

ROMANO L. MAZZOLI
THIRD DISTRICT KENTUCKY

DISTRICT OFFICE
CHARLES MATTINGLY
CHIEF OF STAFF
BRENDA SWEATT

FEDERAL BUILDING, ROOM 216
500 MARTIN LUTHER KING, JR. PLACE
LOUISVILLE, KY 40202-2267
TELEPHONE (502) 582-5129

Congress of the United States
House of Representatives
Washington, DC 20515-1703
April 13, 1994

COMMITTEES
JUDICIARY
CHAIRMAN, SUBCOMMITTEE ON
INTERNATIONAL LAW, IMMIGRATION AND REFUGEES
SMALL BUSINESS
WASHINGTON OFFICE
JANE KIRBY
STAFF DIRECTOR
2246 RAYBURN BUILDING
WASHINGTON, DC 20515-1703
TELEPHONE (202) 225-5401

Mr. Dennis K. Rathbun
Director
Office of Congressional Affairs
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Rathbun:

Recently I spoke with a constituent of mine who requested my assistance in obtaining information about Patoka Lake, a flood control and recreational use project completed in the 1970s, and located in the state of Indiana.

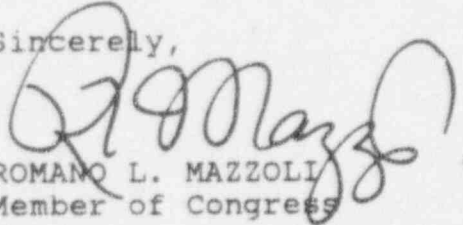
My constituent's research provided some indications that this project may have been used as either a test site or a permanent repository for nuclear waste.

In light of the Department of Energy's current efforts to review government-sponsored radiation experimentation, my constituent, specifically, is interested in seeing any recently de-classified Department of Energy documents, as well as information from other agencies, relating to Patoka Lake.

I would appreciate any information you may be able to provide in response to the enclosed specific questions about this matter so that I might respond to my constituent. Thank you very much for your help.

With all best wishes and regards.

Sincerely,


ROMANO L. MAZZOLI
Member of Congress

RLM:hws

Enclosures

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PDR ORG NE ED
PDR

4-8-94

Congressman Romano Mazzoli
U. S. House of Representatives
2246 Rayburn Building
Washington, D. C. 20515-1703

Dear Ron:

I can't begin to tell you how much I appreciate your help with research into the Patoka Lake project. As I mentioned previously,
and I have spent the past 16 or 17 years attempting to determine the truth of the Patoka Lake matter, and without telling you more than perhaps you'd want to know, I would like to respond directly to Director Keliher's letter and suggestions.

It could well be true that the Department of Defense and the Nuclear Regulatory Commission know something about the project. DOD, as we understand it, works hand-in-hand with the Department of Energy when it comes to storing, or looking to store, high-yield, weapons-grade nuclear waste. The NRC is involved in the development of regulations concerning waste storage facilities; we also understand that the NRC and DOD have had some involvement in the development of in-situ test sites.

If the Patoka is an in-situ test site, the NRC would be involved because of its licensing responsibility for a permanent repository, and the waste would likely belong to the military. That waste would probably come from the federal Savannah Rivers repository in South Carolina.

As for specifics of the Patoka project requested by Director Keliher, here's just a bit of what we've learned:

Continental Drilling is a company that was on-site at Patoka for about a year and a half. An engineering expert for one of the other firms involved in the project said Continental was scheduled to pump grout into the shale beneath the dam and lake site for about a week. Instead, they pumped grout for about 18 months.

The grout is significant. We have the formula for grout mixed and then forced into shale beneath the Oak Ridge, TN national laboratory reservation. At Oak Ridge, millions of gallons of intermediate level waste were pumped into geological formations very similar to Patoka's. Due to the qualities of mix needed to set up isotopes such as cesium, the mix was an unusual blend. We would like to have the grout formula used at Patoka, too.

But you may ask why are Continental and the grout so significant? Over the years, we have learned that:

— Continental Drilling has done extensive work for the U. S. government in preparing nuclear waste sites. We believe that Continental Drilling may be the smoking gun at Patoka, and may have the answers we are seeking. We know Continental Drilling was at Patoka for a year and a half.

— We know that the government has long considered pumping grout containing nuclear waste into hydro-fractured shale. They did it in Tennessee, and they identified the shale formations in the Patoka Lake region as being the best in the nation for the kind of grout-based storage system used at Oak Ridge.

— We asked the U. S. Army Corps of Engineers to provide us with financial contracts on the project, and they did give us a limited accounting of Patoka expenses. Yet when we compared all the contracts and financial records the Corps said was available, we noticed that about \$35 million (in 1978 dollars) was unaccounted for. And we could not find — and the Corps could not find — any financial agreement with Continental Drilling. They must have been a sub-contractor paid by one of the major engineering contractors, said the Corps. Not so, said the other companies — Holloway Engineering of Wixsom, Mich., and Roziak Construction of Russellton, Ark.

So who paid Continental Drilling? And just who are they, anyway? We were told the company is headquartered in California. But the California Secretary of State's office told us of several name changes, and said the company was no longer registered in the state. The last address we had for Continental Drilling was a post-office box in the Bahamas.

I could go on and on here, and as I said previously, I don't want to burden you with the stacks of information we've discovered over the years — for instance, what the Indiana Department of Health calls an alarmingly high

cancer rate for those living downstream from Patoka; the nearly constant presence of men with Geiger counters around the construction and dam site; the association between Continental Drilling and Associated Universities, long involved in attempting to find suitable nuclear waste storage sites, and on and on.

Again, I hope this letter helps. I am pleased that you are willing to contact both the Department of Defense and Nuclear Regulatory Commission and will be anxious to hear their responses to your queries. And I'm encouraged that Director Keliher is willing to continue to research and investigate DOE files. I hope the additional information in this letter is helpful.

And to be of further help, and I have prepared a list of very specific questions that could be asked of the agencies involved in this quest for the truth. It is our hope that the list might help to provide some insight into what we've learned so far, and it is our wish that you use them as you best see fit.

~~With~~ deep gratitude,

Questions for the Nuclear Regulatory Commission:

1. Has the NRC ever used Continental Drilling in the testing or preparation of nuclear waste sites? If so, list sites, locations and dates.
2. Was the NRC involved in any way in funding, planning, construction or long-term monitoring of the flood and recreation dam project known as Patoka Lake? If so, list the activities in which the commission participated or continues to participate and the reasons for the participation.

CONGRESSIONAL CORRESPONDENCE SYSTEM
DOCUMENT PREPARATION CHECKLIST

This checklist is to be submitted with each document (or group of Qs/As) sent for filing into the CCS.

1. BRIEF DESCRIPTION OF DOCUMENT(S) As to Rep Mazzoli
2. TYPE OF DOCUMENT Correspondence Hearings (Qs/As)
3. DOCUMENT CONTROL Sensitive (NRC Only) Non-sensitive
4. CONGRESSIONAL COMMITTEE and SUBCOMMITTEES (if applicable)

Congressional Committee

Subcommittee
5. SUBJECT CODES
(a) _____
(b) _____
(c) _____
6. SOURCE OF DOCUMENTS
(a) _____ 5520 (document name) _____
(b) Scan- (c) _____ Attachments
(d) _____ Rekey (e) _____ Other _____
7. SYSTEM LOG DATES
(a) 6-7-94 Date OCA sent document to CCS
(b) _____ Date CCS receives document
(c) _____ Date returned to OCA for additional information
(d) _____ Date resubmitted by OCA to CCS
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8. COMMENTS
