

Docket No. 50-205

*Chairman's Office*  
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DL&R 1/29/64  
*10/21/64*

Mr. Anthony H. Perles  
1056 14th Street  
San Francisco 14, California

Dear Mr. Perles:

This replies to your letter of January 14, 1964 to Chairman Seaborg concerning the January issue of the Pacific Gas & Electric Company's "PG and E Progress" which contains excerpts from Chairman Seaborg's address entitled, "Why Nuclear Power?" presented at the National Convention of Sigma Delta Chi on November 7, 1963.

First, let me say that the speeches which Dr. Seaborg has delivered as Chairman of the U. S. Atomic Energy Commission have been released without restriction on their use and, therefore, are considered to be in the public domain. The Pacific Gas & Electric Company did not request, nor did Dr. Seaborg grant specific permission to include the referenced article in their publication.

Dr. Seaborg stated in his address, the full text of which is enclosed, that he would live next door to the atom and that he would not fear having his family residence within the vicinity of a modern nuclear power reactor built and operated under our regulations and controls. Since the Commission has not made a decision on the reactor proposed at Bodega Head, it does not now have a judgment as to whether the reactor could, or could not,

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be built and operated under our regulations and controls. At the time Dr. Seaborg delivered his address, he added a sentence to his prepared text to make it clear that his remarks were addressed only to the general subject of nuclear safety and not to any particular reactor plant. That statement is included in the enclosed final text.

You also ask why nuclear power reactors should not be built near the areas which they can most effectively serve. Proposed sites for nuclear power reactors are selected by the public utility or other organization planning to construct and operate such reactors. The Atomic Energy Commission then evaluates the sites to determine whether there is reasonable assurance that the proposed reactor can be constructed and operated there without undue risk to the health and safety of the public.

You note that the scenic values of Bodega Head may be adversely affected by construction of the proposed reactor and feel that that is perhaps the most controversial aspect of the case. However, the Commission's jurisdiction relates only to matters affecting the public health and safety and the common defense and security. Local zoning and the esthetics of a proposed site are matters more properly within local and State jurisdiction. They are not within the purview of the Atomic Energy Commission.

I hope that this letter will help to correct any possible misunderstanding which you may have concerning the article which was published in the January issue of "PG and E Progress".

Sincerely yours,

Eber R. Price  
Assistant Director  
Division of Licensing  
and Regulation

cc HLP