

MEMORANDUM

*File
Solid Waste*

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January 17, 1980

TO : The Files
FROM : F. Seymour Henck, Trlr. 201, T M I
SUBJECT: MISSOULA CITY COUNCIL HEARING -- PROPOSED ANTI-NUKE ORDINANCE

Following are some notes taken February 14 at the Missoula, Montana, City Hall during a hearing by City Council to hear interested parties testify concerning a proposed ordinance to bar transportation of radioactive materials within the city limits. During the day, a three-man committee of the Council took testimony before an audience which varied from 14 to 40 persons.

The hearing continued in the evening hours (until midnight) before the full Council and a crowd of about 175 -- mostly long-haired, highly vocal students from the University of Montana who shrilled their support of the ordinance.

Summary

Opposition to the ordinance was voiced by spokesmen for Chem-Nuclear Systems, Inc., Burlington Northern Railroad, the Montana Motor Carriers Association, a University of Montana professor (ex-employee of GE at Hanford, 1954-59), and a local radiologist.

Two other local radiologists pleaded for exemptions for medical and research isotopes and radiation sources. A representative of the Department of Transportation, taking no specific stand on the ordinance, suggested that the Council recognize the broad spectrum of hazardous materials moved through the city and set up appropriate response training for fire and police personnel.

A spokesman for the Department of Energy's Sandia Laboratory screened a brief film on destructive testing of Type B containers, and also rose once to correct an inaccurate statement attributed to DOE during some anti-nuke, pro-ordinance testimony.

Council action on the ordinance was deferred until January 21 or January 28.

Outlook for Passage

The consensus of opponents of the ordinance, expressed in private conversations, was that an ordinance will be adopted, but probably will contain loopholes and exceptions which would permit most TMI waste shipments bound for Hanford to move through Missoula. In my perception, they are over-optimistic; I think shipments containing up to 1 curie may be permitted. Period. This is purely my personal opinion.

Among Spokesmen

Chem-Nuclear Systems, Inc. -- Lou Reynolds, Bellevue, Washington, Director of Regulatory Affairs; Allene B. Betancourt, Washington, D. C., consultant on transportation
Burlington Northern Railroad -- Gary Beterson, Office of General Counsel, Billings
Department of Energy -- A. B. Trujillo, Sandia
Department of Transportation -- Ralph Graham, Denver
Professor Wayne VanMeter, University of Montana

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Dan Kemmis, attorney for Headwaters Alliance (anti-nuke group), Missoula
Richard Pollack, Washington, D. C., director, Public Citizens Critical Mass Project
Eric Johnson, M. D., Director of Public Health, Jefferson County, Colorado (near
Denver and near Rocky Flats ore processing plant)

Gist of Utterances by Supporters

Mr. Kemmis spoke at length about states' rights, intrusion of the U. S. Government into the lives of "little people" and small communities, and the need for enactment of the ordinance to demonstrate to the Congress that Missoulians want to protect their freedoms. A graduate student read from his master's thesis on hydrology of the Missoula area; Dr. Johnson from Jefferson County, Colorado, held forth for more than hour with overhead slides showing permissible levels of exposure to certain radioactive isotopes, and quoted health-physicist Dr. Karl Z. Morgan to claim how unrealistically high most MPD's are. A young student from Couer d'Alene, Idaho, proposed that all communities along itineraries toward Washington state adopt anti-nuclear materials transportation ordinances.

More than half of the pro-ordinance speakers dwelt at length on the high hazards of spent reactor fuel elements, despite pleas from time to time by knowledgeable persons that the speakers tended to "mix apples and oranges."

The foregoing notes to not purport to be a detailed report of the hearing sessions, but do reflect the general tenor and substance (or lack of it).

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