else. There is going to be a lot of radioactive waste that is going to be moved out of Three Mile Island and there is a lot of hazardous material being moved on the highway now. Is the State Police notified when these materials are moved?

A Yes, sir; we are. We are notified in advance and what route they are taking.

Q In other words, every truckload of hazardous material coming across the State of Pennsylvania, you know it's coming across there?

A No, I won't make that statement. Everything that is coming out of Three Mile Island, I know about.

Q But you don't know about any other hazardous material that is being transported?

A I would say in the overwhelming number of cases I do because other states will inform me if something is coming through but I'm not prepared to say yes, every time, because who knows.

Q Do you feel that we ought to have legislation which

requires the notification of the State Police that material is going across the state?

A I certainly don't think it would do any harm, sir. I just question at what level you would require it.

Q Well, --

A Not to be smart but there is radiation in a watch and go from there.

Q Right. I guess we are getting back at the point where whether you should have the equipment or not. Would it be possible that the notification go to both DER and the State Police that in case of an accident, you know, they are ready and know where the material is and at what place?

A To this point, as I say, everything going out of Three Mile Island which, also to this point, is low level radiation material; every single load we know about it in advance. We know what time it's going. We know what kind of a truck it's in, what color, what license plate, and so forth. This is communicated to the patrols along the affected route for two reasons. One, that they can look out for it and, secondly, that they won't create any kind of a hassle or a panic if something happened.

Q Well, these are the only questions, you know, I'm concerned about. I just want to make sure that the State Police does know that hazardous material is moving and --

A We know but I question exactly what we can do about

it.

Q Right. I know a lot of the local fire companies, especially in my district where Interstate 80 goes across there, are concerned about hazardous material that is being transported and if there is an accident or fire, the State Police calls the closest local fire company and whether these people are ready and knowledgeable enough to handle it. This is the point I'm getting at.

A If you're discussing dangerous or hazardous substances in general, there are a lot of different things that are required depending. If you are talking the radiation material, my best advice to the companies or whatever is to listen to the patrol who is going to tell them to leave things alone until we find out what's going on. See, we will know which loads are radioactive from TMI.

Q But you are not sure that every load going across the state you have knowledge of?

A Sir, if a nuclear plant in Connecticut or New York sent something and they didn't tell the State Police or if for some reason the State Police didn't get the word to us, I have no idea. With the number of trucks going through here, I wouldn't bet on what's on any of them.

Q Okay. Thank you.

CHAIRMAN WRIGHT: Representative Itkin?

BY REPRESENTATIVE ITHIN:

Q Commissioner, on page two of your prepared statement, you have a paragraph which begins, "as a result of this TMI experience, a more realistic and flexible evacuation plan has been developed. We must insure this plan will not become obsolete." What did you mean by the obsolescence of the plan?

A I think like any plan, we had this two mile evacuation plan that had been around since the beginning of the plant and it was viable in the sense that the roads were marked on there and we had a plan that was developed so many years ago. I don't think that is good enough anymore. I think we have to have a periodic review of the plan and see what's changed. Have we got a greater population, a smaller population. Has anything at the plant itself changed.

Q How long ago was that plan developed? TMI is a fairly new plant.

A It was at the time of the opening of the plant. The plan had to be in existence when the plant opened.

Q So, the plant cannot be more than a couple of years old at the most, at the best. How often do you expect to have these plans updated?

A You shocked me here with the two years. I thought the plant was in operation for considerably longer than that, sir.

Q I don't believe so.

A You may be right.

CHAIRMAN WRIGHT: Unit #1 is more than two years old.

BY REPRESENTATIVE ITKIN:

Q We are talking about Unit #2 though.

A It's the same plan for one and two. I understand that one was closed down and refueled and it creates the impression with me that there is some age on it.

Q Let me follow the question. Was the plan an appropriate plan at the time it was developed for Unit #1?

A It was a plan that was developed in response to a regulation by the NRC.

Q Was the plan appropriate?

A I don't know how to answer that, appropriate for what, sir?

Q Appropriate for taking care of the public's safety and well being if and when an evacuation was required?

A Someone made a determination that two miles was the magic figure. This was a twofold plan, sir. Part of it was to protect the plant from invasion or attack. The other was evacuation. How two miles was arrived at, I have no idea.

Q In your judgment today, was that plan an appropriate plan?

A In view of what happened, of course not.

Q There were no significant changes with respect to the

environment to the plant that would have necessitated a new plan?

A On hindsight there were, yes.

Q Because the plan was deficient from the outset?

A Correct.

Q You say that an evacuation plan has been developed?

A Yes, sir.

Q That means it's already completed?

A Yes, it is. It was completed on the Saturday after the incident started.

Q What does that plan do that the other one didn't?

A It very realistically and effectively plans to evacuate up to a 20 mile radius of the plant.

Q You mean the change in the plan is for a 20 mile evacuation rather than a two mile evacuation. Is the capability in the second plan any more successful than the capability or lack of capability of the first plan?

A I don't think there is any question but what the capability is there to carry it out. It was very carefully planned in coordination with all of the officials that would be involved.

Q So, you believe that if we had an incident now at Three Mile Island --

CHAIRMAN WRIGHT: Ivan, can we interrupt. We need a clarifying question here.

BY MR. TAYLOR:

Q Commissioner, you keep saying plan and we're talking about a plan. Is this a State Police plan or is this a plan by PMEA? What plan are we talking about?

A The original plan of two mile evacuation and the two mile defense, if you care --

Q The defense, I can understand that. That's a State Police matter. Evacuation plan, as you use the term plan, is that a State Police plan or is that a state --

A It was our plan with input by, at that time, civil Defense, prior to PMEA. The current plan, as I mentioned earlier, was developed by us and by all of the other concerned agencies. Everyone has input. That includes the County PMEA, State PMEA, National PMEA, DER and so forth.

Q Okay. For purposes of clarification, we are talking about Plan One which is yours and Plan Two which is now a coordinated effort?

A Correct.

MR. TAYLOR: Excuse me, Ivan. I'm sorry but we have to know what plan we are talking about.

BY REPRESENTATIVE ITKIN:

Q I'm not so sure now, in view of what the Commissioner said, what he is talking about, an overall evacuation plan has been developed or whether it's just your component.

A We have an overall evacuation plan now for up to

20 miles.

Q And do you believe that that evacuation plan is appropriate and satisfactory to do the job?

A To do what it is designed to do, yes.

Q What makes you feel that?

A Because a lot of work and a lot of effort went into it and we have input from all types of officialdom and people who know this type of thing. It wasn't just dreamed up.

Q Well, for example, you indicate in your testimony that communication is an important criterion in any appropriate evacuation plan and that the people in the affected area have to know what to do. I don't think they know what to do now. If an alarm should be sounded at this moment, what would happen under this plan?

A Well, I don't know what you mean by an alarm being sounded.

Q I'm saying if the duty officer at PNEA gets a call that there is an incident, a break in the containment in TMI Two and a thousandths of gallons of highly radioactive material are being released to the atmosphere, creating radiation levels in the atmosphere far exceeding what we experienced during those lingering days in March; what would the plan call for?

A The plan -- you're saying we received notice, the duty officer of H?

Q A breach in the containment at TMI Two and ^a thousandths

of gallons of extremely highly radioactive material are being spewed into the atmosphere?

A The plan would call for immediate notification of PMEA and, of course, the Governor's Office.

Q Then what?

A Then, a decision would be made of whether to evacuate or not and what sectors to evacuate.

Q On the assumption that the decision is made to evacuate, then what?

A Then, the plan goes into operation in the sectors that are to be evacuated.

Q What does that call for? What are the points? What are the execution points of the plan?

A You mean how is it put into operation?

Q That's right.

A Well, it's put into operation basically by the county unit in each county affected.

Q What do they do?

A They do whatever their plan calls for. Some of them use school buses; some of them use public transportation; some of them use a mix of private and public transportation. They do whatever is called for in their part of the plan.

Q We had numerous county officials in the affected area testify over the past few weeks before this Committee and my observation is that they are no more knowledgeable, no

more capable today in implementing any type of evacuation procedure than they were on the 28th day of March of this year.

A I would hope that that is not a valid observation.

Q There is legislation pending in the Congress which the Senate has approved an amendment to require that if by June of 1980 the State does not have an acceptable NRC approved emergency evacuation, evacuation emergency plan, that all of the commercial nuclear power plants in the State would have to be shut down. There is only one state now that has such an approved evacuation plan. Do you think that the particular plan that you are talking about would satisfy the NRC?

A I have no idea, sir.

Q Do you know if this particular plan has been submitted to the NRC for its approval?

A I cannot answer that.

Q Do you think that more work needs to be done in developing an evacuation plan with specific reference to the Three Mile Island facility?

A If your observations are correct, I assume that we need a lot more work. If people are no better equipped to evacuate today than they were before the incident happened, we obviously need more work on the plan.

Q But you say that the plan has been developed?

A Yes, it has. And I'm shocked to find out that the opinion is that the counties are no better equipped today to

handle an emergency than they were prior to the original emergency.

Q Commissioner, in my judgment, the lack of communications has not improved one iota since what developed in March. No further questions.

CHAIRMAN WRIGHT: Representative Brandt?

BY REPRESENTATIVE BRANDT:

Q Thank you, Mr. Chairman. Commissioner, the points I have are directed along the line with Representative Itkin. I'd like to address specifically to the State Police participation in this more realistic and flexible evacuation plan which you say has been developed. In your portion of this plan, how many state troopers does it take to implement a 20 mile evacuation plan for Three Mile Island?

A Ideally?

Q How many does the plan call for?

A Well, you get an increase in manpower with each increase in distance, of course. You also have the problem that if you are going to go to a, for instance, five mile evacuation, the people that are right here can handle it. The further out you go progressively, the further away you have to pull people. I would say to do effectively 20 mile, we are going to commit probably 1500 men.

Q Fifteen hundred?

A Fifteen hundred.

Q Thirteen hundred troopers?

A Yes, sir.

Q In a 20 mile evacuation?

A Yes, sir. You see, the problem is not only the 20 mile evacuation. It's what you do with the people who come out of the 20 miles; where are you going to put them and who is going to look out for them and so forth.

Q How far out from that 20 mile radius would you have to draw troopers?

A You would draw troopers probably as far as 150, 60 miles.

Q What's the total contingency of the State Police force right now?

A Thirty seven hundred and forty-three men.

Q A third of your force would be involved in a --

A Before you get through, I'd say it would be much more than that because of other missions that would arise.

Q But a third of them would be --

A Would be directly involved in evacuation.

Q In details of --

A Yes, sir.

Q Do you know why the 20 mile -- came up with a figure of 20 mile?

A No, sir. I don't know where five or ten came from.

Q Ten mile -- the reason I ask the question is that the

ten mile keeps coming up in NEC's suggestions and regulations and so forth. Rather they disbanded the five mile and now they are talking a ten mile evacuation plan. I was wondering where the 20 mile came from.

A I don't know, sir. As I said to Mr. Itkin, I don't know where the two miles came from.

Q In developing this plan since April 1st, how many -- can you tell the Committee how many meetings or communications there were between, particularly the three counties involved in putting this plan together between the State Police and those county coordinators?

A One minute. I can't give you a number, sir. It's been a continuing process, very continuing. The first week it was constant communication and since then, it's been back and forth between the various liaison station people and troop people with Civil Defense and the counties. I can't give you a number.

Q That's an ongoing relationship particularly with the three counties that we talk about or four counties around the Three Mile Island?

A Yes, sir.

Q The reason I ask that question is the evacuation plan for Lancaster County, there are two pages of the interaction between that county coordinator and the Pennsylvania State Police of what their duties are.

A Yes, sir.

Q And one of these, the first action taken is that it says upon notification of an incident at TMI or request for a precautionary evacuation, the Pennsylvania State Police will send a representative to Lancaster County.

A That's correct.

Q You agree with that part?

A Yes, sir. Representatives from each county.

Q Thank you. That's all, Mr. Chairman.

CHAIRMAN WRIGHT: Representative Rappaport?

BY REPRESENTATIVE RAPPAPORT:

Q Thank you, Mr. Chairman. Commissioner, I'm still a little confused -- I'm sure it's my own fault -- with some of the answers you gave to Representative Itkin. Let's assume that there is an incident down at Three Mile Island and we are all sitting here in this room. Who tells me to get out of town?

A Sitting in this room?

Q How do I find out that something happened down there?

A You probably have as good a chance of finding out from me as anybody.

Q How do you find out?

A I hope to know pretty early in the game.

Q Let's assume you're not sitting in this room.

A The alarm system is the same. That hasn't changed. Three Mile Island people notify our duty people.

Q Okay. Then, what happens?

A Our duty people notify PHEA and the Governor's Office.

Q And then who notifies me? I'm sitting in a restaurant downtown. Who tells me to get out of town?

A I would assume that the quickest way you are going to hear is by the public media, if you are sitting in a restaurant.

Q Okay. And how are they going to get me out of town? I didn't drive today. How are they going to get me out of town?

CHAIRMAN WRIGHT: On a rail.

BY REPRESENTATIVE RAPPAPORT:

Q You are talking about my district. I'm talking about Harrisburg.

A I'll pass on that. You would be picked up by a bus or a passing motorist or whatever. If you mean is there a plan that will take care of every eventuality or visitors in the city, at a restaurant, no car, no train, no bus, no what; I sure can't guarantee anything there. It's going to have to be a cooperative effort. If someone is going by in a car and they have room, I would hope they'd take you.

Q Now, so after all of these agencies coordinate, I'm going to be standing on the street with my thumb out? In essence, that's what you're saying.

A No, I don't think so. I think there is a strong

possibility that a bus would pick you up or a truck.

Q Are there sufficient buses in the city or in this county to evacuate all of the people in Harrisburg at one shot?

A I would say no, sir. I would say that most of the people in this county would go out in their own transportation.

Q I was impressed when we had a meeting over at the Civil Defense Headquarters for the fact that they really had no idea of the inventory of refuges for people in other counties or where they should go. Has this been developed in any way to your knowledge? They were going to send people from Harrisburg up to Ted Stuban's county, tripling the population of that county.

A There are several relocation sites that I am aware of and our responsibility is to see that the people get there.

Q Have those sites been provisioned?

A Now, when they get there, are they going to be fed, are they going to be clothed, are they going to have medical -- that's -- in all due respect, that's not my problem.

Q Does the plan, this so-called statewide plan that you are talking about, deal with those questions?

A Well, certainly. Our responsibility --

Q When you say ours, you are talking about the State Police?

A Yes.

Q I'm asking you about the plan in general because you

are the first that I have heard that there is such a new plan in existence.

A The plan was developed as early as the Saturday after Three Mile Island, not statewide; for this.

Q Now, has this plan been extended statewide?

A We are in the process of doing it similarly to the TMI plant for all nuclear and proposed nuclear installations.

Q Now, let me ask you another question. I live within 15 miles of a nuclear plant. Only that plant happens to be in New Jersey and I live in Center City, Philadelphia. Is a plan going to be developed for my home in Philadelphia? I'm within the 20 miles?

A If you are within 15 miles of it, yes.

Q But the plant is not in Pennsylvania. It's in another state. Are you going to deal with that or are you going to let New Jersey people deal with evacuating me?

A New Jersey PNEA and Pennsylvania PNEA work out such things, the same as we have to with Maryland.

Q Have these things been worked out?

A I would assume not. We are the ones working on the other installations at this point. I would guess that the other agencies are at the same stage we are. I can't answer for them.

Q If the City of Philadelphia has to be evacuated, there is presently, to the best of your knowledge, no really

working plan in operation that can do it?

A I have no idea. The city officials, I would assume, could tell you.

Q They say they don't have one.

A Then, I assume, there is none. I have none.

Q I see. Likewise, and we heard some --

A With all due respect, sir --

Q I'm not blaming you, you are only here six months.

A I don't know how you begin to evacuate Philadelphia. That's an awful lot of people and I don't know what direction you are going to go in if you are talking buses and so forth. I can see a real problem.

Q Apparently, the Russians have developed a plan to evacuate Moscow in eight to 12 hours, a Civil Defense plan, and I see no reason why we can't do it with our major cities here that are much smaller than that city.

A I am totally unqualified --

Q That was the testimony before Congress on the SALT Treaty.

A I am totally unqualified to say what the Russians can do and not do. I have no idea. I have no idea. If you are asking my personal opinion, I think to evacuate any American city is a large undertaking and there are a lot of questions that I don't think anybody has answered. What do you do with the people who don't want to go?

Q I'm asking you so that you can raise these issues, not in a critical sense, Commissioner.

A I have been raising issues since the incident happened and I am faced with a lot of issues that I can't answer. I don't know, for example, if you have an old couple who have lived in a place all their life and they happen to be within the evacuation range and you say it's time to go and they say we're not going and you say but you may not live 20 years if you don't go. Now, they say, well, that would be wonderful. I don't know the answer. What do you do with livestock? What do you do with household pets? What do you do about the banks? What do you do about businesses? If you have an evacuation and you take all of the people out, who sees that the "undesirables" don't stay or don't come back? I don't have the answers.

CHAIRMAN WRIGHT: Let me butt in to follow up.

REPRESENTATIVE RAPPAPORT: Please.

BY CHAIRMAN WRIGHT:

Q Let's forget about a nuclear accident. Let's say we have a flood or you have a major chemical spill, you know, and you have somebody who refuses to leave; how do you handle that situation?

A If you don't have marshall law, I don't know how you can make them leave, sir. If you think any police image is bad, it will be terrible if we are dragging out old people

physically that don't want to go.

Q Let me put it another way. I'm sure there have been instances. We have had emergencies where either State Policemen or local policemen cannot get somebody to move; what happens in a situation like that?

A I have never heard of a flood, for instance, where people didn't move. I think you are dealing with an entirely different situation here. If you want to call it unknown, a lot of people don't think there is any danger or didn't think there was great danger or they are willing to take the risk. Now, if you don't declare marshall law, I don't see where I have the authority or any other officer to order them out. If they want to stay, who am I to take them out; arrest them for their own good? What would the charge be? That's a good one, brutality; failure to evacuate their home?

REPRESENTATIVE RAPPAPORT: The Civil Rights people will think of one.

BY REPRESENTATIVE ITKIN:

Q Commissioner, a problem of greater concern to me in that same area is you have an evacuation plan. An evacuation plan calls for all of the people living in area A to evacuate to some location in area B, perhaps a school, perhaps some type of large building where they can accommodate people with cots or something like that. The individuals that have been

asked to evacuate decide they don't want to spend the next three nights on a gymnasium floor but outside now, outside of the area, in a different direction, they have relatives who could easily accommodate them in a much more comfortable environment. And so they reject the idea of going along 83 south to some type of school gymnasium and decide to go 83 north to pick up 81 and visit some relatives in Shippensburg. Now, how does the State Police handle -- because I am told that in some of the evacuation plans for York County, 83 was supposed to be all south. All the traffic was supposed to go south and, correct me if I'm wrong, and what happens if people would get onto 83 at interchanges and start proceeding north?

A I think everyone who goes into these things is an expert overnight on them. A lot of these plans, for instance, one plan was to use all four lanes of the turnpike going west. The problem with that was that somebody else was using all four lanes going east and the easy answer to the whole thing is that you have to keep your traffic flowing in two directions, not just for evacuation but to have the people who are needed to come back to make a second trip or to pick up records or to do whatever, plus our people have to be able to move. So, the first elemental thing in a plan of this type is to maintain two-way traffic.

Now, you have to have control points so that whoever wants to go wherever they want to go does not interfere with

the mass movement. We are not prepared to wreck somebody's car or to shoot somebody or whatever because they are going the wrong place. Everything has to be coordinated to keep a flow of the traffic, keeping in mind what you are trying to accomplish in an evacuation.

Q So, does that mean like with 83 which has four lanes available for traffic --

A 83 was showed up to go in two directions. Certain exits will be closed. Certain entrances will be closed.

Q But there will always be at least one lane in the opposite direction from the normal evacuation?

A In the case of 83, I hope there are two lanes in each direction.

Q Well, see, I'm -- and I can't recall. Maybe the Committee members can correct me if I'm in error but in talking with the York County people that came before this Committee, I thought there were at least three lanes going south.

CHAIRMAN WRIGHT: Ivan, we've heard three variations.

COMMISSIONER DUNN: There may have been in the original plan. I hesitate to say 83. I do remember something about the turnpike where all four lanes were going in opposite directions which we all know is not going to work. The current plan is for the road to be open with traffic in both directions. Now, you can't take a road like 83 and effectively divide it into three lanes one way and one the other because

there will always be somebody who wants to use that fourth lane to get by the third or a breakdown in the third or whatever. So, I would submit to you that as an effective approach, a four lane interstate with a divider is going to have to stay two and two. You don't have the manpower or the wherewithal to convert it to a three to one. Does that make sense, what I'm saying?

BY REPRESENTATIVE ITKIN:

Q Yes, it does, but what bothers me is you talk about a plan being developed, has been developed, and yet here today we are talking about two lanes or three lanes or one lane. What makes me feel very queasy about the whole situation, I don't feel comfortable; I do not feel comfortable today that if an evacuation were called because of a nuclear incident that occurred at Three Mile Island, the experience that I hypothetically described, that I believe we would have pandemonium and I'm saying to you if I don't feel comfortable and I'm closer to the situation, the people will certainly feel far less comfortable than I. I think a lot of work has to be done and I don't feel that the emergency management people in this state, since the 28th of March, have really done their job. It's been almost four months now, five months. We should be further along in that regard than we are today. That's all I can say.

CHAIRMAN WRIGHT: Representative O'Brien?

BY REPRESENTATIVE O'BRIEN:

Q Commissioner, I think you opened a can of worms here. When you say you submitted your plans, you don't know whether your plans and everything else was really put into effect. I mean they are asking you questions here but you submitted what you think the State Troopers should do?

A No.

Q Or do you know --

A Our plans take into account what the National Guard is going to do, what PennDet is going to do, what the local county PNEA are going to do.

Q Are you saying, I'm in Luzerne --

A We didn't sit down and arbitrarily say we are going to use this road to go this way and this road to go this way. It's all been worked out with these people. It's nothing we dreamed up.

Q Is it statewide or just in the local area here?

A At this point, it only covers up to 20 miles here.

Q You have no plan for the Berwick plant or the Philadelphia plant?

A We are in the process of developing them. We don't have them yet.

Q You don't have a master plan established yet?

A No, sir.

Q Do you know whether Civil Defense or anybody else has

notified all of the counties in regard to the plan you submitted?

A You'd have to ask them.

Q That's the point we are trying to bring out and this is where we are confused.

A We worked throughout with the agencies I mentioned plus others.

Q But you don't know if they have followed through and notified all of the counties of their duties?

A We are personally in touch with counties from our standpoint, from a transportation-movement standpoint. What they have done health-wise; what they have done DER-wise and so forth, you'd have to ask them; I don't know.

CHAIRMAN WRIGHT: Representative Hoeffel?

BY REPRESENTATIVE HOEFFEL:

Q Commissioner, there is a nuclear plant being constructed in Montgomery County, Limerick. Is it safe to assume that the plan you are talking about or the extension of that plan, or a statewide plan, will encompass the facilities under construction?

A Yes, it will. The first priority is to take care of the ones who are operating before we worry about those under construction.

Q Do you count on the State Police Barracks in the local area, in this case there is a barracks in Montgomery

County --

A Relatively close, right.

Q You consult with them in terms of planning and get their recommendations when you devise your end of the plan?

A Certainly. Most of the planning in any given locality is left to the people who police that locality. They are the ones who know what they have in the way of roads, population and so forth.

Q I have always been intrigued at who makes the decision in which direction the people will evacuate should there be an evacuation. I guess a lot of that depends, in the case of a nuclear accident, on wind currents and all of that. The Limerick plant is well within the 20 mile radius of Philadelphia and would take in -- a 20 mile radius around Limerick, in other words, would take in a large part of the City of Philadelphia as well as Montgomery County and Delaware, a very populated area. I suppose your plan has to send people in different directions away from the plant. Again is that a safe assumption or is this too early in the planning process to ask that?

A I think it's a very safe assumption. The problem I see when you get to the coast is that you are cutting down your possibility of using different directions considerably. The closer you get, the fewer options there are.

Q You mentioned that New Jersey PNEA and Pennsylvania

PMEA are in contact with one another?

A I assume they are in contact with each other.

Q Right. Are the State Police in the different states in contact with one another?

A Yes, we have been in very close contact with the New Jersey State Police, for example, since Three Mile Island.

Q Okay. Thank you.

A On the Friday of the -- bad Friday or whatever Friday you want to call it, they asked if they could send two men over to observe and we allowed it and they stayed here -- well, they switched off people. They had people here for approximately two weeks.

Q Do you have the same relationship with the Maryland troopers?

A Yes, we do.

Q Would you anticipate any trouble in coordinating between the different State Polices?

A No trouble whatsoever.

BY CHAIRMAN WRIGHT:

Q There has been several allegations about sabotage. As a matter of fact, I clipped an article out of one newspaper and sent it to you. Who was responsible for investigating the allegations of sabotage within the plant and did that agency look into anything and if you can, without violating

security, respond as to what the investigation came up with?

A I can't hide behind anything because I know of no sabotage investigation. If there was indication of sabotage, the Federal Bureau of Investigation would investigate it.

Q You knew there were allegations?

A I don't know -- as I say, allegations. I know there were indications, suggestions, questions, hints, so forth, rumors. I know of no hard evidence of sabotage. There may be and I don't know about it. I heard of none. I think that comes up in any incident.

Q I'm not sure I had a follow-up on that. But it's the FBI's responsibility?

A Yes, sir. I'm very happy to put it back on them.

Q If they were investigating anything in charges of that nature, would they keep you informed?

A I would hope so.

Q That's not quite answering my question. Would they keep you informed?

A It's the best answer I can give you. I would hope so. I don't know how I would know unless they told me and I would expect they would tell me.

Q Anybody else on the Committee? Fred Taylor.

BY MR. TAYLOR:

Q It's kind of like Steve McGarrett and the FBI; who tells who what. Commissioner Dunn, we spent most of the

morning talking about the plan. The plan, and you know I asked you a question about the plan, Plan One and Plan Two, and this is somewhat new information to us that there is a plan that has been coordinated by your department and, you assume, between PMEA and others. And I wonder if you would be kind enough to let us have a copy of what you submitted to PMEA as your proposal for coordination with the counties and the local --

A I would be very happy to make our plan available to you. I don't have one with me unless one of the men has it.

Q If you could send it to us, I would appreciate it.

A I would be happy to. It's not a secret plan, sir.

CHAIRMAN WRIGHT: Representative Brandt?

BY REPRESENTATIVE BRANDT:

Q Yes, Commissioner, one more as a follow-up on the FBI and the State Police communications. Under your experience with that department, would it be an ordinary way for them to inform the State Police of this type of problem, there has been an incident of sabotage?

A I don't know as I can say an ordinary way, an ordinary incident of sabotage. In 23 years I didn't have very many of them.

Q Step aside from the sabotage, this type of an incident?

A This type of an incident, I would say, calling on experience as a practical matter, the FBI is not going to conduct an investigation unless they get some kind of a hard

allegation that there was sabotage or some indication, physical evidence or otherwise.

Q Would it be a practice of the FBI to inform the State Police of their investigation?

A I would say yes. As I say, I hope so.

Q Yes.

BY CHAIRMAN WRIGHT:

Q There was a newspaper story that low level radioactive clothes were found in a landfill where they didn't belong. Obviously if that be true, that's a violation of some regulation.

A I'm sure it is, sir.

Q Who would have the responsibility of investigating that?

A I guess it would depend on the circumstances of where it was and so forth. A large part of Pennsylvania, I guess it would be the Pennsylvania State Police.

Q This was on the Three Mile Island site, inside the fence. Are you allowed inside that fence?

A Oh, sure. I don't know whether I want to go in, sir. Sure, if we had an allegation that there are improprieties going on, I'm sure we can get in. We'd get a warrant to get in if we can't get in any other way. Again, that brings me back to who is going to go in and what kind of protection should he have? I don't feel anywhere near as brave as I did

the Sunday after the original incident.

Q You said if needed to, you'd get a warrant?

A Yes, sir.

Q State court or Federal court?

A State. It's not Federal property as far as I know. It's still within the State. The only time you would need a Federal warrant would be, I guess, if it was a Federal installation.

Q Any additional questions?

BY REPRESENTATIVE RAPPAPORT:

Q Does DER need a warrant to go in someplace?

CHAIRMAN WRIGHT: Are you questioning me? I don't know.

REPRESENTATIVE RAPPAPORT: I'm just curious.

BY REPRESENTATIVE RAPPAPORT:

Q Commissioner, would you know -- housing inspectors can be required to get a warrant. We know that. The Supreme Court has said so in a rule. Would DER need a warrant if say some utility to let them into their atomic generating plant?

A I assume they would, unless they are going to assault the place. I don't think it's ever occurred.

Q I would seriously doubt that it's ever occurred.

A As a practical matter, I would hope, if there is a nuclear question and DER seeks access, that they would readily

get it.

Q I would hope so too.

A Of course, I thought a few years ago health inspectors could go on the premises too and I was wrong.

CHAIRMAN WRIGHT: Representative Yahner.

BY REPRESENTATIVE YAHNER:

Q Commissioner, do you think it's -- in the case of a call for evacuation, is it humanly possible in a 20 mile area that if everyone started moving at once, my god, can you imagine the stampede there would be. How would you get the streets and the highways clear enough to even get anybody moving if they all tried to move at one time? Don't you think it would be better if you, say, moved a five mile area, then ten mile, and then 20; up to 20 rather than all at one move? .

A That's all taken into consideration. I hope that you don't have the impression that I think or we think that 20 miles is gone.

Q That would be impossible.

A No way. It's all planned and plotted out of who is going to go when and so forth. Obviously, everybody won't fit on the street at the same time.

Q No, no.

A We know that. You have to project all kinds of problems, breakdowns. You figure two lanes, you maybe are down to one lane and so forth. You may find people out of gas, out

of diesel fuel, whatever. There are a lot of problems. We know that. I'm not saying we have the answer, don't worry.

Q Sure.

A I would be the last one to say that.

Q How would you handle like the agricultural area as to farmers and the livestock and the foods?

A Secretary Hallowell is here and I'm sure he can fill you in on that because that problem occurred to me too.

Q Maybe he'll have the answer to that one?

A I'm sure he will, sir.

Q Thank you.

CHAIRMAN WRIGHT: Representative Stuban.

BY REPRESENTATIVE STUBAN:

Q Commissioner, you seem to continue to say about protection for your troopers. I posed a question here sometime ago and I'm not tearing down the volunteer services because I think they are wonderful in the State of Pennsylvania but I think there comes that ultimate time maybe in an accident like this that you have to tell somebody to stay there and order him to stay there. Would you order your people to stay there when you know without protective equipment and everything else it would jeopardize their life or health?

A I don't see how I can. If I know what I'm doing to them -- you want me to play God or what? If I know that it's a situation where a man is going to shorten his life or maybe

it's going to cost him his life, I can't order him in there. I could be a hero, I guess, and ask for volunteers and lead myself and whoever but how, as a practical matter, can I say stay in there. We're all leaving. This may be the end but we're proud of you. I think, in effect, that's what you're saying.

Q But there comes that time when we are going to have to say to somebody, you know, and we can't ask this volunteer whether it be the National Guard or whether it be the State Police. You know, there is always that possibility of looting or anything like that that could happen and you have to protect the property of people.

A I think I mentioned that before. I think I posed that question. If you evacuate in a 20 mile radius, how do you get the people out of there that you definitely want out? Who looks out for the people that stay behind and who takes care of the perimeter? To throw a 20 mile perimeter, a 20 mile radius, draw a perimeter outside there, you tell me how many men it will take to seal it.

Q Well then, I think, along this whole line, I think what you are trying to say is that the State Police does need protective equipment. Now, we asked that pilot to help the utility really, to fly above that plant, and yet provided him with no protection whatsoever.

A Unfortunately, we didn't ask him; I did, or I told him to. And I would like to avoid that in the future if I can.

I think if you are going to send anybody into any possible nuclear situation, they should at least have the benefit of accurate measuring devices to see what is happening to them. I can't tell up on the avenue what is happening to the pilot in a helicopter.

Q That's all I have.

CHAIRMAN WRIGHT: Representative Foster?

BY REPRESENTATIVE FOSTER:

Q Just one point of clarification. We have spoke several times about the evacuation of people who do not wish to evacuate. It's my conception that if someone wishes to stay and stays, then we have no power to move that individual. Is that correct?

A It's my opinion, sir, unless it's marshall law.

Q I feel that's the only practical approach to take in this because we will have enough problems getting out the people that want to leave. Furthermore, it's an individual's right, if he feels he wants to stay under those conditions and it doesn't impinge on anyone else's safety, then I say he stays.

A The secondary question there, again, sir, is if they choose not to go and, in fact, it's a disastrous situation; does anyone then go back and try to save them, help them, or whatever, and who?

Q I think we'd have problems enough getting out the people that are ready and willing to leave. As long as some-

body, by their staying, does not impede the passage of an evacuation of others, we leave them on their own.

A I think, in effect, what you are saying is the only practical solution but as a long range solution, is it practical?

Q I see your point.

A Or how about Aunt Betty and Uncle Joe?

Q Your point is in 24 hours when they realize there is a major problem, then who goes back in and gets them?

A Or if the looting or whatever occurs, who goes in?

Q Well, I can only say on the looting, at a point in time like that, I would be very reluctant to have you or anybody order their men in to protect property. It's one thing to protect lives and try to save lives but if there is imminent danger from radiation, I frankly don't think we should be too much worried about that looting aspect, if it's going to endanger the lives of your troopers.

A Could we say that maybe an evacuation, no matter what it's called, is going to be voluntary?

Q I think largely --

A I think realistically it's going to be voluntary. Those who go, go; those who don't, don't.

Q Exactly.

A And we go from there. I only pose the question that if a substantial number of people stay behind, whose

responsibility is it? I don't know the answer. I don't think I can turn around and say to my people, nice job getting those who wanted to get out. Now, go back and look at the ones who didn't, especially if it's a bad situation. I don't think it's fair to them.

Q Thank you.

CHAIRMAN WRIGHT: Fred Taylor?

BY MR. TAYLOR:

Q Commissioner, I guess this is kind of a wrap-up but I would like to follow up on Representative Foster's question. You have mentioned the term marshall law several times in regard to moving people that are reluctant to move, etc. Now, assuming that marshall law is declared by somebody which is still a question and I know you don't have your attorney with you --

CHAIRMAN WRIGHT: Be careful, he's an attorney.

COMMISSIONER DUNN: So am I, sir.

BY MR. TAYLOR:

Q Should marshall law be declared by whatever authorizing authority can do so in the State of Pennsylvania, then who runs the police force? Is it the State Police or the National Guard?

A If you declare marshall law, if it's done Federally, by the Federal Government --

Q I'm talking about the Commonwealth of Pennsylvania, within our boundaries.

A I would assume that if you have marshall law, the National Guard would be the governing law body.

BY REPRESENTATIVE O'BRIEN:

Q Could they give orders to the State Police?

A They could deputize them.

Q The battle in the flood in Wilkes Barre was between the State Police and the military and the State Police wouldn't take orders.

A I can't imagine we'd be battling with them, sir.

Q Oh, okay. In other words, the military have the power over them?

A If you have a situation of marshall law, the military is in charge in every situation I have ever heard of.

CHAIRMAN WRIGHT: You didn't have marshall law?

REPRESENTATIVE O'BRIEN: Yes, we did.

COMMISSIONER DUNN: If you don't have marshall law and you have two outfits working there, one outfit can say to the other one I don't agree with this and so forth. Generally, we can pretty well work things out. If you are going to say the State Police is responsible, there isn't marshall law, we will be responsible. If somebody else is made responsible, then they are responsible.

BY REPRESENTATIVE O'ERIHEN:

Q In other words, that won't stop them from fighting with each other?

A I question that because we are not that type.

BY MR. TAYLOR:

Q Right now, the State Police are in charge, right?

A That's correct.

Q If marshall law were declared, it's your opinion that the Army, the National Guard --

A Either the National Guard or the United States Army.

Q And you would be ancillary to them?

A Yes, sir.

CHAIRMAN WRIGHT: We thank you, Commissioner. We appreciate your frankness and your help in answering questions to the Committee and we thank you very much for being with us and appreciate your sending us a copy of that plan.

COMMISSIONER DUNN: Thank you.

CHAIRMAN WRIGHT: Is Max Smith here?

MR. SMITH: Yes, sir.

CHAIRMAN WRIGHT: Are you in a hurry?

MR. SMITH: Yes. I would like to be on this morning. I have another appointment at 1:30.

CHAIRMAN WRIGHT: You will be on next. Let's take a three minute break.

(The hearing recessed at 11:28 A.M. and reconvened at 11:35 A.M.)

MAX SMITH, called as a witness, being duly sworn by Chairman Wright, testified as follows:

BY CHAIRMAN WRIGHT:

Q Our next witness is Max Smith, Lancaster County Agricultural Agent, Lancaster County Co-op Extension Director. Is that two different titles or the same title?

A The Extension Director is a part of the extension service.

Q Okay. So, would you like to make some comments for the record?

A Yes. I represent the Pennsylvania State Extension Service Station in Lancaster County and, as many of you know, the duty of the extension service would be to inform people in the various counties relative to agriculture, homemaking and all different things. In this respect, we felt that our extension service had a responsibility to inform our farm people of the situation following the Three Mile Island accident.

I got into the act on a Sunday afternoon, April 1st, when one of our farmers phoned to find out who was collecting milk samples in the Marietta area that Sunday afternoon. I didn't have the answer but I told him that I would find out. So, I called our Civil Defense, the county management, Paul

Leece (phonetic). He said to his knowledge it would be the Pennsylvania Department of Agriculture who was collecting samples. Then, I talked with Paul. He is the Director of our county emergency management office regarding the evacuation plans and he said, yes, there had been a meeting that afternoon, Sunday, April 1st, in Lancaster to evacuate all folks within a five mile radius of Three Mile Island. Then, I asked how about the farmers. What kind of information or what are they to do and he said well, that's up to you because you are to handle the agricultural end. In this respect, I might say, I'm a member of the Lancaster County USDA Emergency Board. This is a Board made up of the various agricultural agencies, both State and Federal, to deal with such emergencies as flood and drought and things like that. So, as a member of this committee, our extension agents throughout the State feel and have been delegated the responsibility of educating people and helping them in time of crisis regarding some of the emergency measures.

So, at that point we swung into action because we felt that there were a number of farmers in the northern part of our county within the five to ten mile radius that needed some information relative to the evacuation; what are they going to do with their livestock and their families and the phone began ringing to verify that. The one fellow, as I recall, had 100 steers that were weighing about 1200 pounds.

This was a Sunday afternoon late. He was asking me whether he should put those steers on the market Monday morning or whether he should keep them because of the danger of radiation fallout and of the carcasses being unfit for use. I tried to temper him down a bit in that the information we had, and it was confusing, came from different sources. We didn't feel was sound enough to cause him to panic, to put those cattle on the market. So, we asked him to be patient, to stand by, and we would try to find out additional information. There were other calls about horse people who had horses; what are we going to do with the horses. So, we made three radio programs that afternoon and I appeared on Lancaster's television station at 11:00 that night with some news regarding what farmers could and should be doing in case of evacuation and there were four suggestions that we made. One was to keep the livestock indoors; second, was to feed and water them only feed and water that had been under cover; thirdly, if someone had to stay behind in case of evacuation, we gave some help to that person, what he or she should be doing. We felt in most cases the farmers in our area would not want to evacuate their livestock entirely. They may evacuate their families but they should probably return morning and evening to care for their animals. Under those conditions, we gave them some suggestions regarding the danger of going outside, the importance of washing, bathing often, keeping well covered and spending a minimum time outside,

most of the time in the buildings. So, we went on the air in that respect, both radio and television.

Also, we warned the farmers about allowing people to come to monitor their products. There had been one call on a Sunday afternoon where somebody came in and picked up three gallons of milk from one of our dairymen without identification. He told the kids he wanted to monitor the milk and took it. The farmer called and said who got it; am I supposed to surrender my products. At that point, we asked that the farmers be sure to get ID, identification, from the people that come and to get a receipt on what they took. This was the information given out on Sunday afternoon and Sunday night.

The following few days, and I'm sure in all of the counties involved, the extension agents were on the air and had newspaper articles regarding the conditions and what to do in the way of agriculture. Our five radio stations in Lancaster were covered with this information by myself and some of our staff. There were news articles in the papers, samples of which I gave to your Chairman. The neighboring counties of Dauphin and Lebanon wrote letters April 1 and 2, I think it was, that covered some of the things that farmers might do, merely stressing that to the best of their knowledge there had not been enough fallout to cause serious concern; that they were to go ahead and lead a normal life. I would say that our information has been a carryover from years passed when we had Civil Defense

workouts when there was danger of radioactivity from bombs and so forth and we do have guidance from USDA. We have information and publications available on the subject. We have a disaster handbook put out by Civil Defense years ago that was a guide to us.

Furthermore, in other areas, the Peach Bottom plant which is located across the river in the southern end of our county, in York County, there is concern there about radioactive fallout. I attended a meeting in that area about a month ago at which time the Civil Defense and the Lancaster County Planning Commission were trying to make evacuation plans for the people in the southern part of our county and there, again, agriculture was represented and what are we going to do with the farmers and especially how about the Amish people, the plain people of that area, who do not have communication benefits like some of us in that they do not have radio or television. How are we going to inform them and will they be willing to go? Our job was in all cases to keep the people informed, tell them some of the things that they should or could be doing to protect themselves and I would say, furthermore, the State Police from Lancaster contacted our office just two weeks ago regarding whether or not we felt that the Amish would evacuate the southern end of Lancaster County in the Peach Bottom area in case there was fallout and I couldn't exactly answer that question except I would say let's get some

of the Amish Bishops together and talk it over with them; find out what they will do and what they won't do. And that program, I think, is in the making at the moment through the State Police because the State Police, in our county, the same as other places no doubt, are cooperating with the county emergency management committee and working out evacuation details.

I would say, in looking ahead to the future, if there are going to be additional accidents and problems and fallouts which no doubt they are bound to come because of all of the nuclear plants that are being constructed and because of the chance of human error wherever we go, I think one thing that would help the extension service and the county agents involved would be for them to be informed quicker and more authentically than we were the last time so that we can get the information out to our people exactly regarding the situation and what should be done. In closing, I merely want to say that I'm glad to have this opportunity to represent our extension service at this hearing and I'm sure that county agents throughout this State and the country are in a position to inform people of the exact situation and guide them in their agricultural efforts in the protection of their livestock and crops if they are given the opportunity and if they are given the signal to go ahead. That about ends my remarks, Mr. Chairman. I'll be glad to try to answer any questions if there are any.

Q You have done a pretty good job of answering questions that I wanted to pose to you. On August the 7th, a Mr. Kinsika (phonetic) who is Chairman of the Old Amish Steering Committee appeared before the Committee and we discussed this business.

A I read about his remarks; yes, sir.

Q Now, you indicate that there is a proposed meeting with the Amish --

A In the southern end of the county, the Peach Bottom area; yes, sir.

Q Who is going to conduct the meeting?

A The State Police were the ones responsible for calling that meeting if and when it develops.

Q And the purposes of the meeting is what?

A Was to discuss with the Amish Bishops what the Amish people would do in case of a need for evacuation. Will they go or won't they go; will they send their families and stay behind, the Amish men themselves; or just what will they do and where will they go. Some of us feel that they probably will evacuate if they are taken to certain places; perhaps not mass evacuation centers but something perhaps more particular, more special for them.

Q Will you participate in that meeting?

A Yes, sir; I intend to if the State Police continue to invite me. Yes, sir.

Q In addition to the questions as to whether they will evacuate or not, there is perhaps a more serious question of communicating.

A Yes.

Q As you pointed out, there were no radios, there were no TV's. As Mr. Kinsika pointed out, most of them only get a weekly newspaper.

A Yes.

Q It's my desire and probably the whole Committee's that somebody address and, if possible, force them to help make a decision in regards to communication. How do we notify them?

A This will be difficult.

Q Obviously, the volunteer fire truck with a PA system would get to some but how do you get to those who are not within a hearing distance of the main road?

A This will be difficult except perhaps by, might I say, pony express. They have horses and they ride them and drive them. I mean I think they could develop some sort of a system between themselves of notifying each other by way of pony express, you might say.

Q You might be doing us a favor if, at that meeting, there is some answer to that question. If you could put it in writing and send it to us, because we are concerned on that subject.

A Yes.

Q A more facetious matter, did you find out who got the three gallons of milk?

A I never found out who got it but I understand there was an authorized pickup but they failed to leave identification. So, it wasn't stolen.

Q There were milk samples taken?

A Yes, sir.

Q Taken by whom?

A The Department of Agriculture representatives to be tested by DER.

Q The State Department of Agriculture?

A Yes.

Q The results of those samples, are you aware of the results?

A Not directly, through the press, mass media.

Q Were any of those results sent back to anybody at the local level, county commissioners, extension service, CD people?

A I'm not in a position to answer that. Perhaps your next person might say where they were sent. To my knowledge, we did not get them. I imagine Civil Defense or emergency management might have gotten them but we did not get them.

Q As a result of what you did pick up via the press or the normal rumor circles, was there anything to be concerned

about with milk or other crops?

A No, no. The reports that we did get by way of mass media were satisfying to the event that there wasn't enough of fallout to be dangerous; that we were to continue as usual. Gardens, the soil was safe to use; the milk was safe to use; the water was safe. We had no concern that the fallout was of a great serious nature whereby you should stop everything.

CHAIRMAN WRIGHT: Representative Brandt?

BY REPRESENTATIVE BRANDT:

Q Mr. Smith, as you had said about the suggestions you made to the farmers was to keep the animals in the barn and personnel to keep inside as much as possible. In looking back to the incident on March 28th through April 5th, it was the ideal situation as far as that goes because most animals are all on storage feed. Would it be -- could you think about this suggestion as we go about the duties of, at some point in time, writing Legislation. Do you think it would be advisable to suggest in some form or another that farmers in this ten mile or 20 mile radius have a certain supply of stored feed on hand in case they have a situation?

A Yes. I think this is quite possible and I think it is actually in reality that most of our farmers would have a supply of stored feed on hand because hay's in the barn, of course, and grain usually is in the barn unless it would be June or July when it's ready to harvest and, of course, then it

would be in the field. There is nothing wrong with a farmer having a 30 day supply or something like that on hand and I would say the majority of our farmers would have such supply on hand except water perhaps, if they were depending upon a stream for summer water supplies. But he would still have his winter supplies through the well which he can use if he has to.

Q How about our large poultry operations in the county; what would be their length of feed supply?

A Their feed supply probably would be only a week at a time but it would be delivered by an outside concern no doubt whose feed would have been under cover at the time of the fall-out. I see no serious condition there because most of them have weekly deliveries of their bulk feed. The big problem with poultry would be the ventilation fans which would pull the radioactive air into the building when it should not be pulled in. But if you stop the fans, the birds will smother. So, you have to choose between the lesser of the two evils.

Q Which would be?

A Leave the fans run.

Q Would you agree with me that there were other samples of milk taken besides the Department of Agriculture? NRC was taking samples. Was there anybody else taking samples of milk besides those two that you know of?

A To my knowledge, we were not informed officially who was taking milk samples. This was picked up from the farmers and from our county management service, Mr. Paul Leece.

He was telling us who was picking up the samples because that's the point where we requested farmers to get identification from those that picked them up.

Q The number of samples that I was familiar with, they were picking them up and paying the farmer for them right away on the spot?

A That could be. I'm not aware of the financial arrangements.

Q Some farmers were disappointed when they quit picking up samples.

CHAIRMAN WRIGHT: Representative Stuban?

BY REPRESENTATIVE STUBAN:

Q In the same vein concerning milk, you know, was there, prior to building the atomic plant, were there any tests run on radiation of the milk?

A Prior to building Three Mile Island?

Q Right.

A I'm not in a position to say that.

Q Do we have any records or, you know, tests or samples having been taken?

A The Chinese fallout some years ago came in here and put some iodine into our air and so forth but, I think, we still had Three Mile Island at that time. I'm not aware of tests five or ten years ago.

Q Well, you know, since the accident at Three Mile

Island, don't you think that maybe we ought to have an ongoing program of testing milk?

A I have no objection. I think that would be all right. I think there is always going to be a trace of probably a radioactive -- I think that's one of the problems that our agricultural people are concerned with. What's going to be the outcome of being exposed to low level radiation for a long period of time. I think that is a concern to our agricultural people.

Q Okay. Since Mr. Hallowell is going to be on next and you are a county agent, there are some plants being built. There is one being built in my area. Don't you feel that prior to opening this plant, that the Agriculture Department, and I don't care who it is, whether it's Pennsylvania or USDA, should be in there now formulating some thoughts about production and reproduction of animals and contents of milk samples now and have some information prior to that plant being started up? We've got another one in the other area of the state. I think we have, you know, went into a situation where we are blind now, where we don't know about Lancaster County because we have no prior information about it.

A I see no objections to that. You are talking about what was normal before the plant was constructed?

Q Right.

A I think that has some merit, yes.

Q How would we bring about such a program?

A That would be beyond mine. I think you better ask the Secretary of Agriculture that question. I think it would have to be Legislation or something like that.

Q Okay. Thank you.

CHAIRMAN WRIGHT: Representative Brandt?

BY REPRESENTATIVE BRANDT:

Q Just to follow up on where Ted was going. First of all, Ted, it's Lancaster County, not Lancaster County.

REPRESENTATIVE STUBAN: Okay.

BY REPRESENTATIVE BRANDT:

Q I'm sure I asked the Chairman of the Committee to find out. I'm sure there were ongoing testing of milk prior to March 28th by either Met Ed or NRC. I think that was an ongoing program and I thought we were getting to it for a moment, Max, but wasn't there some testing of milk during the China --

A Yes, the Chinese fallout program, there was.

Q The testing accelerated at that time, didn't it, the testing of milk, more than --

A You mean thereafter?

Q No, at that point in time there was an acceleration of testing?

A Definitely. I remember at that time that we had, I

think it was three or 400 picocuries or something in the air. This time there were only 12 or 15. But at that time, it was tested very frequently by, I don't know, DER or somebody. So, milk has not escaped being tested frequently, I think, over the last decade because it seems that most people think that the dairy cow will pick up radiation quicker than any other food, or any other livestock.

CHAIRMAN WRIGHT: Any questions from any other members of the Committee?

(No response.)

CHAIRMAN WRIGHT: We thank you, Mr. Smith, and if you get any interesting results from that meeting, we will appreciate hearing them.

HONORABLE PENROSE HALLOWELL and CHESTER HEIN, called as witnesses, being duly sworn by Chairman Wright, testified as follows:

CHAIRMAN WRIGHT: We have with us the Secretary and his Deputy, Chester Hein, H-E-I-N. Secretary Hallowell, would you like to make a statement please?

SECRETARY HALLOWELL: Yes. I have here, and I think you have copies, of a report that actually was prepared by the Governor's Office. It's due the end of this week. So, basically I'll read it and maybe make a few comments before

and afterwards.

First, I appreciate the opportunity to sort of hear Mr. Dunn, Commissioner Dunn, and just comment that I think it's important that we have plans but I think it's equally important that we have a chain of command in an organization that can respond to a situation. The most difficult thing about TMI was we really didn't know what to expect. The problem was always a potential one and, I think, the ability to act depending upon a situation is very important. I'd even suggest that PNEA, the organization that we have, didn't do too bad and if the situation changed, I think our action could have changed so that we could have sort of reacted to the situation with the coordination of Federal, State and Local agencies.

Specifically, to talk about agriculture, I would like to just read these three or four pages rather quickly.

In regard to the food supplies, especially milk, on March 29, 1979, the department started to take milk samples on farms and from dairies within a radius of 45 miles from TMI. They were rather scattered. These samples were analyzed for radioactive content by the Bureau of Radiological Health of the Department of Environmental Resources. During the March 29 through April 21 sampling period, 200 samples were taken and tested. I think it's a total now of about 350. The highest reading found in any one sample during this period of time was 29 picocuries per liter. These levels did not pose

a health threat and no action was taken. The levels were below the 12,000 picocuries per liter level at which the Food and Drug Administration would initiate regulatory action to protect the health of the consumer.

We are continuing to take milk samples even today for radioactive content analysis and will continue for an undetermined period of time. Since May 4, 1979, all milk samples have contained less than 10 picocuries per liter, the minimum detectable level of radioactivity which the equipment being used can detect with any degree of accuracy.

From April 1 to April 24, 1979, 32 different food items, including spaghetti, chocolate wafers, donuts, apple pie, fresh eggs, candies, white bread, noodles, ice cream, hog and steer feed, cheese, river water, well water, tap water, corn flakes, and etc., were sampled within a 30 mile radius of TMI. A total of 350 samples were taken during this time period and all of them contained no detectable levels of radiation. No additional sampling and testing was performed on such food items after April 24th since prior results did not merit additional testing. I think this was mentioned, FDA and some other Federal agencies were also taking tests and their results also had a negative effect.

During early to mid April, grass samples were taken within a three mile radius of TMI. Results ranged from zero to 25 picocuries per square meter. These levels did not

necessitate the keeping of livestock off of pasture. Even so, most livestock were not on pasture since at this time of the year the grass has not grown enough to provide adequate feed for livestock. Immediately following the TMI incident, we had recommended that farmers should keep their livestock indoors and off of pasture. This was done as a precautionary measure since we did not know what levels were present or could be anticipated.

On June 6, 1979, we took samples of fresh lettuce, radishes, rhubarb, spring onions, and fresh strawberries which were grown within a seven mile radius of TMI. All of the samples were negative for radioactive content. This was just to see if there was any residual effect of any kind out on the soil which would show in growing the crops.

Even though none of the various samples of food and related material which were analyzed required action to protect the health of the consumer and of livestock and poultry, we will continue to take milk samples and analyze them for radioactive content. This continuous monitoring of milk should be sufficient to detect any possible contamination of foodstuffs by radioactive materials, since detectable levels of radioactivity will normally be found in milk before it can be detected in other feedstuffs.

Secondary, animal health studies. As stated in the previous section, the analysis of samples of pasture and live-

stock feedstuffs did not result in the finding of levels of radioactivity which would pose a threat to livestock health.

However, we have had several livestock health problems within several miles of TMI which the owners felt was related to the TMI incident. In each instance, we have performed extensive sampling of livestock feedstuffs for radioactivity, performed autopsies on dead or dying animals when possible, and other diagnostic tests for various diseases etc. To date, none of these herd health problems have been found to be related to the TMI incident. However, before the TMI incident could be ruled out, we have to determine the actual cause. In one particular incident, there was considerable news coverage related to a dairy herd health problem. After thorough analysis of the problem, it was found that the IER virus had been active in the herd and was the cause of the farmer's herd health problem.

In May of this year, we surveyed 100 livestock owners located within a five mile radius of TMI, and this is virtually all of the livestock owners in the area. Of those surveyed, 95 percent reported that they had no unusual herd health problems. The remainder reported herd health problems that are fairly routine and would normally be expected to occur at about the same rate in other areas of the Commonwealth. However, in order to be sure we have, we are in the process of investigating those cases which have not been definitely

diagnosed. Farmers complained that they thought perhaps they were having breeding problems with their livestock or perhaps they were off feed or something and it wasn't really possible to eliminate any cause but there was nothing ever found to suggest that TMI or radioactivity was a factor.

Three, a survey of food processors and handlers to determine the socio-economic effect of the TMI incident upon their businesses. The Department of Agriculture has been cooperating with the Department of Commerce to determine the effects of the TMI incident upon the food processor and handler. The Department of Commerce has surveyed the food processors and handlers in the local TMI vicinity. They will be reporting on this project.

During the TMI incident, we heard of various losses to food handlers and processors in the sale of food products. Several dairies in the Harrisburg area reported a temporary decrease in sales during the TMI incident. They were not sure whether the losses were due to consumer resistance to the buying of locally produced agricultural products or due to the fact that a large number of people had temporarily left the area resulting in less sales or a combination of both. It is evident that some temporary losses of sales had occurred during the height of the TMI incident. At this point in time, it does not appear that there has been a permanent decrease in sales or a resistance to the buying of agricultural commodities

produced or processed in the TMI vicinity.

Four, a survey of farmers located within a 25 mile radius of TMI to determine the socio-economic impact of the TMI incident upon their farming operations. This is virtually completed and the results are sort of summarized here.

The department has developed a three page questionnaire which asked them 15 questions in an effort to determine if the TMI incident has resulted in any measurable socio-economic impact upon farming operations. Over 600 questionnaires were mailed out on June 28 to dairy, livestock, poultry, grain, vegetable, fruit, and other farmers located within a 25 mile radius of TMI.

More than 300 questionnaires have been completed and returned by active farmers. The data of which was collected through the survey was separated into two basic categories and analyzed. The two major categories consisted of one, farmers living and farming within ten miles of the TMI facility and, two, farmers living more than ten miles. In addition, the data for each of the two groups specified above was sub-divided into four minor categories according to the type of the major farm enterprise. The four sub-groups were one, dairy; two, livestock and poultry; three, fruits and vegetables; and four, grain farmers.

The data collected revealed that nine percent of the farmers within ten miles of TMI incurred a loss in sales

of agricultural commodities due to the TMI incident. Only three percent of those living more than ten miles from TMI reported similar losses. The losses ranged from \$25 to several thousand dollars per farm reporting losses. Of the losses which were reported some were permanent and others were temporary in nature. Seven percent of the farmers within ten miles of TMI reported that they were still experiencing losses at the time of the survey and six percent expected that in the future they would continue to experience a loss in sales of agricultural commodities. Three percent of the farmers located more than ten miles from TMI reported they were still experiencing such losses and two percent felt they would continue to incur such losses. Several farmers reported that they felt that the loss in sales of agricultural commodities was possibly due to the gasoline situation more so than the TMI incident.

Thirteen percent of the farmers within ten miles of TMI and four percent living more than ten miles from TMI reported they had experienced consumer resistance to the buying of their agricultural commodities as a result of the TMI incident.

Of the farmers living within ten miles of TMI, 36 percent felt the TMI nuclear facility posed a threat to their health and 26 percent to their livelihood as compared to 27 percent and 25 percent, respectively for farmers living more

than ten miles from TMI. Twenty-three percent within ten miles of TMI felt that the incident had affected farm values as compared to six percent that lived more than ten miles from TMI. Of those farmers that reported an effect upon farm values, 67 percent thought it would be a short term effect and 48 percent thought it would be a long term effect.

Forty-eight percent of the farmers within ten miles of TMI made plans to evacuate their families during the TMI incident while only 13 percent actually evacuated for any period of time. Similar figures for farmers living more than ten miles from TMI were 16 percent and three percent, respectively. Only four percent of the farmers within ten miles of TMI made plans to evacuate livestock or poultry as compared to one percent living more than ten miles away. None of the farmers in either group reported evacuating livestock or poultry.

In summary, the greatest amount of economic loss to farmers occurred within about ten miles of TMI; however, losses were not limited to farmers within ten miles. The losses in most cases were minor and were mainly incurred by farmers that sell perishable agricultural commodities direct to the consumer. The losses were mainly due to consumer resistance and to the disruption of normal marketing channels due to the evacuation of customers and the cancellation of orders as a result of consumer resistance and decline in demand.

Some of the farmers selling direct to consumers are still experiencing a decrease in sales and expect this trend to continue; however, in most cases sales are reasonably normal. Some farmers had expressed concern that the gasoline situation may be a contributing factor to their continuing loss in sales more so than the TMI incident. Since more direct marketing of agricultural commodities normally occur during the summer and fall months, plans are presently being made to collect additional sales data in more depth this fall from farmers selling direct to the consumer. At that time, a more accurate evaluation of the economic effects upon farmers living in the TMI vicinity will be able to be made.

The results also indicate that there is a fair amount of apprehensiveness within the agricultural communities toward the TMI facility as it relates to the health of the farm family, the farmers livelihood and to farm real estate value. This appears to be directly related to distance which the farmers live from the TMI facility.

CHAIRMAN WRIGHT: Thank you, Mr. Secretary.

SECRETARY FALLOWELL: One other comment that I might make. We have been considering purchase of equipment that would allow our field inspectors to measure radioactivity in grass or something like that. Whether we own them or DER has them or we have access to them probably doesn't make that too much difference. We think some equipment should be

available so that we can gather some information in the field as we are taking examples of milk and other things.

BY CHAIRMAN WRIGHT:

Q The sampling techniques, procedures, I gather you have cooperation from the farmers when you want to acquire a sample?

A Yes.

Q You collect the sample; you test the sample on site or do you send it to a laboratory?

A Laboratory. Actually, this is something that our department is doing all the time now for bacteria and other reasons. For radiological examination, they were sent to DER. We were picking up generally two samples. One was given to DER and one is given to FDA at their request.

Q I would gather when you come up with results like 29 picocuries per liter, it requires some rather sophisticated testing to get results that low?

A Definitely.

Q That degree of sophistication, those techniques, the equipment involved, where is that laboratory located?

A DER has the laboratory, I believe. Some of it was sent to Boston, California. There are relatively few facilities nationwide that have that capability. I guess there is one in Philadelphia too and I think the number of samples we collected was just about up to the capacity of the equipment

available to test. We were sort of overloading the equipment to some extent but still we were getting results within one day.

Q You were getting results back within one day?

A Yes.

Q Even though you would send a sample out of state?

A Yes. I think it was flown out and was available within one day, to a large extent.

Q The degree of cooperation you get from farmers to participate in the testing program, do the Amish participate?

A Yes, but again our inspectors are there several times a year and it really wasn't anything new. We were doing it much more frequently.

Q On page two of your report on the animal health studies, the last couple of sentences in the second paragraph where you mention there was considerable news coverage relating to a herd health problem. I expect that is the same gentleman that testified before the Committee down at Goldsboro.

A Mr. Hoover?

Q Goldsboro. But he actually lives ^{on} the East Shore somewhere in the vicinity of Three Mile Island, if I recall correctly.

A Just below Middletown.

Q And if I remember his testimony, he referred to paralysis in his cows and referred to, based upon his opinion,

some chemicals in the river that he thought might be related to the paralysis problem although he did not mention it. I wondered after that testimony whether the condensation from the cooling towers was disseminating into the moisture in the surrounding levels, contamination surrounding the river, which is not necessarily related to the accident at Three Mile Island. You indicated, however, that your test results indicate it was a virus; airborne virus?

A We did have one of the animals taken to the lab and it was an infection in the uterus and his herd was sort of divided into two groups. He had a milking herd that was housed in a barn and his dry cows and heifers were sort of housed mostly out in the open. They did have access to a small shed. And the cattle that were perhaps better housed and better fed had no health problem. It was usually the cows with uterus infections and the uterus infections that they got was somewhat contagious, perhaps from the cows laying down in the same barnyard area or barn area that it transferred from one to the other. But that type of infection is not really unusual. It's unusual to have a, you know, one after another to have it perhaps but it is something that exists in most dairy herds from one time to another. I didn't hear him. His conversation, his conversations with me or my veterinarians. I wasn't aware that he complained of paralysis. They got a high fever and they stopped feeding and I think two of his

animals died. He did sell some to market and one of them was sent to our laboratory.

Q I may have remembered the conversation incorrectly. But I'm still interested in asking the question does any of your testing procedure ever indicate that contaminants in the river find themselves in farming areas as a result of condensation from cooling towers?

A All of the grass samples and the samples that we took from growing crops or livestock or foods fail to show any evidence of radioactivity with the exception of milk and for some reason, a cow that breathes radioactive air or would eat it accumulates that iodine type of radioactivity in the milk. If it was some other element, it probably would not do so. But, in this case, it was the iodine 131 in the cattle, for some reason, sort of accumulates it in the milk.

Q You answered my question relative to radioactivity. What about non-radioactive contaminants in the river that could possibly be, through cooling mechanisms, fall out on land surfaces? You may or may not have any data on that. Are there any studies at the Federal level or at any of the universities that you know of?

A You say other than radioactive?

Q Yes.

A I don't know really what they would be. I am not aware of any study or problem.

Q Representative Yahner?

BY REPRESENTATIVE YAHNER:

Q Secretary Hallowell, you know in all that we are hearing about this radioactive material, I have never yet seen anything reporting as to what would be a safe level in radioactive material in milk or foods, vegetables, meat, livestock. Is there a level that would be tolerated or at what level would they condemn foods?

A There is a set of regulations issued by the Food and Drug Administration in December something of 1978 that, I think, it's rather complicated and I can't repeat it but as we applied it to milk, it seemed that until the level reached 12,000, it would not pose a serious problem and at that time, FDA had certain things that they would do to further investigate the problem.

Q You found nothing in no test that comes anywhere near that?

A No. It's only the most recently very sophisticated equipment that could even detect what was there this time.

Q The other thing, supposing there were an order to go out to evacuate. How in the world would you handle farm animals, livestock, poultry? What would you do with them? Where would you go with them if you did try to evacuate them?

A This would depend on the circumstances. A farmer would basically have to make the decision for himself whether

he and his livestock were in a more hazardous position out in the highways than they would be in the barns. As you know, some of the information we sent out to farmers indicated that 70 or 80 or even 90 percent of the fallout was prevented from reaching livestock in buildings and especially if they were in a barn with a good solid roof, with hay mounds and floors and things like that. They were much safer in the barn than they would be out getting more air. So, farmers that talked to us, I think, they weren't even thinking too much about evacuating cattle. In fact, they were asking how safe is it for them to stay with their cattle since they do need care and all we could say is that if they stayed in the buildings of the barn, the chances of getting radioactive on them personally was greatly reduced. If they stayed in the buildings at the levels that were present or even anticipated, they probably would be pretty safe but it was basically a decision they had to make themselves.

Q You know there are a lot of cattle that are kept in open barns and there is no way they can keep them closed in tight plus the fact that feed coming into those animals and water would be coming --

CHAIRMAN WRIGHT: The stenographer is having difficulty, would you please speak up.

BY REPRESENTATIVE YAHNER:

Q I said many feed lots in Pennsylvania are open type,

pole type barns or sheds. The whole front is open or maybe three sides open. They would not be able to keep them confined to keep this radioactive material out of the barn in that case plus the water coming in from outside, feed supplies, you know, I don't know how you would handle this sort of thing.

A If they were producing milk, it may have resulted in milk, radioactivity showing up in milk. If they were beef animals, the half life of iodine 131 was such that it would soon be dissipated and would not pose a threat to the food supply of humans in the meat or would probably not reduce the life of beef animals to a great extent at the levels we had, sir.

Q Also, in poultry houses, as you know, they build them without windows or nothing but mechanical ventilation and that would have a tendency to pull in the radioactive fallout and if you close those fans down, those birds could not live very long; maybe half an hour at best.

A That's right.

Q They'd suffocate for lack of air. So, this is another problem. Also --

A That problem would probably be more economic loss to the farmer. It would not have endangered the food supply of humans that much.

Q Now, is there anything in the plans to reimburse farmers for their financial loss that they might have with the

loss of the poultry or livestock or crops for that matter, growing crops, vegetables, grain, corn? Would it also -- if it got enough of the material injected into it or however it would be contaminated, it would be a financial loss and it could put a farmer right out of business if this would ever happen.

A To my knowledge, there is no State or Federal indemnity program that would reimburse farmers for economic losses. Although, I would guess that similar to the '72 flood situation, the State Legislature or the Federal Government could pass special legislation to meet the needs as they may arise.

Q That would involve an awful lot of money if it were a wide area.

A Yes. It may, in fact, tax the ability of government to reimburse the farmers or other businessmen.

Q It could put a whole agricultural area out of business in a short time if this ever happened, some of these things. I don't know how in the world we would ever cope with it.

BY REPRESENTATIVE ITKIN:

Q Well, there is insurance right now.

A I don't know of any insurance for the farmer.

Q Not insurance for the farmer. Insurance for the plant licensee. If a farmer has some property damage due to

the fact of an incident, they should be able to recover from the licensee.

A Yes.

BY REPRESENTATIVE YAHNER:

Q Do you know of any insurance that would take care of --

A Yes. In fact, I have put some farmers in touch with the insurance company for Met Ed or whatever.

BY REPRESENTATIVE ITKIN:

Q There is \$560 million of insurance provided.

A And, in fact, I think State government is planning to get some of that money back from that source.

REPRESENTATIVE YAHNER: Okay. Thank you.

CHAIRMAN WRIGHT: Representative Brandt?

BY REPRESENTATIVE BRANDT:

Q Thank you, Mr. Chairman. Mr. Secretary, just two questions on your part. In the first paragraph you say the department started to take milk samples on farms from dairies within the radius 45 miles from TMI on March 29. Do you know of any -- do you know, was there an ongoing sampling of milk prior to March 29 in regards to radioactivity or in regards to Three Mile Island?

A Not that I know of.

Q You don't know of any ongoing --

A We were not doing it.

Q Secondly, on the survey that was recently -- you're into or just recently completed, it would be under your number four in your remarks, you have that more than 300 questionnaires have been completed and returned.

A Right.

Q In going through this paragraph, I cannot find where in the one category where you break them down between within ten mile and without of ten mile, out of those 300, where were they from? Could you let the Committee know where that 300 was from?

A One of the appendix which you don't have a copy of --

Q We don't have an appendix.

A That has the answers to the 15 questions and they are broken down.

Q Not the answers to the questions.

A Yes. Well, it does summarize them within ten and beyond ten miles.

Q Can you tell us how many of those returned, the 300 returns, how many were from within a ten mile radius?

A Okay. A total of 304 active farmers completed and returned the survey questionnaire. Thirty-three of the responses came from farmers living within ten miles of TMI. The remaining 271 responses were returned by farmers that lived and farmed approximately 11 to 25 miles from TMI. We received

more simply because there are many more farmers out there.

Q That leads me to -- how many of the 600 went to farmers within the ten mile?

A I think about 100 because that's about how many farmers are within.

Q That goes back to your first survey. You had 100. You just about covered everybody with that 100?

A Yes.

Q Of the 100 that were sent out, 33 were returned. Is that what you are saying?

A At the time this report was made, yes.

MR. HEIN: We have received some additional ones.

SECRETARY HALLOWELL: A few more did come in. We will be giving a final report soon. We were doing some follow-up to be sure that we got as many returns back as we could.

BY REPRESENTATIVE BRANDT:

Q What I was leading to, Penny, and I'm sure you will agree, that the response to a survey shows people's interests or concern about a particular subject and I was concerned if this 300 number would be very high within the ten mile and it really doesn't prove that if only a third of them were returned. If you had half out of the 600 -- it was less average out of the within ten mile.

A Yes. I think quite possibly another factor to consider would be that those farmers that were within the ten

mile had so many people on their farms that they probably figured I don't need one more questionnaire. I don't really know. But I would guess many farmers have been contacted by dozens of people from the press and various units of government and other individuals. They have spent many hours answering questions and they thought one more questionnaire was not necessary.

Q One last follow-up. Paging through your remarks here, are you saying; do I have the feeling here that the Department of Agriculture feels that there is no relationship between Three Mile Island and everything is well in the agricultural community with regard to TMI?

A Primarily the answer would be a qualified yes. The problem never did become a problem it could have been. It was the potential danger that we were all concerned about.

Q We all realize the potential. I'm talking about when you get down to the testing and autopsies and all of these areas you were in. It's your feeling that there really was no relationship?

A Yes. Every farmer that ships milk via tank truck to a dairy had their milk picked up. There was not a pound lost of that. Most of the losses were direct sales to consumers.

Q Thank you, Mr. Chairman.

CHAIRMAN WRIGHT: Representative O'Brien?

BY REPRESENTATIVE O'BRIEN:

Q Mr. Secretary, we passed Legislation for DER to the tune of \$300,000 to buy equipment and more personnel and to monitor the areas. Would this help your department in the future?

A Yes. I'm not sure what equipment is all included in that. Two types of equipment we are thinking about. One would be this little thing that our employees carry around that measure the accumulation that those individuals have received. That was one thing. We do have a few of those and probably, for the protection of our employees and also for information, we would want to have those of our own. They are relatively inexpensive. We will probably purchase them. We are talking about a few hundred dollars.

The other type of equipment would be some kind of a geiger counter or something that would measure radioactivity out in the soil or something. We think we need to have that on a permanent basis. Very rarely, maybe just to give us some sort of results to base future activity on. For instance, there never is a zero level. There is a normal level of radioactivity out there and we might want to have some information, as someone else brought up before, as to what is a normal level of radioactivity in alfalfa or corn or cabbage or whatever.

Q Is there any way that you and the Secretary of DER --

I notice that the Commissioner of the State Police said the same thing, that he is concerned about these people going in. If they are going to buy equipment, why don't you sit down and other departments with the Secretary of DER and see if that can't be worked out?

A That is what we are doing.

Q You are doing that?

A Yes.

Q So, it will be unnecessary to appropriate money for just your department. DER can handle it?

A Well, if we are going to ask for it, it will be a modest amount and will be in our appropriation request for next year.

Q Will this equipment again, what DER is buying, you don't know what they are purchasing?

A I personally don't. People on my staff do.

Q For instance, --

A Our Bureau of Food and Chemistry is working with DER on an ongoing basis inspecting milk processing plants.

Q Do you have equipment to check the grass or the fallout in and around a nuclear plant in the case of an emergency?

A As of now, we do not.

Q You don't. Do you know whether DER does?

A They do. The equipment that we used in the past was

their equipment that we borrowed.

Q It did belong to DER?

A Yes.

Q So, DER does have it?

A They have some.

Q You don't know if they have enough or not?

A No, I don't. Most of the sampling that was done, we picked up samples of grass and food and we were taking it to DER. What equipment they used, we were not involved in.

Q Did you tell DER that you don't think they have enough equipment to satisfy your department?

A I think we're saying that they may not depending upon the type of incident that may occur.

Q I'm not trying to put you on the spot but we are saying a lack of communication from one department to another and also with personnel and we can't find out if the State Police is working with DER. You're working with DER or DER is working with you?

A We are all working under the umbrella of PNEA and the Governor's Office and we are giving information to those people like this report I referred to in my testimony was a report that is going to the Governor's Office.

Q Are you satisfied, from the time of Three Mile Island, that your departments are proceeding ahead in the plan to evacuate and also monitor any radiation and other emergencies?

A I think generally so but, as I spoke earlier, I think it's important that we have the ability to develop a plan on the spot. You know, the evacuation plan, if the accident is at TMI, is entirely different than at some other location. So, we can't get down to saying this highway should be two lane or three lane or whatnot until we know what the situation is. I think we have to have great ability to act depending upon the needs of the time.

Q Getting back to my question, are you satisfied that since Three Mile Island, that mistakes were made there and that they have been corrected and that all departments can proceed now from the knowledge that they did experience from Three Mile Island?

A Generally, I think so, yes.

Q And the departments are working closer together?

A Yes. There had been PHEA meetings and plans are being improved and reviewed to see just how we were able to respond.

Q Do you have a copy of those plans?

A Yes.

Q Do you feel every department has a copy of the plans?

A I have no knowledge of what other departments have but I would expect they do, yes. There have been meetings held that my staff has attended that have been attended by all departments.

Q Do you feel that county --

A We have people --

Q The ones in charge of the different counties have been submitted a copy of these plans you are talking about?

A I'm not involved in county plans.

Q You are not involved in those?

A No.

Q No further questions.

CHAIRMAN WRIGHT: Representative Cowell?

BY REPRESENTATIVE COWELL:

Q Mr. Secretary, Mr. Brandt's final question to you was in the opinion of the Department of Agriculture, was everything okay in the agricultural community relative to the TMI incident and your response was primarily a qualified yes. Now, your reasons for something less than a yes probably were weaved throughout your testimony but can you summarize the reservations that you have?

A Well, I guess I was reflecting the reports that show that 95 percent have not seen a great economic problem but five of them still are not sure. Should a incident occur in the future, I think we will be able to respond but you are never sure because you don't know what the possibilities are.

Q Okay.

A Especially when we have the probability that the facility may be opened again and some of this material will have

to be disposed of. I think we are all anxious to see that it is properly taken care of and is behind us.

CHAIRMAN WRIGHT: Representative Itkin -- no, Representative Foster, excuse me.

BY REPRESENTATIVE FOSTER:

To get back to what we were saying earlier, Mr. Secretary, about the testing for radioactivity and radioactive material, I would hope that this could be something that certainly we should do but also that the evaluation and dissemination of that information should be handled most carefully because I think you would probably find that there would be differences in radioactivity in different areas of the State due to the background of radiation. And I can visualize where we could get to a situation where we might have a possible incident somewhere and that area would be tested and the report would be disseminated to the effect that the level of radioactivity here in county X is twice as high as in county Y. When we are talking about minute levels of radiation and the economic consequences of that to the agricultural communities would be great. Do you have any comment on that?

A It is, I guess, to agree with your comments but all the tests so far have shown no measurable levels. At the present time, there isn't any information that would create any

kind of a problem.

Q No measurable?

A Except for in milk.

Q Except for the milk.

A There had been in the air but to my knowledge nothing in any growing crop or commodity of that sort.

Q Thank you.

CHAIRMAN WRIGHT: Representative Itkin?

BY REPRESENTATIVE ITKIN:

Q Mr. Secretary, following that line of questioning of Representative Foster, you mentioned that you tested several commodities including well water. Did you experience any radioactive levels in well water in the area?

A No, nothing significant.

MR. HEIN: In addition, we took dust from barns for tests when we were called out and every indication was negative.

BY REPRESENTATIVE ITKIN:

Q The reason I asked the question is because many times well water is naturally radioactive and as a consequence, if the livestock uses that water, there is going to be some residual radioactivity in livestock and I was wondering whether there was any control test between those using well water and, let's say, tap water or some other water source that would not have this inclination toward a natural radio-

activity. But since it doesn't appear that there was any -- the well water in the area does not seem to have any substantial natural radioactivity, then that's a moot question.

A As indicated, there were low levels of radioactivity found in some samples of milk and the only source seemed to be the air.

Q If you are only concerned about -- if the limitation is 12,000 picocuries per liter, I mean if that's the danger zone, so to speak, where the FDA gets involved, then aren't we really gilding a lily when we talk about 29 picocuries, worrying whether or not to purchase sophisticated equipment which would probably be much more expensive than some less sophisticated equipment that could measure in gross sense whether there is any significant amount of radiation that is in the milk supply, that's in the level of thousands of picocuries rather than going down to units of picocuries?

A Technically, what you say is true but, as you know, the public doesn't always understand the technical language we are using and, I think, we thought it was important that we do everything possible to let the public know that we were taking every precaution to make sure that the food supply was safe.

Q But we're spending their money to do this. So, if the public was made to be educated, it might be cheaper to educate the public and tell them that we are doing what we have

to do and if you wish us to spend your money to do things much more than are necessary, we'll do it but we don't think it's appropriate. I mean don't you think the public ought to be given that choice?

A I think that's more the prerogative of the Legislature.

Q Penny, I'd like to go back to the questioning of the Commissioner of the State Police about evacuation. He mentions that there is a plan at Three Mile Island; that it was developed several days after the accident and one of the things that have been occurring, we've had people concerned about the farm community and that is with evacuation of farmers and other farm helpers and the livestock. What does the plan call for in terms of livestock if there is to be an evacuation? If there is to be an evacuation, if you suggest that the people in a certain area including the farmers are evacuated, what happens under this plan as far as the livestock is concerned?

A They take second priority behind all of the human beings. As you probably know, in the basement of the Transportation Building here there is a headquarters. During a possible emergency, all of the departments that were involved had a person on duty there and these are the kind of decisions that I don't think you can make in advance. They have to be made, putting judgments to the facts that are available at the time. As far as I know, the plan doesn't call for evacuation of livestock when a certain level of radioactivity

occurs. I think that's a decision that has to be made on the basis of the available information at the time.

Q That doesn't satisfy me, Mr. Secretary. You have no break points now at which times certain things are going to be implemented?

A Not for evacuation of livestock. As you know, even the control of the evacuation of people are primarily the responsibility of the counties.

Q If people are evacuated, you say the counties take -- if people are evacuated, what are they going to be told when they ask questions about the livestock?

A I can't answer that now. I would just really state that the people would have the first opportunity to be evacuated should there be danger.

Q But don't you see there would be a resistance to evacuate if a farmer doesn't know about his livestock. You tell him to go. You say well, we don't know about the livestock yet. Our first priority is you and the other people on your farm and we want to get you out and we will worry about the livestock later. He will resist that. It's so important, I can't stress this more, that what's necessary, in my judgment, is a definitive plan that says we know exactly what we are going to do. When this occurs, we are going to do this, not that a plan has to be so cut in concrete that it can't be altered but that the people have a sense of security that

there is a very definable plan set up that in case this happens, this is what is going to occur. Certainly, it can be changed at the time in view of other circumstances but at least that people know we have something ready to go and I don't think we do, do we?

A Not for livestock.

Q Not for livestock.

A I don't think we would want to have the roads clogged with trucks hauling livestock that might endanger or inhibit people from leaving.

Q I understand all of the questions that you raised. What I'm getting disturbed about is lack of answers and I feel that we have to start to grapple with the answers and even though an answer is only 50 percent satisfactory, it's better to have that 50 percent satisfactory answer than to have no answer at all because you can always change that response depending upon the situation later on.

A Except, I think it's so important that people get first consideration; that at the time of the desirability of evacuating livestock, that that will be examined and that decision will be made at that time. And one of the problems obviously is farmers do not have a truck that could handle his cattle and they probably are not available.

Q Then, you have to make a determination on the basis of what you have. In other words, you have to be practical.

You have to be a realist. If you can't save livestock, you ought to appreciate it and say we can't save the livestock and go from there. At least, people ought to know that there may not be tomorrow a plan for livestock because there probably won't be a plan on the day of the occurrence. So, I guess what I'm saying is -- I know what I'm saying is that I don't believe there are any plans. I really don't. From all of the testimony that I have heard these past couple of weeks, I think people are talking and they are creating in their minds plans but I don't think there is anything really definitive that people can be told tomorrow what to do and have a complete appreciation of what their responsibilities are. I don't think there is a farmer in this area that knows exactly what's incumbent upon him and I think that four months, this is almost five months after the accident, that we ought to have such a thing. And not only because TMI is shut down, because I mentioned before, there is -- well, I don't think it's probable but there is, you know, a small probability that an accident could have happened with the highly radioactive material we have in containment. I don't want to give any credence to that type of thing. I don't think it will happen but I think that you can't just say that TMI is shut down today and it's not going to be returned. So, we don't have to worry about it. We do.

A As indicated, the danger to livestock is a great

deal less and how you would evacuate 300,000 laying hens, I have no idea. I don't think a plan can be developed to do it.

Q That's an honest answer. That's an honest answer and you approach it from that type of a position. No one is expecting government to do the impossible. All they are asking for is an understanding of what our rules will be. We know there is going to be damage in case such a thing would develop. We can develop an appreciation of what we need to do and what the consequences are going to be. I don't even think we know. I mean people don't know and I'm afraid that people are going to stay with that livestock on the anticipation that something is going, some new information is going to come the next day because it's a tremendous economic loss that they don't wish to bear.

A Perhaps I have a great deal of confidence in farmers to make decisions at the time and most of them made the right decision the last time and I think they will the next time also.

Q Because they stayed.

A Right.

Q We all made the right decision. The Governor made the right decision. He made the decision not to do anything. That was the right decision in my judgment. That does not mean that because he made -- that was the easiest decision, by the way. It turned out that the easiest decision was the

right decision but that doesn't mean to say that the next time a proper decision is going to be that one.

A I would like to believe it will be.

Q That's the false optimism and that's what causes problems, great catastrophes to occur.

A False pessimism is also a problem.

Q Well, I would rather feel secure that when you go under surgery and the guy says well, this won't be necessary; at least I'd like to know that he's prepared to do it if what is not necessary turns out to be the fact and that's what I'm saying. I think four or five months into this thing and I really don't think we are much better along than we were prior to March 28th. I really don't. It's only because of my sitting here for hours and hours and hours listening to the testimony. You heard Commissioner Dunn this morning. I would suggest to you that you and the other cabinet members go back to the Governor and explain to him the situation that we are faced with and impress upon him the fact that we have to come up with a definitive plan.

A I'm not sure I share the same concern you do for animals. I think State government is responding to a large degree and will continue to do so for the health and welfare of the human population. I think that's our first priority and it's so important that animals sort of have to come second and will be taken care of, depending on our ability to do so.

at the time.

Q What about pets? You know how people have an attachment to pets. What about the German Shepherd that is also like a member of the family? What happens to him under the plan?

A I think that's a decision the family can make for themselves. Again, I don't see a large -- that there is very much we can do in accomplishing a plan for caring of pets.

Q Do you allow dogs to go on the buses, the so-called evacuation buses that are going to be available for people who don't have their own individual means of transportation?

A That's a decision somebody will make at the proper time.

Q The bus driver? I mean that's really what it's coming down to be.

A It may be the bus driver following instructions given to him by his superior who gets them from someone further up, yes.

Q Don't you see the dilemma we are faced with, so many unanswered questions?

A But I also have the confidence in our ability to act.

Q No further questions.

CHAIRMAN WRIGHT: Thank you, Mr. Secretary. We appreciate your visit with us this morning and giving us your knowledge and expertise and when you get the final report, may

we have a copy, please?

SECRETARY HALLOWELL: Sure.

CHAIRMAN WRIGHT: Before we take a five minute break, is Mr. Philip Daubert here? Do you have a tough schedule, sir? Dr. Scanlon, who comes behind you, does and I wonder if I could ask Dr. Scanlon to come on first and then you come on after him. Five minute break and then we'll be back.

(The hearing recessed at 12:50 P.M. and reconvened at 12:58 P.M.)

CHAIRMAN WRIGHT: Robert Scanlon, Secretary of Education. Will anybody else be testifying with you?

SECRETARY SCANLON: No.

DR. ROBERT G. SCANLON, called as a witness, being duly sworn by Chairman Wright, testified as follows:

CHAIRMAN WRIGHT: I assume that you have a statement or comments?

DR. SCANLON: I'd like to introduce one staff member that I asked to join me here, Dr. George Cyrus. George coordinated many of the activities that took place within the department during that course of time. George will provide, I'm sure, valuable assistance and resources when you ask questions.

But I appreciate the opportunity to share with you

events and concerns related to education during the Three Mile Island crisis. The department integrally involved since the crisis affected schools and students, and I'm proud of the role the department played.

There really are two stories for me to relate to you this afternoon: one is the effect of the crisis on the Department of Education; and the other is the effect on the schools. The stories each began at the same time: the afternoon of Wednesday, March 28. The end for the department came late Thursday afternoon, April 5, over a week later. For our schools, the story has not yet ended for there are many questions which remain unanswered.

The stories raise a number of issues which must be addressed: the questions of communications, lines of authority, what we need to do now to prepare ourselves for other crises. These and other issues deserve our attention now that the crisis is over.

For us, the Three Mile Island crisis began with reports of a possible explosion at the nuclear power plant circulating throughout the department. By Thursday morning, calls were coming in from concerned parents, school administrators and the media regarding this possible explosion. People complained about conflicting reports and the lack of specific information. Department personnel made all efforts to keep callers from panicking.

By Friday morning, March 30, calls were coming into the department at such a rate that it was difficult to place calls to other offices. Department staff began leaving their own offices around 11:00 A.M. out of fear of being separated from their families. Tension mounted when the Civil Defense sirens blew, increasing concern among department staff because of conflicting reports about the incident. Most department employees complied with the Governor's instructions that State employees stay in their buildings during the lunch hour.

At 12:10 that Friday, I received a call from Colonel Oran Henderson, Civil Defense Director. He said that the schools within a five mile radius of Three Mile Island should be closed. A TWX was sent to the directors of the three affected intermediate units, telling them of the Civil Defense request. IU Directors were also told that all pregnant women and pre-school children within the five mile area should be evacuated immediately.

Later that afternoon the office of higher education began receiving calls about the closing of evening and weekend classes. Penn State, Capitol Campus, Elizabethtown, Messiah and Lebanon Valley Colleges closed their schools. Millersville and Franklin and Marshall cancelled their classes. Public schools also began making individual decisions to close.

At 3:00 P.M., the Commissioner for Basic Education began to prepare for evacuation action. Schools within the

five and ten mile radius were identified. An inventory of districts was taken. The names of superintendents and business managers, their home telephone numbers, the total number of school buildings in the district and the total number of buses available for evacuation were gathered.

By 4:30 that afternoon, 27 department staff personnel began staffing the desk at the Pennsylvania Emergency Management Agency around the clock.

Friday evening found 35 people leaving the five mile area and being housed at the Central York School. Harrisburg school districts supplied food for 100 people who went to the Hershey Park Arena. We did receive authorization from the United States Department of Agriculture to use food in school cafeterias if needed for evacuation.

Throughout this day a great deal of anxiety and misunderstanding from the press prevailed, especially about the safety for the students.

Two actions were taken on Saturday, March 31. PMEA personnel were asked to meet with department staff Sunday morning to discuss closing of schools.

Students at State College campuses within a 20 mile radius of TMI were excused to go home until further notice. After the meeting with Emergency Management Agency Directors and Assistant Directors Sunday morning, I called the Governor and discussed closing of all schools within a ten mile radius

of the power plant. This decision led to the decision that we should close only the schools in a five mile radius, leaving the option to close or open to schools between five and ten miles from the plant. By 10:55 P.M. that evening, all schools within a ten mile radius had announced they would be closed on Monday. Lebanon County public schools announced they would be closed for two days.

On Monday, April 2, five superintendents and three intermediate unit executive directors from Cumberland, Perry, Dauphin, York, Adams, Franklin, Lancaster and Lebanon Counties met with me. They agreed to re-open schools either Tuesday, April 3, or Wednesday, April 4, except for schools in a five mile radius. Students within the five mile area would be excused from attendance. While this meeting was taking place, county commissioners from Perry County called to say they wanted to close their schools. I advised them to remain open. At present there were no health or safety reasons for closing the schools.

Absenteeism was highest at the department on Monday. Three hundred one employees were absent out of a total of 921. A high level of anxiety was prevalent among most employees.

Throughout Tuesday, April 3, we reiterated our position that there was no health or safety reason for schools to be closed. School districts were assured that if evacuation was necessary and time and conditions permitted, evacuation

would be announced after 5:00 P.M. The United States Department of Agriculture called and gave me permission, without me asking, to serve orange juice in our schools instead of milk. I immediately called Penny Hallowell, put him on hold, and called Penny Hallowell and said I don't know what this is all about but why would we want to serve orange juice instead of milk. What was the count in the milk that day, that morning, and he told me it was some number which I forget what it was. He put that into context for me. But there was no problem with the milk. So, I called Washington back and said thanks but no thanks, we would serve milk in our schools until further notice.

All Lancaster County schools were open except Bainbridge Elementary. It was announced that Lebanon County and Cumberland County schools would open April 4. Absenteeism somewhat decreased at the department. Only 214 of the 921 employees were not at work.

On Wednesday, April 4, just when people were beginning to relax again, the Civil Defense siren went off at 9:45 A.M. Tensions mounted. Things were beginning to return to normal in the schools. Six school districts within the ten mile radius reported 75 percent attendance. All school districts were open except Middletown, Northern York and school buildings of the districts within the five mile area.

Absenteeism continued to decrease at the department. One hundred thirty-two out of 921 were not at work.

On Thursday, April 5, things returned to almost normal. Calls continued to come into the department from school personnel. Instructions were given to treat make-up days as snow days, not to change graduation dates and so forth.

That's the story as we know it. As unwelcomed as it was, the Three Mile Island crisis taught us much. We learned the value of cooperation and partnership. No one agency or person could manage the crisis alone. It took all of us working together. The Civil Defense, Red Cross, Emergency Management Agency, local emergency people, school personnel and State government. All worked together to protect the health and, it seemed to me, safety of the people.

The crisis taught us about the need for sophisticated tele-communications system. We found our telephone system not adequate enough to handle the great influx of calls from citizens, schools and the media while at the same time being able to make the necessary calls to school districts and emergency authorities. The TWX system, which we happen to have in 29 IUs, enabled us to get the message out to our intermediate units very quickly. We need to expand this kind of capability to all schools.

We also learned we need clearer rules and regulations and delineations of authority. During the crisis, for example,

Civil Defense Directors attempted to assume some administrative responsibilities of some of the school buildings within a ten mile radius of the nuclear plant. This was done regardless of the fact that teachers and administrators are and were totally responsible for the health, safety and welfare of the students. This action created an adversary relationship between Civil Defense and some school authorities. What we need are clearer guidelines of authority.

To some extent we found a lack of information and one single document within the department. For example, it was not immediately known which schools were within the five and ten mile radii of the plant. Nor was there one source that could answer all questions regarding district schedules, buses, bus contractors, teachers, foodservice workers, etc., and so forth.

To remedy these problems, the department has prepared a booklet on the geographic location of intermediate units and public school districts. This booklet just came off the press two days ago and is now being mailed throughout the State. This booklet is helpful in determining approximate distances and planning time for travel. We are also preparing a manual which will contain extracts of laws dealing with emergency situations so that designated personnel can answer questions more adequately.

Many of the problems we faced during the crisis can

be remedied without the aid of Legislation. There is, however, one piece of legislation I would recommend to you -- this is an amendment that we have introduced in the school code which would extend emergency authority to the Department of Education. Let me give you some background on this.

The school law makes no provision for allowing school districts to be paid their full earned subsidy when prevented from keeping their schools open by any natural disaster or emergency other than epidemics of contagious disease, or destruction of a building. First, we need to extend the scope of emergencies to any natural disaster or other emergency. Second, we need to authorize the Secretary of Education to determine if school districts did everything possible to satisfy the 180-day school year mandate. This removes a necessity for drafting and passing ad hoc Legislation to provide for every possible emergency as those emergencies occur. Such has been the case for the past three years and we would ask your support for this bill.

The emergency situation created by Three Mile Island was unfortunate. It impressed upon me very early in this new administration that you have to be a good crisis manager to succeed in State government. The Governor, I think, set a shining example for all of us to follow. He was never more than 30 minutes away when I called during those days. He supplied only correct information and worked to dispel the

fears and anxiety caused by the crisis. Without his crisis management skills -- something we often don't know we have until the situation presents itself -- the crisis of Three Mile Island could have been much worse.

There are questions which we haven't addressed, questions which loom for an answer in the future. How were the teachers in the affected schools feeling? How did kids react? Did they cry? Did they want their parents? What will the psychological impact be? We should look for answers to these questions because they'll help us better deal with another crisis. Let's hope there isn't one.

One other activity that we are responsible for in the department is the State Library and I did ask for some information on what happened within the State Library during that week. The major change that was noted was that there was a very high demand for information about Federal Disaster Emergency Relief Programs and loans and new demands for any library materials available that dealt with radiation, with the Nuclear Regulatory Commission. We had many, many people in Harrisburg come to the State Library looking for specific sets of information or documents that related to this particular crisis.

CHAIRMAN WRIGHT: Thank you, Dr. Scanlon.

BY CHAIRMAN WRIGHT:

Q A point of information, you mentioned the State

Library. I also sit on the Historical Museum Commission which showed some concern for the protection of the material that we have in the archives. I assume that you have some priceless and irreplaceable material in the State Library?

A Yes, sir. We have a whole rare book section that needs to be protected.

Q I would suggest to you that you might talk to Bill Weaver who is the Executive Director of PMAC to see what he has come up with and the two of you might cooperate in that area.

A Thank you.

Q Getting to your testimony, on page three, you wind up the next to the last paragraph by saying what we need are clear guidelines of authority. What has been done in this area? Is somebody developing a plan and does it require legislation? Does it require members of the school code -- give us a small dissertation on that subject.

A The conflict arose in my experiences during that week when school people weren't certain of what their legal rights and responsibilities were as it related to the operation of their school buildings or their school buses, for example; when can they be confiscated and taken over by somebody else. When do they have to ask their board for permission? What is the government regulatory activities that are associated with such kinds of questions? There was, as you know, much talk

about evacuation and the largest transportation fleet in the Commonwealth are the school buses and you can't really think much about evacuating people without confiscating some way that fleet of school buses. I have to share with you when I read the report announcing the creation of this committee that it doesn't talk about education as an area. It talks about all other areas of government but not education. In effect, it would have been those school buildings and school buses that would have been used in finding solutions to this kind of crisis. The department has updated its own inventory of school buses and school contractors. We can now pinpoint who owns what and what their capacities are, where they are located and housed. So, we have taken some initiation internally to be sure we know what we have out there, both in inventory of physical plants and school buses. We started on the project I referred to on trying to clearly prepare for school people excerpts of law, what law governs what situation as it currently exists. To try to get at your question specifically, our internal management has led us to create a series of information to communicate with school districts. Whether or not that will require new laws or new Legislation can only be determined after we have had a chance to analyze what that excerpt of existing law looks like from a school person's point of view.

Q I guess this prompts me to ask two additional

questions really, one of which there may be an immediate answer to. But they have been raised by people who have previously testified. You know, at what point can the local township fathers, be they supervisors or the mayor of a borough or CD officials in effect, command the use of your school? There is another question that I think has been raised. Who had the authority to close the schools and who had the authority to order the schools back open again? I gather there was some controversy particularly in the latter part about re-opening.

A That's correct. In taking your second point first, and I would ask Dr. Cyrus to elaborate on the question. The meetings that I had that weekend with many of the superintendents and school people within a ten and 20 mile area dealt with that very question. If we closed, what are the implications? Who has the right? We constantly tried to involve local decision makers in making that local decision, with the exception of the five mile area which the Governor had already announced was an affected area and those schools were ordered to be closed. He ordered them closed and they did. Beyond that five mile area, the question really becomes if we close, are we penalized; will we be in violation of school laws as it relates to the 180-day subsidy issue; are the health and safety reasons so great that we should do that? The information I was receiving during those two days was that there was no health and safety reason to close beyond that five mile area and

continue to disseminate that information through the intermediate units and the local superintendents. And that if the school made the decision to close, it was a local decision. It was not ordered by the State; that we could see no reason to force such an order at that time. It became a local issue. Most of the superintendents on Sunday evening thought it was wiser to close Monday for lots of reasons and did that. I noted in the testimony that I said be sure that we meet the next morning and review the situation as we then know it at that particular point in time. Based on that Monday session, most of them agreed to open Tuesday. They were convinced that the health and safety reason had, in fact, dissipated to the extent that they could open their schools. So, unless it's a declared emergency by the Governor, it becomes a local option in terms of school closing. I felt my role was to try to provide to the local decision makers as much accurate information as I possibly could. When I say local decision makers, I mean the community I talk to. That would be the school superintendent and/or the intermediate unit, not the other agencies and that's where the issues become fuzzy. When do the Civil Defense people move in? When do the County Commissioners move in? That's why we are doing the review of law, so that we can tell our school folks the law, as we understand it, says this is what your role and what your authority is.

Q When you complete that legal analysis, this Committee would appreciate having a copy of it.

A George, you want to comment on that?

MR. CYRUS: Yes, I would.

BY CHAIRMAN WRIGHT:

Q Let me ask a couple of questions which you can handle at the same time. You said the Governor had the right to declare the emergency which closed the schools within a five mile area. That legal right, and this is a legal question now not a moral one; that right is in the school code or in the emergency management act, that one question?

Number two, when it came to your suggestion about re-opening the schools, certain local school officials decided to keep the schools closed for another day or two. Could you have overruled that? Who had the final say from a legal point of view as to what day the schools should re-open?

MR. CYRUS: The closing of schools, I think the Governor did have the legal right to close under an emergency situation.

CHAIRMAN WRIGHT: Under the emergency --

MR. CYRUS: It's not in the school code. In terms of re-opening the schools, that's not quite as clear because the local school boards and the superintendents, working as the designee of that school board, may set and alter calendars

for the school year. So, that's not quite as clear of an issue but most schools did, in fact, cooperate with the recommendation to re-open the schools as soon as possible. I don't believe we would have really had the authority to say you must open on any given day. Now, just, if I may, we spoke briefly about the adversary role that may have existed. That, in fact, I think maybe had some good features. It wasn't an adversary role as to what was best for people. What occurred was that superintendents and school people are charged by the code with the health and safety of the kids in their charge while they are at that school and that became the concern of administrators and of teachers, not necessarily what or who was going to use our building.

I would also suggest that the aggressiveness of the Civil Defense people, the aggressiveness of school officials to protect their charges, so to speak, was, in fact, a blessing. Very few things fell through the cracks, even though we did have some disagreements. I think it all worked out very well. But the point is, I think we should begin to work to try to avoid as many of those as possible if an event such as this ever occurred again.

DR. SCANLON: I don't believe I have the legal right to overrule the schools.

BY CHAIRMAN WRIGHT:

Q I don't want to particularly get involved in that

situation.

A That becomes mixed with other kinds of issues, as you know, and what we did was try to work with the school people when they decided to close on Monday and Tuesday is the alternate schedule route. Can we adapt the calendar? Let's treat it like snow days and try to adjust to the problem so we are not into this 180-days. You know, one-one hundred eightieth of your subsidy is now involved over a situation you had no control. That sounds like a small amount but it becomes very large.

Q Has there ever been any legal question in regard to closing the schools when you have a snow day or when you have, say, a fire in a building?

A No. The legal question is when do you make it up. Now, fire is covered in the code. If the building is destroyed, you can waive but snow you make up or you lose the money.

Q Many schools, of course, were selected, not only in the area but in host areas, for receiving evacuees. Obviously, your cooperation and the cooperation of the school districts were there.

A That's why we had 27 people working 24 hours a day.

Q I perceive there were no major problems involved with that. What about food? Obviously, you have one, two, three, four days supply of food and was there any question raised in regards as to who was going to pay for food?

A The general answer is that the food that was Federally subsidized in one way or another we had permission from the Federal Government to confiscate from any school in the State to use without penalty, to use those foods. The other foods, I'm not certain. I would ask George who has worked on that particular issue.

MR. CYRUS: The Federal food was a nice question because we had replacement rights on that. The other inventory was a question, unfortunately, we never had to pursue but I suspect that we could have gotten, because we were getting very good support from USDA, we probably could have also begun to replace those commodities with Federal subsidies.

BY CHAIRMAN WRIGHT:

Q One person who testified several weeks ago, I think it was a CD Director from Lancaster County but I don't remember for sure, said it had authorization, I don't remember from who, to go into local food chains and food distributors and sign ~~chits~~ for food. Was that Franklin County? Any similar experience?

A No.

CHAIRMAN WRIGHT: Questions from the Committee? Representative Cowell?

BY REPRESENTATIVE COWELL:

Q Bob, I understand the role that some ^{of} the school

districts were assigned to play in terms of evacuation.

A Yes.

Q My question relates to the old issue of dissemination of information. I was wondering under existing emergency preparedness and evacuation plans and programs, what role has been assigned to schools as a vehicle for the dissemination of information under two sets of circumstances: one, just as part of a general public education program before the crisis hits and secondly, during an actual crisis if the crisis occurs or the incident occurs while school is in session?

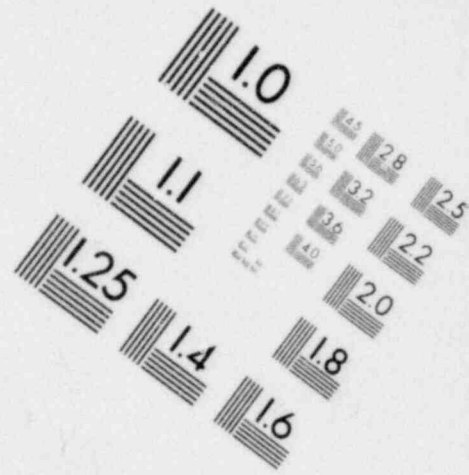
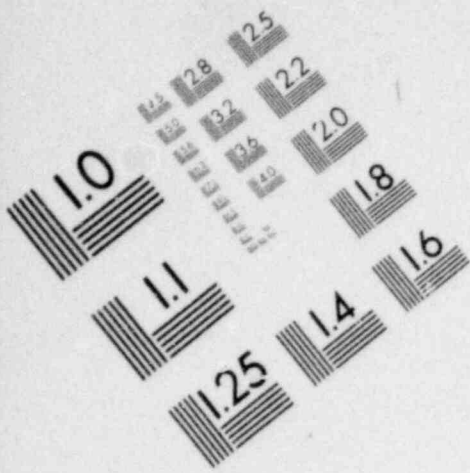
A To try to respond to your question in some specific way, I would share with you two pieces of information. The installation of the TWX system between our department and the 29 intermediate units prove that we, in fact, had the capability to get through whatever the problems were in terms of dissemination of information. That is, we could get from Harrisburg to the 29 intermediate units specific information in the tele-communications because we have dedicated lines for that effort. We did experience some difficulty particularly in this area where the crisis was of that intermediate unit getting that information out to the local schools. So, when you first start with the dissemination question, you have to start with can I get the information to the people and it was, in fact, a major problem, particularly the telephone lines being absolutely jammed and you'll see the department present

specific requests to move that TWX type of system to all 505 school districts so that we can feel some confidence in our ability to move information.

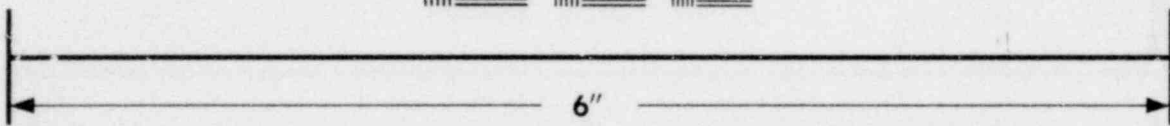
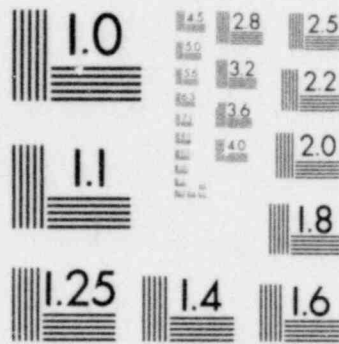
There is an emergency or there are some guides prepared in the past about emergency situations that may answer the questions that you raised. I'm not certain but I'd ask George if he remembers the specifics of some of those guides. I have a suspicion about those guides but do you remember the specifics?

MR. CYRUS: There are three documents that I think will help to get at that question. One is a curriculum package, created by the division of science or the section of science in the Department of Education that gets at the educational questions, kids and nuclear energy and so on and so forth and other forms of energy.

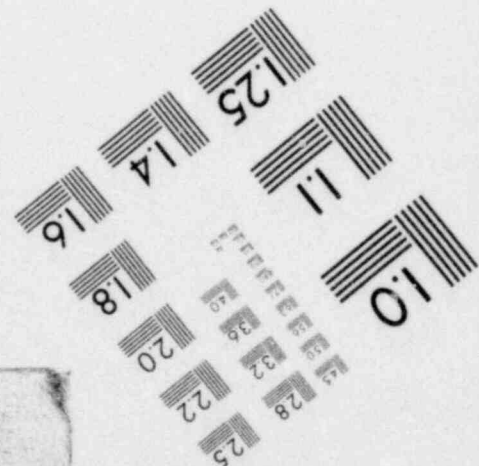
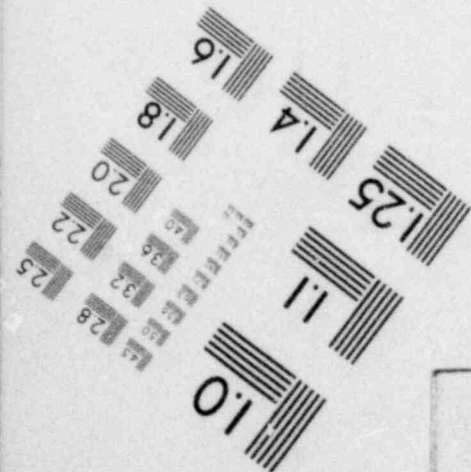
Secondly, there is a document being prepared which is being called Weather and Energy Emergencies. Within that document there will be a series of subsections that will help school districts react in certain situations. There will be a section that says these things you may clearly do without authorization from anyone. The next section will be these things require an interpretation of the law or official board action or something of that nature and the third category, you can't do at all under the present law and those things we will propose that if they seem to be desirable to do, that we will



**IMAGE EVALUATION
TEST TARGET (MT-3)**



MICROCOPY RESOLUTION TEST CHART



send to the Legislature for action.

There is a third activity taking place at the Scranton Oral School. Now, I realize that is quite a distance away but they have a very unique population, deaf and cannot speak. We are working with them now in developing an evacuation plan for that school. That experience, I think, is going to help us to deal with other school districts and to develop manuals that they in a sense can follow. They have a very unique population and some of their own real problems since they are a resident school in addition. So, does that get at it?

REPRESENTATIVE COWELL: I'm thinking of, I guess, of dissemination of information in a broader sense to the community at large or at least to the parents of students who happen to be in school in a particular day. If an incident occurs that day or, again, in a public education sense, how the parents or families of all children who are enrolled in school.

DR. SCANLON: That was a problem as was reported, traffic jams at schools with parents coming to pick up children and it was true in the department, as I indicated, we had people leaving because they were concerned that their kids were in some schools in this area and they wanted to get out and get them. The information was not turned back. We have scheduled on October 19th the first major communication

workshop for intermediate units staff in the dissemination of emergency type information, other information including emergency type information. I believe it's October 18 and 19 we will be running a training session for four staff members from each of the intermediate units that deal with a question of communications. We think that the problem is really a local one and that it's a local school that must find ways to disseminate, communicate information to their parents, not the State. We have a responsibility to **help** them understand communications techniques and help retrain them to that regard and that's under way.

BY REPRESENTATIVE COWELL:

Q As part of our broader state plan though or a county plan, do you think it's reasonable to consider assigning a greater role to the school districts than they have had in the past?

A I would think it's reasonable. The only experience that I had personally that was similar to Three Mile Island was a principalship during the Cuban missile crisis and I've never forgotten the experience. The impact on the kids in that building, the impact on the teachers; I mean the unknown that was related to that. I suspect it was very similar to the schools in this general vicinity because of the lack of information. I would think it is reasonable, very reasonable, but there is a vested interest in the kids that are in that

building. Parents are very much concerned about what's right and what's wrong; should I go to the school; should I not go to the school; are they going to bring them home; is school going to close early; do I have to meet the bus? Those are real practical questions and your inquiry, I would support, and I think there ought to be a broader rule for schools.

Q The next question touches upon the whole issue of utilization of state college facilities or higher education facilities generally, again keeping in mind the state plan and county plan across the Commonwealth, to whatever extent they may or may not exist. Can you characterize and generally describe the role that college campus facilities play in those various plans?

A I don't know of any. I don't know of any role -- one, I don't know the kind of plans or specifics of the plans that you might be referring to.

Q Particularly evacuation plans. I'm thinking of certain times of the year when we have large dormitories that sit empty. We have large food facilities that sit relatively unused.

A The state owned system, the 14 colleges, house annually 74,000 students. So, we know there are spaces for 74,000 people at least in the dormitories without using the other facilities to start with. Now, I'm not sure that we have given a thought to the use of the state owned schools and

state owned colleges. I would ask George if we miss that and if he could plug that into our thinking.

MR. CYRUS: I'm sorry, we haven't.

DR. SCANLON: That's a new issue for us to consider.

BY REPRESENTATIVE COWELL:

Q The final question, you have mentioned extending the TWX system to all 505 school districts. Have you established a date as a goal for that or is it still too early?

A It's still too early. We are in the planning stages. We have asked Bell Telephone to make a communication study for us in terms of tele-communications. That's under way. We expect the results of that by the end of this year. And based on that result, we hope that will be reflected in our request in the next budget.

Q Okay. Thank you. That's all, Mr. Chairman.

CHAIRMAN WRIGHT: Representative Itkin?

BY REPRESENTATIVE ITKIN:

Q Mr. Secretary, you said you had in that document a list of schools and a list of the school bus contractors, I assume?

A This document deals specifically with geographic location of intermediate units and public schools in terms of mileage. One of the things we found is that we had no one central source in the department when somebody said how many

schools are within a five mile area of this particular site. We had to scurry all over the place to find the answer to that question. This is an attempt to put basic geographic information in one central source.

Q Once a school is ordered closed, what is the responsibility of the department after that point or does it become a local responsibility with local emergency agencies to concern themselves with the nuts and bolts?

A I guess yes and no in terms of your question. Once a school has been ordered closed, if you used the five mile radius question here, they didn't re-open until the Governor said to re-open. So, they stayed closed. The children did not go to those schools and many of the districts that had schools within the five mile area and without it, it became a planning problem locally for routing school buses, for example. So, they bypassed those areas and went to other schools. We had questions come in, can we drive through the area to get to the school or does that create a problem for us. So, we had to work in creating routes. So, once the schools were ordered closed, if they are ordered closed under the emergency act or the emergency powers, they stay closed until they are told to re-open.

The second part of your question is it does become a local problem about what to do like the particular problem of planning for a bus route that bypasses. Not all school

districts neatly fit within the five mile area. They fell in and out of it. Some of the schools we helped plan for busing of children to other schools. That is, rather than go to a school building in that area, they went to a school building outside the area within the district. We provided -- we offered assistance but most schools did that locally, planned for that locally.

Q Do you require the schools or school districts to have an emergency closing plan?

A I don't know whether we do or not. George, do you know?

MR. CYRUS: We do not have a required emergency closing plan. Many of the districts have and many are now developing them since TMI. I mentioned our experience with the Scranton Oral School which is a model we think can then be used by the school districts and adapted to their particular situation.

BY REPRESENTATIVE ITKIN:

Q Do you see a role for the department of requiring an emergency school closing plan with your approval?

A Yes, certainly with our assistance and development.

Q What about -- you talk about once a school is ordered closed, the responsibility then rests with local authorities to somehow get the kids home or wherever they are being delivered and about the problems with the adults and the

parents coming and calling and not knowing where to go.

A Sure.

Q Do you think that is a departmental problem or do you think that is a problem that should be handled at the local level?

A I think it's a local problem in terms of the communication techniques. I don't think the department ought to be completely disinvolved. I think we can help in providing leadership in helping with the planning, in helping with the model such as George suggested with the oral school and help provide some direction. But it becomes a local school board determination or local administrator's determination about the specifics of that plan.

Q What about the use of the valuable resources, the schools and the school buses which are owned by the school districts? We've talked and you have eluded to the fact that school buses will probably play a very vital role in transportation?

A Yes.

Q Have any arrangements to your knowledge been made with respect at the local level of acquiring, commandeering, making use of these school buses owned by the school districts?

A I think the answer to your question specifically is no. However, in our case, in the department's case, we have completed a new inventory. We do have a computer generated

program that can tell us everything you want to know about school buses in the Commonwealth, where they are, how many passengers they have, even the contracted buses we have listed. So, it's not just those owned by the boards. It's the ones contracted by the boards for school purposes. We inventoried that. It was easier for us to inventory that or we feel that because the State pays such a large share of those transportation costs, we have that information on record. But the first part of your question, I don't know whether George has any specific information about should there be a -- have we developed a local plan or given guidelines in terms of who can commandeer what and what particular point in time. I don't think we have the answer to that question. I believe the answer to that question is no.

MR. CYRUS: That's right.

BY REPRESENTATIVE ITKIN:

Q In other words, you may want to transport the students first and then you may want to make those buses available for transportation of adults and so it has to be some individual agency that is responsible, at least at the local level, for that type of evaluation. How do the school superintendents -- maybe this is an unfair question to ask you as the Secretary -- but how do the schools relate to the local emergency management agencies? Suppose they come in and call the superintendent's office or call the principal's

office and say I need your school buses to clear out a nursing home.

A I don't know the answer to that. Do you know, George?

MR. CYRUS: I can respond in an instance where that very thing happened, where that very question was raised and, in fact, a school district, by doing some re-cutting and re-shuffling of kids on buses, made available, I believe it was 17 buses to evacuate. They generally have very good cooperation. There is not much doubt in my mind that the public owned buses could be very easily made available. The contractor buses, I don't know what at this point would be the legal ramifications of that.

CHAIRMAN WRIGHT: Are you researching that?

MR. CYRUS: Yes, we are.

BY REPRESENTATIVE ITKIN:

Q But I think basically that if you get very much involved in this, the question becomes a question of duplicity and a question of who do I go to. In other words, it could be more confusing. You said you feel you have a role to play and I think you do but there is a question of pursuing that role and then having the other emergency management at the local level feeling they have the same responsibility, pursuing that role, and then you have this I don't know what to do; who do I call; who do I listen to? This one says to do this; that one says to do that. And I think that has to be --

A We are trying to prepare that kind of legal review for school people so that we have provided, at least, what we think are the answers or the information to school people. The concern that you raise was obvious to us during the course of the crisis and there were questions about can we confiscate school buses and a superintendent did call during the course of that time asking help in permitting him to run his buses to local schools when the local authorities told him not to open. But he knew, and he was insured from our point of view, that there was no health and safety reason for not opening the schools. He knows what the consequences are in the long run in terms of making up those days and we did contact some folks and talk to them and convince them, let those school buses go. The superintendent is right in making that decision.

Q Are the school drivers, the school contractors, the people who administer the school bus programs, owned by the schools themselves; are they educated as to how to handle the children on the bus?

A Yes.

Q What's expected of the children; where they should be?

A Yes. The State Police does it.

MR. CYRUS: There is driver training, not specifically for nuclear but training is applicable, I think, to almost any emergency.

DR. SCANLON: Conducted by the State Police.

BY REPRESENTATIVE ITKIN:

Q The reason I raise this question was relative to a nuclear incident is that obviously you are making a decision to keep the children within a protective building or moving them to some other location through a bus which is less secure than, radioactively speaking, than the building itself and the question as to whether the children themselves should be asked to, you know, sit low in the seats or not to look out the windows or, you know, which would reduce the cumulative exposure; that type of instruction.

MR. CYRUS: I'm not aware.

DR. SCANLON: I'm not certain.

BY REPRESENTATIVE ITKIN:

Q Have you had any relationship -- what is your relationship to PNEA, for example, in this or are you doing this all on your own?

A What is our relationship?

Q To the Pennsylvania Emergency Management Agency in this regard or have you taken the initiative because you feel there is a need to do something; you recognize your own responsibilities in this area and are doing it independent of and not at the behest of PNEA?

A That's correct. We are doing it independently. The relationship during that particular week was that we went and

worked in some sense for them, with them; sent people; manned these desks. It was around the clock. We had 27 staff people who did not leave town, who stayed over that weekend and worked 24 hours a day or 18 hour shifts to handle the education implications with that emergency planning activity. Most folks don't know that. They really did that. We kept a daily log inside the department. When I told you at 9:55 something happened, it happened at 9:55 because we kept our records that way. Based on the analysis of that log, we have initiated several of these major activities that I shared with you today. So, most of the things that we see from the school perspective are those that we have initiated. Now, I don't know whether George has been in contact with them about it.

MR. CYRUS: We have had, I think it was two meetings already with the PMEA based upon the performance. We have also begun to review their State plan and will be prepared to make some suggestions to alter that plan which we would think better enhance our ability and theirs to do it. We have also met with superintendents as a follow-up of the TMI experience to find out what some of their concerns were that we did not even think about. Obviously, they had many. You have raised some more.

BY REPRESENTATIVE ITKIN:

Q But what I'm trying to drive at, you do not consider yourself, in the case of an emergency of this type, as an agent

of the emergency management agency of this Commonwealth?

A We do, absolutely.

Q In other words, you expect them to tell you what to do?

A That's correct, or we would advise in terms of -- you know, it's vice versa. It's not a dictatorial situation. It's what do you suggest and what makes sense.

Q That's what gives rise to contrary opinions and this, of course, causes confusion because you have one element giving out a set of instructions and guidelines and another element giving out an inconsistent set of guidelines and instructions and obviously --

A So, our testimony is clear, we consider ourselves as part of that agency when this crisis occurred. We sent staff, provided staff and performed lots of functions, some at their request, some we suggested ought to be done. When it was over, our own assessment of what we learned as a department, we took the initiative to do; publication of that book. Now, they know about these things. We had to do some things inside.

Q Are you providing this publication as part of the record to this Committee?

A Yes.

Q I have no further questions.

CHAIRMAN WRIGHT: Representative Brandt?

BY REPRESENTATIVE BRANDT:

Q Thank you, Mr. Chairman. Mr. Secretary, following along just that one point, we heard a lot the last couple weeks about plans, evacuation plans, and so forth. Is the Department of Education, from your perspective, from the Secretary of Education, are you or your staff involved with implementing and putting together, not implementing but putting together these plans for evacuation procedures?

A That's correct. We are trying to do our plans. We are trying to help schools build their own.

Q I'd like -- I'm glad to see that you are concerned about some of the problems that arose through the Three Mile Island incident, particularly the breakdown in communications from the IU out to the schools, a very difficult situation. The issue came up to close or not to close schools. The issue came up to keep the children in the school or send them home and there were conflicting reports between the Department of Education and the local Civil Defense people and the real issue that it comes down to is who can say if the school can be closed, the local school or not. I'd just like to ask you, and I hope your time permits, we have a superintendent who was directly involved in this situation. I hope you can stay and listen to his comments.

A Good. Thank you.

Q Thank you. That's all.

CHAIRMAN WRIGHT: Marshall Rock?

BY MR. ROCK:

Q Doctor, are you aware of the program being held today at Capitel Campus?

A Not the specifics.

Q Can you describe --

MR. CYRUS: Are you talking about the stress workshop or the nuclear energy?

MR. ROCK: The nuclear energy.

MR. CYRUS: I am aware of it yes. We have Jim Walters attending that program today.

MR. ROCK: Is it to instruct teachers to go out into schools and tell students about --

MR. CYRUS: No, that's not my understanding of it.

CHAIRMAN WRIGHT: What is your understanding?

MR. CYRUS: My understanding is that it's a seminar that is going to deal with some of the issues of nuclear energy. I don't know how they contacted the schools. We received word of it only from being interested in it from an architectural and engineering viewpoint.

CHAIRMAN WRIGHT: Fred Taylor?

BY MR. TAYLOR:

Q Dr. Scanlon, just one thing. You mentioned in your testimony the fact that your department is developing some

suggested Legislation and amendments to the school code, etc.

A Yes.

Q I would appreciate it particularly since the testimony that we have heard insofar as the school system in the Commonwealth of Pennsylvania is a very significant part of our emergency preparedness evacuation plans, etc., if you would keep the Committee advised and myself in particular.

A We will do that. Specifically, that Legislation will be reviewed by the House Education Committee September 4, 5 and 6 and the following Tuesday, Wednesday and Thursday but we will see that you get that particular information.

Q Thank you.

CHAIRMAN WRIGHT: We thank you, Dr. Scanlon. It's been a pleasure having you with us.

Our next witness is Philip Daubert, Superintendent of Elizabethtown Area School District.

PHILIP DAUBERT, called as a witness, being duly sworn by Chairman Wright, testified as follows:

CHAIRMAN WRIGHT: I'd first like to thank you for the use of your building. I believe it was your building, wasn't it, when we had our hearings there. I assume you would like to make some comments?

MR. DAUBERT: I don't know exactly why I was invited to be here. I'm happy to be here to help in any way that I can.

Perhaps the best way I can tell my story probably is to go over the experiences I had to the best of my recollection during the emergency. Before I do that, I would like to say that I, as a superintendent, do have the power to close schools for the protection of our children and any time because of health reasons or safety reasons. I feel I do have that emergency power and I have done that. Also, I feel that so far, and this is my 28th year in school administration, and so far when we close schools because of any emergency, we made the days up and we feel that's probably equally important to the students to make up these days as it would be to make up strike days or anything of that nature. So, this has been our practice.

Now, to go back on this incident, I would say that Wednesday, I don't know what date that was but it was the first Wednesday of the TMI incident, we had -- we were receiving telephone calls from parents, especially in the Bainbridge and Cancy (phonetic) area that there was an emergency; that radiation was escaping and so forth. I had heard nothing about it and I paid little attention to these calls at the beginning. Then, later on, I called Lancaster Civil Defense and asked for advice and they said they were aware of the fact that there was somewhat of a problem but that I should do nothing unless I hear from them.

So, Thursday nothing happened and then on Friday morning, I did receive a call from Lancaster that we should

keep the children inside which we did. The understanding I had is that the radiation probably would be heaviest probably in the afternoon at about 3:30. Then, shortly later on we tried to make telephone calls but our telephone system was out of order. The biggest problem we had was the communication system was bad. The phones were out throughout the district and I think throughout our entire school community. Then, a call came finally through. How it got through, I'm not sure at this point but every now and then a call did get through. I was informed that the Department of Education wanted us to send our students home. I think the Bainbridge School especially. So, we had problems there trying to find out whether or not this was in conflict with the Civil Defense or not and finally after about an hour, we discovered that it would be a move that would be supported by Civil Defense and the Department of Education.

Then, in notifying the bus drivers, the bus contractor had difficulty in contacting the drivers because of the telephone system being out of order. And then also, the Bainbridge building, we weren't able to contact them. So, we sent a driver out to the Bainbridge building to let them know what our plans were to dismiss. The students were sent home at that time. There was some concern because some of them were sent up to the Three Mile Island area where they were in the shadows of stacks. So, there was some concern

about that.

So then on Sunday there was some concern about what we should do. No, this is Friday. Friday, we found that we had, while we were waiting for the buses to arrive, we had approximately 500 parents who came into the schools and took their children out.

So then, by Sunday, Sunday at about noon we made a decision, as recommended by Civil Defense, that they would advise us to close schools for Monday.

Then, Monday -- Sunday afternoon, later on, I received a call, I think, from somebody in the Intermediate Unit 13 Office recommending that we not make a decision until later in the evening. So, I tried to call the Governor's Office to find out what the recommendation was there and I think they suggested that we wait until later in the afternoon or evening to make a decision. But in the meantime, we had already made the decision, based on Civil Defense, to close school on Monday.

Then, Sunday night, there was a meeting of local Civil Defense Director, the local chief of police, the borough council, the mayor, and the fire chief to plan an evacuation of Elizabethtown. At that time, I was told that in no way should I think of opening school on Tuesday. So, we were deciding -- we decided at that point to keep schools closed on Tuesday. And then on Monday morning, I think, around noon

I received a call from somebody from the intermediate unit suggesting that we open schools on Tuesday stating that the Secretary of Education wanted our schools open. In the meantime, we had the mayor, borough council and different other people of our community feeling that we should not do this. So, at that time, I tried to find out what we should do, whether we should open or keep schools closed and I tried to get through to the Secretary of Education and the Department of Education but I had problems getting through. Every now and then I did get through and I got a secretary but the secretary was saying they were not available because of conferences or whatever.

Finally, I reached my representative, Kenneth Brandt, and I asked him, I said from whom should you take advice and he said he thinks I should take advice through the Secretary of Education because he would be speaking for the Governor. So, I decided to open school on Tuesday morning with the exception of Bainbridge, although a number of people in our community were unhappy with that decision. We did manage and then on Tuesday we had about 42 percent of our students in school I think.

Then, later on, we transported the Bainbridge children to other schools so that they would be in session. Then, I think by Monday, we had about 98 percent in attendance, the following Monday of the next week. So, attendance did get

back to normal. But I think the fact that we opened school, we did bring the people back in the community. I would judge by Sunday or Monday morning, we had approximately 70 percent of our people out of our community. By opening school, we gradually brought them back. That's the story.

BY CHAIRMAN WRIGHT:

Q You, like everybody else, had communication problems?

A Right.

Q The Secretary talked about the TX system between the Department of Education and the intermediate unit and thought perhaps it ought to be expanded to include all 505 school districts in the Commonwealth. Do you have any thought on that?

A I would agree that that would be helpful as long as it would be functional. I think that just like any kind of an emergency system you have established, if it breaks down, you have problems. I understand there was, by the way, there was an emergency number I could have called but I didn't receive that until Tuesday afternoon following the problems.

Q Through the mail?

A No. I received from the intermediate unit but the intermediate unit was under the impression that I had the number but I did not receive it until that time.

Q Where is your intermediate unit located?

A In Lancaster.

CHAIRMAN WRIGHT: Representative Brandt?

BY REPRESENTATIVE BRANDT:

Q The real problem we had, Mr. Daubert, was probably the relationship between the school which was Bainbridge in this case, within the five miles, and then the rest of the school district. Now, I'd like to ask you what local control or what do you feel you have the power to do as the superintendent? You had said you feel you have the power to close your school.

A Yes, I think I do. I have the authority to close the school if I feel it's in the interest of the children for their safety or for health reasons. The only thing is in this situation I didn't know any more than anybody else. All I knew is what I heard on the radio or read in the newspapers or whatever. Here you are making decisions to bring people back and it was my decision to make or keep the schools closed and I wasn't that sure that I was making the right decision. I knew -- all I knew was what I had received from the news media.

Q In the evacuation plans and by now we have quite a set of -- at least it's on paper in Lancaster County. You as a school superintendent, did you have any input into that plan? Were you contacted when this plan was put together by the Civil Defense Director?

A No.

Q There was no contact between you and he?

A No.

Q The reason I bring that up is because on one of the pages in regards to the school, it says in here that school buses will also be used to evacuate people. Buses will follow the usual routes to pick up people that have no private transportation one hour after they have returned all children home from school. It goes on to say do not go to school to pick up your children. That's part of the evacuation plan. I think it gets right back to where we were, that you have different people going in different directions, putting plans together, and not talking to anyone. Also, through here it says that anybody in the Elizabethtown area, the first place you should go to evacuate is to the Elizabethtown School. That's the first point of pick up. That's basically what I have, Mr. Chairman.

CHAIRMAN WRIGHT: Representative Itkin?

BY REPRESENTATIVE ITKIN:

Q Mr. Superintendent, what did you learn from this experience? Is there anything that you can tell the Committee that you feel you'd like to communicate?

A Well, first of all, I feel if anything like this would happen again, there ought to be one authority that we could turn to for advice or, if not advice, probably for direction in this matter. I think you need one authority. You

can't have two authorities or three authorities. You need, I think, one. I'm not saying what that authority should be. I think it's important that we know like, for example, the mayor was going to declare a state of emergency and order me to close schools on Tuesday. Then, he found out from his attorney that he didn't have the authority to declare the emergency. I'm not sure that anybody declared an emergency. So, here we had a situation that was bad. It was a problem to all of the people of our area but was it an emergency? Did anyone really identify it as being an emergency and if so, who was in charge?

Q You didn't have confidence in the local authorities?

A You mean to have the local authorities like the mayor and the borough council?

Q Yes, who are responsible for the public safety in that community?

A Yes, but they --

CHAIRMAN WRIGHT: Let me butt in. He is an equal form of government and he also has the same responsibility.

BY REPRESENTATIVE ITKIN:

Q That may be but I'm asking him a question as to he was looking for guidance and advice and the question as to whether, in terms of whether the local government officials, the mayor has, you know, the responsibility, overall responsibility for public safety in the community. If he felt that there was a situation in that community that required

an action being taken, be a street closed, a bridge closed, or a school closed, should he have that authority?

A Yes, and I think if he would have told me that I am declaring a state of emergency in this town and I want your schools closed, I would have listened to him.

Q But did you feel that he was getting no better information than you were?

A That's right.

Q There, the two of you were, not knowing what to do?

A That's right.

Q Thank you.

CHAIRMAN WRIGHT: Representative Cowell?

BY REPRESENTATIVE COWELL:

Q Sir, I want to quickly review the sequence of events on Wednesday, the 28th. You noted earlier in your comments that early in the morning you began to receive phone calls from citizens making inquiries and alerting you to the fact that something was happening. What was the first official contact or official notification that you had from PMEA or the Department of Education or County Civil Defense, from wherever?

A I took the initiative for that and that was on Wednesday afternoon. I called Lancaster Civil Defense and asked for some direction in the matter. Then, my next contact

was with Lancaster Civil Defense on Friday morning.

Q Are you saying or do I understand you to say that as of Friday morning, you had been contacted by nobody who had initiated the contact themselves, nobody in an official capacity; and the only contact you had was the contact that you initiated?

A No. The contact I initiated was on Wednesday afternoon.

Q Right. I understand that.

A On Friday morning, Civil Defense took the initiative to contact me.

Q Prior to Friday morning and that call from Lancaster Civil Defense, had you been notified or contacted by anybody else?

A No one else.

Q Okay. What was the first contact that you had from somebody other than the Civil Defense Office after Friday morning; can you recall that?

A Friday about noon I had a call from Dawson Detwiler (phonetic) from the Intermediate Unit 13 and he's the one that advised me that the Department of Education wanted us to close the Bainbridge building and send those students home.

Q Okay. You noted earlier that on April 3rd, Tuesday, April 3rd, there was about 42 percent student attendance and by Monday, April 9th, this was up to about 98 percent?

A Right.

Q Do you recall the attendance of faculty and staff people on those two dates?

A I think the faculty attendance was about the same. We had faculty members that left on Friday for -- went as far as the State of Indiana and also New Jersey. There was a little bit of panic in our whole community at that particular time. The college dismissed. They were in a hurry to get out of the area and some of the teachers were anxious to get away and did leave. So, we weren't sure we were going to have a faculty when we opened but we did. I think we had 23 substitute teachers we had to bring in, when was it, on Tuesday; 23 out of 180.

Q So, on the basis of that comment, I take it there was concern on your part, on the district level's part, that although the State was instructing you it wished that you open schools, you recognized the prospect that you might have students and nobody to supervise them?

A That's right.

Q Next Monday, next Tuesday, somewhere around there will be the five month anniversary of this incident. In the interim have you been notified of any new or modified plans to deal with the issues that you had addressed back in March, the questions of whether or not to close schools; the questions of your role or the district's role in evacuation plans?

A No, I don't think we have those. I don't think we ^{would} have any additional answers. I do believe that now I/probably look to the Department of Education for more assistance and assume that there is an emergency telephone number and there is a way of getting through to people more easily but I'm not sure that there is any plans right now that are going to be that helpful if we would have an emergency again.

Q Aside from your assumptions, you have not been notified of any new or changed procedures or plans?

A No.

Q Thank you, Mr. Chairman.

CHAIRMAN WRIGHT: Any other members of the Committee?

BY REPRESENTATIVE BRANDT:

Q Just one thought, Mr. Chairman. Mr. Daubert, prior to March 28, did you as the superintendent of schools realize that because of Three Mile Island, we may have to have an evacuation?

A Prior to that time?

Q Yes.

A No.

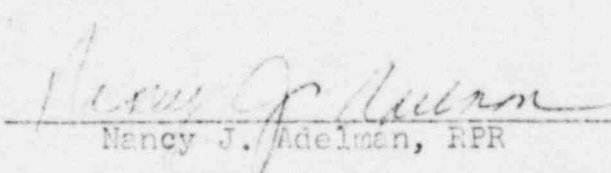
Q Never occurred to you. You are the school that this was part of having Three Mile Island and we might have to have an evacuation?

A No.

CHAIRMAN WRIGHT: We thank you very much, Mr. Daubert, for coming to us and, once again, I thank you for the use of your school. Thanks very much. At this point, the meeting is adjourned until 10:00 tomorrow morning in the Majority Caucus Room.

(The hearing terminated at 2:08 P.M.)

I hereby certify that the proceedings and evidence taken by me before the House Select Committee - Three Mile Island are fully and accurately indicated in my notes and that this is a true and correct transcript of same.


Nancy J. Adelman, RPR