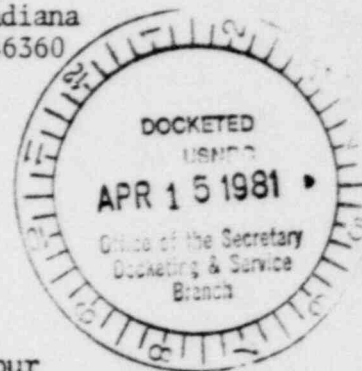


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Nuclear Regulatory Commission & Others

Dear People,

For weeks now I've been trying to decide what to do about your denial of my request that evacuation plans be considered before Bailly Nuclear I is built. Talking "common sense" seems useless here and I cannot speak in legal terms, yet I believe that I must continue to express my viewpoint because this issue is of such monumental importance. I feel that my viewpoint (as a psychologist) also has its validity and I'm hoping I can at least state, in a simplified way, how I see this legal quagmire, and, perhaps, how we can extricate ourselves from it. I am well aware that each of the parties involved in the controversy has a viewpoint which they sincerely believe has great legitimacy and it seems we are at loggerheads - each trying to amass more "facts", legal arguments and precedence, etc. None of us seems really interested in the legitimacy of the others' arguments because the reasons whether or not Bailly should be built are most probably on the emotional level where rational arguments do not touch. For example, from my viewpoint there are no justifiable reasons for locating that plant at that site, given the magnitude of the safety and environmental problems involved. My viewpoint is highly colored by my general fear of the hazards of Nuclear power, waste disposal, and my love of my home region, and lake, and the dunes, etc. Since I am very conservation minded I see many ways electrical power could be saved and generated thereby negating the need for a potentially extremely dangerous power source. I also have some real doubts, from my knowledge of human beings, whether they are capable of controlling themselves enough to control their highly dangerous machines and toys. I am not very impressed with Nuclear Industries' record of cost-overruns, and the number of accidents which came close to catastrophe. Nuclear power seems neither cheap nor safe, nor necessary.

From my experience of NIPSCO I see management as rigidly holding on to a plan which makes less and less economic sense. Why that is, I can only guess - perhaps it is part of the technological orientation which feels that a highly sophisticated technical solution is the best and only answer to problems. From the management's behavior toward their employees and customers it seems that they have a rather arrogant attitude, which makes them feel that if they have the legal and political power, money and technical capability they should be able to do what they please - the citizen's desires and right to safety be hanged.

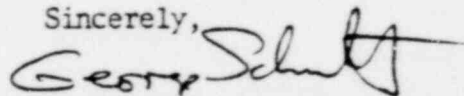
The N.R.C. and all its branch staffs and departments seems to me to be intimately involved in the Nuclear business. Despite protestations and theoretical mandates to the contrary, their super-structure seems to depend on the proliferation of the Nuclear Industry and I suspect there are some very powerful pressures to get new plants built. I do not doubt the sincerity or good intentions of the staff but I don't expect them to be unbiased either. (I don't doubt that the NIPSCO people are sincere good people who believe that what they are doing is for the best of all concerned. Good intentions are not at issue here, good judgment is, and I feel we need an uninvolved party to decide).

I am almost hopeless of getting an impartial and fair decision about this matter within the "system" that is empowered to make these decisions. In this instance I believe it is imperative that civil proceedings be initiated so that some hope of impartiality can be had by all parties. I don't pretend to have an unbiased open-minded attitude toward Bailly. I don't think the N.R.C. should have that pretence either.

What can I do legally to bring this matter to the jurisdiction of the civil courts? I see no other way to get a fair judgment. Is civil disobedience the only recourse left to citizens determined to have an impartial determination made? I am willing to continue to play the N.R.C.'s game, e.g., file on 2.206., but that seems to be more of the same game. What about a new game with a referee? The stakes are too high not to take the game seriously. If the existing system does not allow for an impartial hearing then the system itself needs changing. I realize this means profound political changes but I see little hope of a fair determination otherwise.

Each of us has his or her own inalienable right to his particular perceptions (or distortions) of "reality". These are my perceptions of the situation, colored by my values. But we do not have the right to impose these perceptions on others—no matter how valid they seem to us. Sometimes a "higher power" must be appealed to when there is the case of conflict between two or more perceptions of reality. In this case, perhaps the civil court system. The parties involved in this conflict seem unable to find a suitable compromise by themselves

Sincerely,



George Schultz, Ph.D.