

Joe Fouchard, News Service Branch  
Division of Public Information, HQ

August 5, 1964

Rodney L. Southwick, Assistant to the  
Manager for Public Information, SAN

PERSONEN LETTER TO JCAE ON BODEGA

PI:RLS

Attachments are:

- (1) Pesonen letter to Conway, JCAE, July 31, 1964.
- (2) Price letter to JCAE, July 13, 1964

Both letters were furnished news media by Pesonen, apparently on Sunday, August 2, 1964, because that was the day the San Francisco Chronicle telephoned for comment, carrying the story in the morning paper of Monday, August 3, 1964, clips of which were previously sent to you.

The inaccuracies of Pesonen's statement are obvious and many, most of which, however, were not known to me the day the newspaper called.

The story was used also by a few Bay Area radio stations and by the Santa Rosa Press Democrat. The San Francisco Examiner and the News-Call-Bulletin and other Bay Area newspapers did not carry anything on the subject.

cc: Harold Price, REG, HQ, w/attachs.  
Robert Lowenstein, REG, HQ, w/attachs.  
Richard L. Doan, REG, HQ, w/attachs.  
R. W. Smith, Compl., V., SAN, w/attachs.

PI

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NORTHERN CALIFORNIA ASSOCIATION TO PRESERVE  
BODEGA HEAD AND HARBOR, INC.

2820 Telegraph Avenue

Berkeley 5, California

July 31, 1964

Mr. John T. Conway, Executive Director  
Joint Committee on Atomic Energy  
Congress of the United States

Dear Mr. Conway:

It is apparent that the Joint Committee on Atomic Energy is conducting a thorough review of the merits of S. J. Res. 167, introduced on April 13th by the late Senator Clair Engle. This was the Senator's last and most poignant official appearance, except for his vote on the Civil Rights Act.

Until now, we have refrained from commenting on the resolution for three principal reasons: (1) the resolution is logical and reasonable on its face; (2) if our comments became necessary, we wished to wait for evidence of the JCAE's plans before proceeding further; and (3) Senator Engle's office appeared to be keeping adequate track of the resolution's fate in your committee.

But the letter of July 13th to you from Mr. Harold Price, the Atomic Energy Commission's Director of Regulation, puts an entirely different complexion on the matter--especially in view of Senator Engle's sad and untimely death. As you know, Mr. Price summarized the AEC's position as follows: "...we do not believe that any useful legislative purpose would be served by the adoption of the resolutions. In addition, we believe it would be undesirable for the Congress to adopt such resolutions with respect to a matter which is under active consideration in a quasi-judicial proceeding."

We should point out a few facts about this case. In the first place, the severe earthquake hazards posed by the Bodega Head site have been known to the AEC for some time. There has been enormous local and considerable national attention focused on this project in recent years. Pierre Salinger, Lt. Governor Anderson, Alan Cranston, Public Utilities Commission President William Bennett, State Democratic Central Committee Chairman Roger Kent, the California Democratic Council, and many others have vigorously opposed construction of the proposed plant at Bodega Head. But no tangible evidence of vigorous scrutiny by the AEC appeared until after Senator Engle's resolution came before your committee. In recent months the Commission has taken a more vigorous role in evaluating the hazards than at any time since the project was announced three years ago. And the first real evidence of an independent attitude on the part of the AEC came in a letter from Mr. Price to the Company, dated May 19th this year--about one month after Senator Engle introduced S. J. Res. 167.

Secondly, Mr. Price's description of the current licensing proceedings as "quasi-judicial" is curious. Since July 31, 1962, there have been ten (10) meetings of the applicant, members of the AEC Regulatory Staff, and members of the Advisory Committee on Reactor Safeguards.\* With one notable exception, these meetings took place at locations remote from the proposed site; the exception was on Bodega Head itself. All ten of the meetings were unannounced, remote from the citizen's and other public agencies concerned--and were in effect secret meetings. In fact, personnel of the United States Geological Survey, who have prepared two lengthy reports dealing with the central question at issue in this site, have been systematically excluded from these meetings. This organization, a California Corporation established to defend Bodega Head from the proposed installation, has only been able to learn of the meetings through informal channels, months after they have occurred.

What kind of judicial process is it where two of the parties meet in secret to negotiate their differences and systematically exclude the parties with the most pertinent testimony to offer? From the beginning, the Bodega controversy has been characterized by high-handed, undemocratic procedures by the Pacific Gas and Electric Company, a company widely noted for its cynical concept of public relations. We do not believe that either your committee or the AEC condones the company's tactics; but it is unfortunate that the AEC appears as an accessory to them.

Clearly the history of this project shows that the Regulatory Staff of the AEC would most probably have approved the plans of the Pacific Gas and Electric Company after only cursory inspection--if it had not been for the breadth of public concern, culminating in S. J. Res. 167. We urge you to consider this fact in evaluating Mr. Price's statement to the effect that the resolution is unnecessary because the Commission would have performed what is asked in any event.

And we must vigorously dispute the assertion that these are "quasi-judicial proceedings." They are nothing of the kind, never have been, and only will be if S. J. Res. 167 is favorably acted upon by Congress.

Sincerely,

cc: Pierre Salinger

David E. Pesonan  
Executive Secretary

\* The following meetings were attended by representatives of the Pacific Gas and Electric Company, members of the AEC Regulatory Staff, and members of the ACRS:

July 31, 1962, Washington, D. C.  
August 17, 1962, Germantown, Md.  
March 20, 1963, Washington, D. C.  
April 11, 1963, Washington, D. C.  
July 2, 1963, Argonne, Illinois

January 29-30, 1964, Bethesda, Md.  
February 13, 1964, Washington, D. C.  
May 5, 1964, Lamont Lab. Chicago, Ill.  
June 3, 1964, Bodega Bay, Calif.  
June 17, 1964, "