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NEW JERSEY PUBLIC SCIENTISTS' COMMITTEE FOR [redacted] INFORMATION

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PROCEDURES EXAMINERS

980 Sunset Road, P.T.
New Brunswick, N. J. 08904
January 5, 1965

Samuel W. Jensch, Esquire
Chairman, Atomic Safety and Licensing Board
U. S. Atomic Energy Commissior
Washington, D. C. 20545

Dear Mr. Jensch:

Because we know that you are concerned with matters of public health and safety in general, and particularly with the problems posed by the construction and operation of a nuclear power plant in Lacey Township, Ocean County, New Jersey, we enclose a copy of a letter which we have sent to the Honorable Glen Seaborg, Chairman of the U. S. Atomic Energy Commission.

We invite your examination of our comments to Dr. Seaborg and shall be grateful to receive your views on the subject. Since our function is to inform the public on scientific matters of public interest, we welcome any suggestions which may be helpful in furthering that end.

Sincerely yours,

Seymour T. Zenchelsky

Seymour T. Zenchelsky
Vernon Bryson
Co-Chairmen

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New Jersey Scientists Committee for Public Information
980 Sunset Road, P. T., New Brunswick, N.J. 08904

January 5, 1965

50-219

Honorable Glenn T. Seaborg, Chairman
U. S. Atomic Energy Commission
Washington, D. C. 20545

Dear Dr. Seaborg:

This letter is prompted by the decision of the Division of Reactor Licensing to grant a provisional construction permit for a nuclear power facility to the New Jersey Central Power and Light Company at Oyster Creek, Lacey Township, New Jersey.

As an independent group of scientists engaged in the translation of socially relevant technical matters for the public, we are disturbed by certain aspects of the decision and public hearing which preceded it. While we recognize that some of our concern stems from legislation under which the AEC operates — a matter beyond your immediate control — we also have our doubts about the prudence exercised on the part of the Division of Reactor Licensing in discharging its responsibility under the law. We, therefore, wish to call to your attention certain details which we believe require further consideration by the Commission and perhaps by the relevant Congressional committees as well.

Our interest in these problems is not intended to be presumptuous, but is related to our responsibility in acting as one of over twenty independent groups throughout the nation with a membership of biologists, chemists, engineers and physicians whose purpose is the dissemination of scientific information. Our present activities are largely concerned with potential environmental hazards, in common with other S.I.P.I. groups (see enclosure).

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Upon reviewing the proceedings (Docket No. 50 - 219) to date, we cannot fail to gain the impression that the public's concern with respect to safety is treated (whether actually so regarded by the AEC or not) as a nuisance to be dealt with as summarily as possible in order to expedite the construction of a proposed facility. Otherwise, how can one explain the following facts:

1. Technical details regarding the proposed facility were made available to interested parties only a short time in advance of the public hearing.

2. Notices of the public hearing barely met the legal requirements for publication rather than serving the function of informing the public at large in a meaningful way.

3. Certain relevant documents are available to the public only at costs ranging from seventy dollars upward, as indicated in the December 3 letter from Harold Price to Senator Case.

4. Objections of the State of New Jersey Department of Health were not included within the Initial Decision.

But it is not only on these questions that our impression rests, for the decision itself raises serious doubts about the proper consideration of the public's concern with matters of safety. Thus, we find that a provisional construction permit was granted despite the fact that the Atomic Safety and Licensing Board ". . . is under the impression that newer and untested extrapolations of fuel element design are involved . . . " (page 30), and despite the fact that "The initial power of, and hence the radioactivity content of, this application is a significant increase over existing boiling water experience." (page 30), and despite the fact that "The general power level proposed and the secondary safety equipment, while not demonstrably unacceptable, leaves little margin for errors in either basic design, construction, plant maintenance or operation." (page 33).

We find it extremely difficult to reconcile the technical findings of the Board with the decision reached and immeasurably more difficult to explain this action to the public in terms of a concern with its safety on the part of the AEC. For we read in the decision that "... unless the plant can be licensed for powers

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higher than 1600 MW (t) it is not in the public interest to issue the provisional construction permit when the small, but finite, extra potential hazards over conventional fossil fuel plants are considered." (page 30), and that "In a notable and historic effort to gain competitive nuclear power, especially in terms of $/KW capacity, the Board cannot help but gain the impression that the numerator has been reduced by sharpening the considerations involving installed safety provisions and similarly increasing the denominator by pushing the design power and power density to the upper limit of present day prudence, if not beyond.... At some point in the continued reduction in the secondary safety equipment costs and increasing power densitites the accumulation of the uncertainties prevents the attainment of the assurance of the findings on safety that the Board must make" (page 32). Moreover, in response to the contention that "Both Jersey Central and the Staff are satisfied that, based on the principal architectural features and engineering criteria described in the application, the proposed facility can be constructed and operated at the proposed location and at a power level of 1600 MW (t) without undue risk to the health and safety of the public.", the Board found "... little in this record to support this definite a conclusion" (page 19). Thus it would appear that the decision to grant a provisional construction permit was made despite the very serious reservations of the Board regarding the safety of the public. In fact, according to the Board itself, "We have considered denying the application and to permit Jersey Central to come forward with some other approach to this problem. We have, however, selected the alternative procedure as reflected in this Initial Decision in the belief that it is feasible and helpful to the participants." (page 43). Since the general public had small opportunity to be classed as a participant, we must infer that the "alternative procedure" was designed to be "feasible and helpful" to Jersey Central.

The Atomic Safety and Licensing Board made clear the fact that "It is the Board's opinion that too many substantial factors are unresolved to allow the granting of an unqualified provisional construction permit." (page 43), and it also made clear the fact that "The legislative intent of providing hearings at this stage of construction and operating licenses was to provide the applicants with some degree of assurance that the use of an investment would not be later denied when an operating license is sought." (page 42). Thus we cannot escape

the conclusion that the Board, in encouraging a considerable financial expenditure on the part of Jersey Central, is satisfied that all outstanding questions on safety will be resolved in a satisfactory manner before operation commences. Yet we also observe that "... the Board cannot help but speculate on the interaction of economics with future decisions whether to operate under marginal conditions. As one example, a question was raised at the hearing as to whether the radiation protection engineer would have the authority to close down the plant in the event of a nuclear radiation necessity determined by him, and the evidence reflects the hesitancy on the part of Jersey Central to invest him with that authority. With strong economic temptations likely present at all levels in the organization, the Board cannot fail but to take these factors into account in its considerations of the total risk to the public." (page 32).

In the light of the above facts, is it possible for the public at large to feel reasonably assured that the Division of Reactor Licensing will stand steadfast on the questions of public safety in the face of its desire to be "helpful to the participants," especially when the participants have expended a significant fraction of the $66.4 million estimated cost with consent of the AEC? We do not feel this assurance now and find it impossible, as a Scientists' Committee for Public Information, to convey such assurance to the public. It is clear to us, from these proceedings, that the AEC faces a conflict of interest between its roles as promoter of atomic power and arbiter of public safety.

We respectfully request that the Commissioners review the initial decision of the Division of Reactor Licensing in the light of our comments above and provide the necessary assurance that the public safety will be adequately weighted in any future decisions on the Jersey Central Reactor. For our part, we shall be happy to convey such assurances to the public and to render whatever assistance we can in the matter of public information.

Very truly yours,

Seymour T. Zenchelsky

Seymour T. Zenchelsky, Ph. D.

Vernon Bryson, Ph. D.

Rutgers, The State University
New Brunswick, New Jersey

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S.I.P.I. NEWSLETTER

Local committee news

The NEW YORK committee, which is changing its name to Scientists' Committee for Public Information, is expanding the repertoire of its speaker's bureau to include a wide range of subjects. Sample talks are being given to membership meetings for critical examination. Suggested changes are referred to a subcommittee, which prepares a second sample lecture. When the membership is satisfied with the talk and a sufficient number of members have indicated willingness to participate, the topic is included in the list of available lectures which is to be sent to 1,000 community groups. Sample lectures have been presented on automation by Dr. ' les Hirsch, race relations by Dr. Ruth nnett, and population control by Dr. Sheldon Siegel. Dr. Eugene Morrill is preparing a talk on air pollution. . . . The committee has moved its offices to 234 E. 47 St., N.Y. 17, TE 2-7778. . . . WESTERN MONTANA Scientists' Committee for Public Information, c/o Dr. Otto Stein, Dept. of Botany, Montana State U., Missoula, Montana, is seeking support for a symposium on environmental contamination, including radiation, air and water pollution and pesticides, to be held in the fall. The group is also trying to finance an interdisciplinary study on the socio-economic effects of the Minuteman missile installations around Great Falls. The installations were a great boon to business initially, but when the construction rkers and their families departed, ...any businesses were hopelessly overexpanded. . . .The Greater ST. LOUIS Citizens' Committee for Nuclear Infor-

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Air pollution workshop

The U.S. Public Health Service, in cooperation with S.I.P.I., will hold a two-day workshop on air pollution for scientists from local public information committees. Tentative arrangements call for the workshop to be held on May 15 and 16 at The Rockefeller Institute in New York.

Purpose of the meeting is to discuss the nature of the problem and acquaint scientists with available data. Emphasis will be on informal discussion. Each of the local groups will be invited to send a representative.

S.I.P.I. to initiate public information programs on problems of air, water pollution and pesticides

Scientists' Institute for Public Information will focus primary attention for the immediate future on problems of environmental conservation. The Institute will develop nation-wide information programs on air and water pollution and the effects of large-scale uses of pesticides and herbicides, to be added to its continuing program on radiation.

The decision was expressed in a policy resolution adopted unanimously at the annual meeting of the S.I.P.I. Executive Board, on March 13-14 at the Rockefeller Institute in New York. (Full text is on p.3.) The resolution reflects a long-standing desire by the board to expand the Institute's scope to include all forms of environmental contamination. Intense public concern over radiation in the past necessarily led S.I.P.I. to concentrate on that contaminant. But the dwindling public interest in fallout attending the test ban treaty enables the science-information movement to broaden its concern.

The board saw radiation and nonnuclear contamination as parts of the same social problem, which it described as a tendency to make large-scale technological applications of science "without adequate scientific knowledge of their eventual effect on the capability of the environment to support society." In directing attention to the hazards of technology, S.I.P.I. hopes to help reduce the limitations on the social benefits which can be derived from science. "Thus," the board concluded, "the conservation of the environment is a matter of urgent attention for the scientist and the public."

The board also assigned other science-related public issues for exploration and development of future programs, including relationships between races, consequences of automatic production methods, relation of human heredity to the development of society and population control.

In attendance at the meeting were 18 of the 22 board members and observers from the Hartford, Montana, New Jersey, Philadelphia and Rochester science-information committees. Also attending as invited observers were U.S. Public Health Service officials, including Dr. Robert J. Anderson, Chief, Environmental Health, and Vernon G. MacKenzie, Chief, Air Pollution.

Dr. Anderson spoke of the need to alert the scientific community and the public to the dangers of contaminants in the environment. He cited the PHS as a source of information for the scientist to inform the public.

Mr. MacKenzie deplored public ignorance on air pollution. Solution of the problem, he asserted, rests on the participation of an informed citizenry. He saw a responsibility for the scientist to bring the issue to the public and to give guidance to local public officials. He cited the Clean Air Act of 1963, which gives assistance to communities for pollution control, as an example of positive federal action.

S.I.P.I. Associate Director Robert E. Light outlined a proposal for a public information program on air pollution in which S.I.P.I. would encourage and help scientists in local committees, sponsor national and regional conferences and help provide financing for the local groups. The program would employ PHS materials as well as the report of the AAAS Air Conservation Commission, but it would also develop its own literature through the *Nuclear Information* bulletin. For this, the bulletin

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