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*Nuclear
Regulatory
Commission
and All Members*

50-346-112

Legislative
COMMITTEE
DATE 4/15/86

CITY OF BROOK PARK, OHIO

MAY 13 1986

RESOLUTION NO. 19-1986

INTRODUCED BY: President of Council Boyle, Mayor Coyne and All Members of Council

SEN. MAY 13 1986

A RESOLUTION
OPPOSING THE APPLICATION OF TOLEDO
EDISON COMPANY FOR PERMISSION TO
BURY RADIOACTIVE SLUDGE AT ITS DAVIS-
BESSE NUCLEAR POWER STATION, AND
DECLARING AN EMERGENCY.

WHEREAS, the Toledo Edison Company of Toledo, Ohio, has filed with the U.S. Nuclear Regulatory Commission an application to amend its license to operate the Davis-Besse Nuclear Power Station so as to permit said Company to bury radioactive sludge on the power station site and unrestricted use of said land in the future, and

WHEREAS, the premises on which the Davis-Besse Nuclear Power Station is situated is in the immediate area of the Navarre Marsh Lands adjacent to Lake Erie which is a designated flood plain area subject to flooding by the waters of Lake Erie, and

WHEREAS, the burial of radioactive sludge in excavations two feet deep and covered by four inches of seeded soil could result in radioactive elements being washed into Lake Erie or seeped into from the proposed burial site and the emission of penetrating rays of radioactivity for many years in the future, and

WHEREAS, exposure to radioactive elements would be physically harmful and substantial detriment to the health and welfare of the residents of the area and could possibly contaminate the drinking water with disease causing radioactive materials which would affect all those persons who rely on Lake Erie for water, not to mention increased lake pollution and resulting harm to all forms of waterlife, and

WHEREAS, this Council wishes to make known to the members of the U. S. Nuclear Regulatory Commission its deep concern over the application filed by the Toledo Edison Company to bury radioactive sludge at its Davis-Besse Nuclear Power Station,

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: This Council hereby expresses to the members of the Nuclear Regulatory Commission of the United States its deep concern over the application of the Toledo Edison Company for permission to bury radioactive sludge on its Davis-Besse Nuclear Power Station and strongly urges the Commission to aggressively examine the possible detrimental consequences which could result from the granting of the Toledo Edison request and to conscientiously do all things necessary to protect the interest of all citizens of the State of Ohio.

SECTION 2: The Clerk of Council be and is hereby authorized and directed to forward certified copies of this resolution to the Secretary of the U. S. Nuclear Regulatory Commission and to Senators John Glenn and Howard Metzenbaum and Congresswoman Mary Rose Oakar and Congressman Edward Feighan.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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SECTION 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Brook Park, and for the further reason that it is necessary to alert the Nuclear Energy Commission, at the earliest possible time, of our deep concern over the possible detrimental effect this procedure would create for the citizens of Brook Park; therefore, this Resolution shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: May 6, 1986

Philip G. Boyle
PRESIDENT OF COUNCIL

ATTEST: Audrey J. Zeiger
CLERK OF COUNCIL

APPROVED: [Signature]
MAYOR
5/6/86
DATE

Audrey J. Zeiger, Clerk of the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinance/resolution was made by posting true copies at six of the most public places in said municipality as determined by ordinance 4838 1975, passed on August 12, 1975, location City Hall, 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station, 5590 Smith Road, #2 Fire Station, 22700 Ruple Road, #3 Fire Station, 17404 Holland Road, Brook Park Library, 6155 Engle Road, for a period of fifteen days commencing May 7, 1986

Audrey J. Zeiger
Clerk of Council

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS.

David A. Williams
DIRECTOR OF LAW

CERTIFICATE

Audrey J. Zeiger, Clerk of Council of The City of Brook Park, Ohio, do hereby Certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 19-1986 passed on the 6 day of May 1986 by said Council.

Audrey J. Zeiger
Clerk of Council

CITY OF BROOK PARK

6161 ENGLE ROAD - BROOK PARK, OHIO 44142

OFFICE OF THE COUNCIL