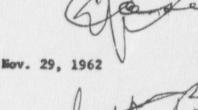
Jos Fouchard, Division of Public Information, Headquarters

Dale J. Cook Assistant Information Officer, SAN

CPUC REILANDS PETITION -- BODEGA CLIPS

MI:DJC



Watson

Attached for your information are copies of Dr. Meilands' petition and backup letters to the California Public Utilities Commission for reconsideration in the PGSE Bodegm application. Also, the a.m. newspapers reported that a second petition has been filed for reconsideration of the CPUC decision, which by the way was effective November 28, 1962.

Clips relating to both petitions are attached.

Enclosures: As stated.

cc: Labort Lowenstein, Director, DL&B, EQS w/enc E. W. Smith, Director, Compliance Region V w/enc



RD- #380

Page 10-5. F. Examinate Thursday, Nov. 29, 1962 502H

### Rehearing On Bodega Site Asked

Atom Plant Held Danger

A new petition asking the State Public Utilities Commis-sion to hold another hearing on the \$61,000,000 nuclear power electric generating plant Pacific Gas & Electric Co. wants to build on Bodega Head was filed yesterday.

David E. Prsonen, secretarul of the Bay Arca Chapter : the Northern California Assn. to Preserve Borlega Head and Harbor, asked for the re-hear

ing.

He said the question of possible dangers of radiation should be explored again. He also pointed out the location of the proposed plant is near the San Andreas carthquake

The plant safety system. Pesonen said, was given only casual attention at earlier hearings.

A similar petition was filed on Tuesday by Dr. J. B. Neillands, a University of California biochemist, who claimed he had new evidence of the plant's possible harmful effect on marine life in Bodega

Neilands charged that UC Chancellor Edward W. Strong had held back an unfavorable report made by scientists in-vestigating the feasibility of constructing a university ma-rine biology station adjacent to the power plant.

A university spokesman for Strong said yesterday that the chancellor had not released the report because it was on a specific administrative prob lem and not of general interest.

Strong denied that the re port contained an unfavorable recommendation regarding lo-cating the hiology station adjacent to the power plant.

# New Plea to Block A-Plants Spectronice 11/28/62

developed concerning the life."

safety of the power plant's reactor, radioactivity hazerds, and the role of an earth-

A second petition was filed with the State vester-day seeking to block construction of a nuclear power plant on Bodega Head on the Sonoma county coast.

The petition filed by a page of the seeking of the seeking to block construction of a nuclear power plant on Bodega Head on the Sonoma county coast.

The petition filed by a page of the seeking of t Head on the Sonoma county coast.

The petition, filed by a Bay Area conservationist group, asked the California Public Utilities Commission to reconsider its order—effective yesterday— giving the Paci, fic Gas & Electric Co. permission to build the 861 million project.

The petition charges that a PUC examiner in the original hearings did not receive or encourage a full airing of the facts.

the facts.

It further says a rehearing vestigation showed the nuses warranted on grounds that new scientific knowledge has adversely affect the shore developed representation. He was a substantial to the first state of the shore that the shore that the says and the says affect the shore that the says are the says and the says are the says affect the shore that the says are the s

quake fault.

The request was made by the Northern California Association to Preserve Bodega blead and Harbor, Bay Area chapter. It followed by 24 port indicated any neighbor-

### U.C. Prof Battles @ Atom Plant

Biochemist Claims Project Will Harm Marine Researching Settend 1/28/62 By HERB MICHELSON

A University of California professor "who has to say no" has openly taken on his boss, Pacific Gas and Electric, the California Public Utilities Commission, the Atomic Energy Commission and 250,000 gallons of hot water a minute -although not necessarily in that order.

Dr. John B. Neilands, 41, a professor of biochemistry and a man busy wrestling with formulas and his conscience, asked the PUC yesterday to reconsider its approval of construction of a PG&E nuclear power plant at Bodega

'DESTRUCTIVE'

U.C. is building a marine bi-ological station next to the proposed plant site. And Nei-lands says he is convinced the nature of the plant operation will destroy the value of the area for biological research. The university administration knows this, too, Neilands says, but won't admit it.

Neilands say.s Chancellor Edward W. Strong is pigeon-holing a two-year-old report made by a faculty committee that recommended against building the lab next to the nuclear plant.

This report says: "Bluntly stated (Bodega Bay) is a unique, Class A site for a marine facility being exploited for power production.

REASON GIVEN

But a U.C. spokesman said today Chancellor Strong "didn't feel the report was important enough to be released publicly." The spokesman said the university administration of the spokesman said the spokesman said the report was a spokesman said the spoke ministration believes there is no scientific evidence to show the ff million power plant will damage research at the

Nellands, and a few other scientists, in sist, however, that the building of an access road to the plant and the fact the nuclear facility will dis-charge 250,000 gallons of hot water a minute will hamper

research efforts.
The chemistry professor, who tangled with Chancellor Strong on the same issue last May, contends U.C. wanted to build its lab at Bodega a half dozen years ago

DODEGA BEST

Then, he says, when PG&E came up with its nuclear plant proposal. U.C. stepped asule and started considering new sites for the lab. But Bodega Bay was still the best.

"It became a question of a lab there or none at all," says the professor. And scientists who earlier opposed the conflict finally were reconciled by

Continued Page 4, Cal. 5

## U.C. Biochemist Takes on Field in Atom Plant Battle

live with them."

Dr. Ralph Emerson, professor of botany, headed the faculty committee which prepared the new controversial report in 1969. He said today, "We recommended the unifor the lab despite with plans problems"

"Guess you'd say I'm persisted. "This makes me seem a little shrill marine research lab — feels, simply, "there's a higher use for Bodega Head."

"OTHER PROTESTS — static or remainded the unifor the lab despite with plans problems." versity go thead with plans for the lab despite whatever problems" might crop up from the neighboring power plant.

The major "possible risk" of the side-by-side layout, he of the side-oy-side right, he said, and the committee said, would be from the hot water emissions. "But the report," he added, "doesn't call for the ouster of PG&E from that

site In May, Neilands circulated a petition protesting construcwho received little faculty support in getting signatures, said he may have erred in not dis-cussing the position first with the chancullor

AGAIN DEFEATED

His move to oppose construc-tion of the plant also was defeated in an Academic Senate vote. The chancellor at that time said it was inappropriate for the university to take official positions on matters not involving the school or its

But Neilands didn't let this chiding stop him. Even when

the Atomic Energy Commis-Istruction. The conservation-

#### PETITION

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of Pacific Cas and Electric Company for a certificate of convenience and necessity to construct, install, operate and maintain Unit No. 1, a nuclear power unit, at its Bodega Bay Atomic Park.

Application No. 43808 Docision No. 64537

Now comes the undersigned with a patition for a rahearing designed to resolve the controversy on the offect of the proposed Bodega Bay Atomic Park on the Bodega Feed area as a locale for marine biological research and study.

Introduction Contemporary marine biology is a new frontier in natural science which, in the long view, may prove as beneficial to mankind as the exploration of outer space from the classical phase to the point where, for example, we can envisage solution of objectives is certain to be rewarded with purely fortuitous discoveries such as the send dellar will thalidomide consistently kill the developing embryo.

In 1956 the Chancellor's Faculty Committee of the University of California contered its attention upon Bodoge Head as the favored site for a marine facility. This selection, which was made after careful study, was certainly an intelligent choice (see the biologic areas of the Pacific Coast" 2.

The purpose of this petition is to call for a rehearing which would conclusively assess the affect of the subsequent planned industrialization of Bodege Head on the biological

Since the University of Colifornia is a public institution it follows that an incon- . venience to the University becomes at once also a public inconvenience.

Bosis for notition for rehearing During the Commission hearings, expert marine tidlogists from Stonford University (Western Society of Naturalists), San Francisco Siete Atomic Pork. Dr. Joel Hodgeeth, from the letter institution, is a marine biologist of 20 years experience. He is Director of the University of the Pacific Marine Itation in informed the Commission that "Location of this plant and its service roads will this area for marine research" J This opinion is supported by the attached letter from Dr. J. D. McElroy (Attachment I).

Now in Dacision No. 64537 the Commission has dotormined that Bodega Bay Atomic Park will not impair operation of the Bodega Marine Laboratory. They state "Many of the protestants seemed to take the position that the nuclear plant and either marine biology or conservation are mutually exclusive, that one cannot exist along side the other.

This opinion appears to be based solely an cortain statements made in the course of the hearings by Mr. A. S. Leopold, Assistant to the Chancellor of the University of Colifornia (Berkeley). Since these statements by Mr. Leopold were at variance with those of expert marine biologists from other universities, protestants made persistent attempts to subpose the files of the Chancellor's faculty Committee on the Marine Biological Laboratory. All of these requests were denied by the Hearing Examines.

During the past few months the history of University of California operations at Bodega Hood has been researched with the result that new and important evidence has been brought to light. This material provides the basis for the present request for a re-

Youly discovered evidence The possible deleterious effect of the Bodoge Bay Atomic ings, namely, (a) the effect of the warm water discharge and (b) the effect of the warm water discharge and (b) the effect of the

(a) When whiter disphered The ultimate effect of the warm water effluent on shore life is, admittedly, difficult to predict. However, Mr. Leopold's contention that it is not expected to be serious is probably an optimistic conclusion. In the summer of nort II; the volume has now been fixed at 250,000 gallens per minute) and the decision was made to abondon Spaces Head entirely.

The committoe of biologists spont the autumn of 1960 searching for an alternate at a model that been rumaned that an November 29, 1960, they transmitted a snarply worse copert to Chancellor Sasborg. The present Chancellor, Dr. E. W. Strong, has declined to make this report available to interested members of the faculty and until recently

he has managed to keep it out of the public domain. However, the <u>Schastonel Times</u> for October 11, 1962, has now published what is claimed to be a verbatim passage from that report, namely, "weighing all relevant aspects, we agreed unanimously that there was not a single one of those sites that was equal to Badoga Head as it now stands. Bluntly stands, a unique Class A site for a marine facility is being exploited for power production."

In the meantime Pacific Cas and Electric had retreated to the tip of the headland and the Committee reluctantly decided to occupy the adjoining property to the north.

At the Commission hearings in May, 1962, Mr. Leopald sought to justify the return to Bodega mainly on the basis of certain studies made in Great Britain concerning the effects of power plant discharges on marine ecology. During cross examination, however, the British studies were shown to be slip-shed and inapplicable to the Bodega Head situation. Furthermore, the University calculations, confessed Mr. Leopald, were based on the expectation of one unit whereas the Company had announced that in the near future three additional units would be installed thus bringing to 1,UCO,UCO gallons the amount of warmed water discharged per minute. Limitations of space do not allow a total expessition of the other depredations to the environment which may unsua from the rapid transfer of this volume of water.

(b) <u>Tidelands access road</u> The University was apparently taken completely by surfrise by the convenient arrangement between Senema County and PG&E whereby an access road would be laid through the state-owned tidelands. Chanceller Strong characterized the subsequent realignment of a portion of the road over University property as a "minor concession" and he pleaded with the Army Corps of Engineers to withhold from Senema County the necessary construction permit (Attachment III). In the public hearing which followed on February 15, 1962, the Acting-Director of the Merine Leberatory, Dr. Cadet Hand, condemned the readway "in its entiraty". He stated that the harbor frontage of the University was atypical and escentially useless for biological studies and that the proposed road would destroy "some of the vary values which lad us to choose this headland as our site in the first place" (Attachment IV).

In spite of these pronouncements Mr. Leopold appeared before the Commission to testify, without elaboration, that the University no longer appeared the road. He mantioned that Dr. Hand took a firmer stand against the road than Chancellar Strong but this conclusion is not supported by Attachment III to this patition.

In the recent decision of the Commission it is perhaps significant that Commissioner Holoboff filed the following dissenting opinion on the location of the tidelands read: "I find nothing in the arguments for the tidelands read which suggests that it is necessary for it to be so located in order to effectively serve the plant site; admittedly, an upland read would accomplish this purpose equally well. Nor do I find anything in these arguments which suggests that such a read would be convenient, for the record is replace with reasons suggesting substantial detriment to the public resulting therefrom". Indeed, the cost differential between a tidelands and an uplands route is nominal and there is nothing in the record to indicate that the applicant strongly favors the former location.

#### Footnotes

1 THIS WORLD, San Francisco Chronicle, August 26, 1962

2 PACIFIC COAST RECREATION AREA SURVEY, DEPARTMENT OF THE INTERIOR, 1959

 $^3$  Lottor from Joal W. Hadgpoth to Public Utilities Commission dated Merch 5, 1962

Proposed in Sorkoley, Colifornia, this 26th day of November, 1962. Distribution: To all appearances before A43808.

Rospectfully submitted,

g.B neil and s

J. S. Neilands

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THE JOHNS HOPKINS UNIVERSITY
Baltimore 18, Maryland

Morganthalor Laboratory For Biology

May 9, 1962

Dr. J. B. Neilands
Department of Biochemistry
University of California
Berkeley, California

Dear Joo:

I have heard that an atomic installation is planned very near to where your new marine biology lab is to be located. I hope that this is not an irreversible decision. It would be most unfortunate to have such a plant near the laboratory site for, as you know, this will greatly alter the total ecology around the lab in a very short time. Unfortunately, there are too many places these days that are being contaminated by industrial wastes and as a consequence much of our shore line has been destroyed for biological studies because of our inability to control the situation. I hope that this does not happen at your new site and I encourage all of those who might be concerned to look into this matter in great detail before a final decision has been reached.

Sincoroly yours,

wom/hy

W. D. McElray Chairman, Dopt. of Biology Director, McCollum-Pratt Inst.

Note added by recipient:

Dr. McElroy is President of the American Society of Biological Chemists, the highest elective office in American tinchemistry. He is a member of the Executive Committee of the Whods hale Marine Biological Laboratory, the latter recognized as the foremest laboratory of its kind in the world, where he has taught the course in Physiology for five years. Dr. McElroy has been associated with an Ad Hoc Committee concerned with the granting of Federal funds for the establishment of marine research facilities.

Attachment 11

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Сору

#### THE UNIVERSITY OF CALIFORNIA

Clark Karr President of the University

Chancellor at Berkeley

Office of the Chancellor Berkeley 4, California June 28, 1960

Mr. Philip S. Flint The Sierro Club 611 Bryant Street Palo Alto, Colifornia

Doar Mr. Flint:

I have delayed answering your latter of June 8, 1960 until I had received written reports from the oceanographers and biologists considering the Horseshoe Cove, Bodoga Head site for a Marine Biological Laboratory. I have now received those reports, and will try to summarize them for you as requested.

Cooling water for the PG&E power station would be drawn continuously from Bodega Bay just inside the entrance channel, and would be discharged on the beach at a point about 4000 feet south of Herseshee Cove. Pumping would be at the approximate rate of 200,000 gallons per minute. Normally, the discharge water would be 13 to 16 degrees fahrenheit warmer than the intake water. At times the cooling water would be recirculated to raise its temperature approximately 50 degrees fahrenheit above intake temperature to remove the growth of fouling organisms in the lines. The frequency of this operation can be predicted only by operating experience, but it was the opinion of the PG&E engineers, with whom our people consulted, that this might is once a month and first duration of 20 minutes.

The occonographers stated that normally the warmed water would flow to the south, away from Horseshoo Cove, but that northernly flows could be expected from time to time, and during these periods Horseshoo Cove might be expected to be bethed for periods of some hours in the assentially unmixed effluent at near discharge temperatures, i.e., 10 to 15 degrees Fahrenhoit warmer than the normal ocean temperature in the vicinity.

The committee of biologists studied this report and concluded that they could not forecast with any precision what the consequent ecological changes would be, but the fact that the coological future of Bodega Head was unpredictable made it undesirable to locate a marine laboratory at Hersashoe Cove, in view of the plans for the power station. Thus, the committee is now exploring alternate site possibilities.

I should like to correct a misconception contained in your letter to the offect that "The Laboratory was to be the second largest oceanographic station in the United States". In reality, the University is planning to develop a teaching and research station of modest size for use by the Serkeley and Davis computes.

Sincerely yours,

Glenn T. Seaborg

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Attachment 111

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#### UNIVERSITY OF CALIFORNIA

Office of the Chanceller Berkeley 4, California

4-00- NOVE 761

Colonel John Morrison United States Corps of Army Engineers 180 New Montgomery Street Son Francisco, Calif.

Doar Colonel Morrison,

In response to United States Army Engineers District, San Francisco, Corps of Engineers Public Notice No. 62-51, the University of California wishes to register a formal protest against the proposed tidelands road along the west shore of Bodega Marbor.

After many years of study the University chose Bodoga Head as the best site for the new Marine Biological Research Leberstery. The choice was based upon many conditions, enter the most important being that the site offers maximum veriety of ecological abitets which by their nature provide the greatest veriety of faunal and floral elements. Our proposed plans call for research and teaching in all areas of marine biology and our success will in part depend upon ready access to a wide variety of erganisms. The natural shoroline is one of the richest sources of invertebrate life. It would be obliterated by the read.

Locking book on the history of biology, many significant advances in knowledge have had their origin in the study of marine organisms such as those that occur along the shore of Bodage Bay. Most of our basic knowledge of cell division, oxygen transport by blood, nervous transmission, extration and reproduction have come from the study of sea urchins, worms, squids and other marine animals. The discoveries originally made on these lowly creatured have played vital roles in our understanding of man and from marine research have developed principles in medicine upon which we are all dependent for our wall being. Since there is no way to predict from what particular marine organism some new and important discovery may be made in the future, we can only regard every marine organism as a scientific asset to be preserved for study.

In the higher reaches of the tidal zone - where the road will be - there are large numbers of interesting marine snimpls. Several species of clams (P. stamines, T. decusate, M. arenaria, M. irus, M. baltice, M. nesute) are to be found only in this habitat. Three of them, the cockles Protetnace and Tapes and the long-necked clam, Mya, are highly regarded as human food. Huge bads of the ghost shrimp (Callanassa) and its associated found occur here too. The road would cover bads of the alga yearies and the associated Nudibranch mollusk Alderia as well as the numerous species of smaller organisms such as oppopeds, protected and segmented worms. In tent organisms such as the edible horseneck and Washington clams. Thus the proposed would obliterate in the vicinity of our laboratory an important segment of the

From the standpoint of the University an overland route to the Campbell Cove area would be very much preferable. Such a route would be more abenic, would avoid encroached the tidal prisms and would preserve the natural shoreline and tidal press which we hope to use as sources of organisms for our studies. At present the harber shoreline is an attractive and biologically rich area as attested by the thousands of shore birds which gother there to feed. Those values would disappear with a tidelends road while an interior routing would evoid the eignificant lesses indicated above.

The University has discussed the routing of the road with Sonome County officials and received from them a minor concession in the form of inland routing of a short pertion of the road on what will be part of the Marine Rosearch Station site. This particular bit of shoreline which will be preserved is actually etypical, consisting largely of present alsowhere along the shore. At the early meetings with the County, Dr. Cadat and, the Acting-Director of the Marine Rosearch Station, informed the meeting that no exposed the shoreline road and, in fact, that he would be deralict in his duty of the took any other stand. The destruction of the biological resources would lower the value of Bodego Bay as a scientific research site, and on these grounds we register our objection to the proposed road.

CC Charles do Turk
Clark Kerr Richard Hertsook
Tmil Mrek D. Mezie
V. Guidotti Cedot Hend
J. Prother James Moulton
Richard Croker Clom Miller

Sincerely,

E. W. Strang

TESTIMONY OF DR CADET HAND, ACTING-DIRECTOR UNIVERSITY OF CALIFORNIA BODEGA MARINE LABORATORY, BEFORE ARMY CORPS OF ENGINEERS HEARING DN TIDELANDS ROAD, FEBRUARY 15, 1962

Colonel Morrison and Gentlemen. I am Cadat Hand. Associate Professor of Zoology and Acting-Director of the Marine Research Station of the University of California. I the east and west coasts of the United States and, as well, have spont extensive periods of time at marine laboratories in Howell, New Zealand and Australia.

I am going to divert from my prepared statement to make clear the reasons under which I am present. When Mr. John Prather addressed you he read a letter signed by Chancel-is clear by the introduction of that piece of evidence into the record by Mr. Prether that he felt that this was an old to his cause, as he represents the County, I would read in its entirety.

With those comments, I will return to my prepared speech.

A little background on the reason why the University of Colifornia has chosen Bodage Hond as a site for its now marine laboratory is pertinent to my discussion. In our search for a site, which has been an active search since 1953, one of the primary considerations has been that the site must provide ready access to a maximal variety of marine organisms. This means that we have looked for locations which best combined the variety of life to be found in protected bays and harbors, mud and send flets, sendy beaches and the open outer coast. Very few situations exist in California which must those requirements and which are close enough to the University empuses of Davis, of these institutions. Bodage Head, we found, was the only location which met all of our requirements. We critically examined the area from Monterey to Bodage and beyond and systematically eliminated the Manterey area, the San Francisco area, the Bolines all site from our point of view, and based appn dur recommendations the Regents of the University have authorized the acquisition of a section of the headlend for our use.

Now, why do we need a maximal variety of marine organisms? The hist any of biology is relevant here. Men's knowledge has account slowly and it is interesting to note that while today we have a huge knowledge of ourselver, the knowledge which and doctor applies to keep us well, or so repair us if we are injured or ill, case in the first instance from studies of organisms other than man himself.

In many instances these organisms have been marine ones and we can point to such organisms as squid and worms for our basic knowledge of nerous function, to worms again for the chemistry of blood and to clams for information on heart function.

Our knowledge of the chemistry and biochemistry of Embryalogy and subsequent devalopment, as well as our knowledge of the intracte details of cell division have come from the study of marine animals, the latter in fact from studies of see writins collected right here along our Senoma County shares.

The occan has not only contributed organisms which fortuitously have provided us insight into ourselves, but from the occans come rich harvests of food. To make full intimate manner every marine organism known to us, and we must zeelously guard the biosecial assets we have around us. To lose the appartunity of critically examining a single marine organism may mean the lose of our only chance to make men's life batter in some particular espect.

As further evidence of the necessity of studies on marine organisms, I should eite the fact that there are at this moment three bills pending in the Senate and House of Representatives of the U.S. which are devoted to increased Faderal support of marine funds for marine research. There is an oir of treeness of the need for marine funds for marine research. There is an oir of treeney concerning the need for marine from the need. Certainly, in the face of expanding and exploding populations, the solve even our needs for food.

With those introductory remarks, I will now turn my attention to the matter of the west shore road. It should be clear from my provious remarks that the University as represented by its scientists must hold as critical every organism evaluate to us. We are developing a new venture, a marine laboratory, to take adventage of the remarkable diversity of organisms evaluable in the horber and along the coast of Bodage Hoad.

the connect tell you now the procise value that may come from the study of any one species but history has taught us that each organism has its own secrets and we know full soil that each additional bit of new information will find its place in our total knowledge (continued)

of man and this world.

Some of this now information may unlock difficult problems related to our health, our safety and our overall well being. Each organism is a treasure-trove, a museum of biological information, waiting for us to turn it to our own advantage. To destroy a single species could, in the long run, turn the balance in our fight for survival against us and cause our final demise.

This is a grim and gloomy picture, but it is scientifically valid. To choose between man's survival and the fleeting values provided by the wast shore read is thus a simple matter.

The road itself as proposed will destroy untold thousands of organisms. The best beds of rock cockles in this area will be covered by the road as well as such other ecible clams as Washingtons, Hotsenecks and the introduced steamer, the soft shell clam. Great beds of the blue and white ghost shrimp, the sausage worm Urechis, clam worms, ribben worms and many different segmented worms will meet their end under the speilege used to build the road.

Bods of a curious marine plant, Vaucheria, and an associated marine slug will be destroyed, as well as a host of other organisms. The higher reaches of the shore, where the read will be, are favored feeding grounds of great flocks of curlews, avecats and a other kinds of shore birds. These great flocks of birds, incidentally, are testimony to the wealth of small marine animals which live along these shores. It is the loss of these many marine organisms and the great values that they have to us as scientific resources that causes us to strenuously protest the read.

The County of Senema has been generously cooperative in rerouting a portion of the read over the proposed University property, and they have premised additionally to remove the read from essentially all of the tidelands along that pertuen of the shore. For this we are most grateful.

Unfortunately, a large portion of the hereor freezes of the University site is atypical and is loose windblown sand rather than the rich finer silts of coner parts of the shore. Thus, while this rerouting protects and saves many organisms, the read throughout the rest of its length destroys same of the very values which lad us to choose this headland as our site in the first place.

It is regretable that a great University and a great County find themselves at ocds, but the values lost to the University, County, State, Nation and World by the presence of such a read fer outweigh the short-term values such a read might bring to the County and its users.

Thank you.

Applause

(Statement of Dr. Cadet Hand marked Exhibit RRE)