

May 16, 1963

Mr. Arthur W. Murphy, Chairman
Baer, Marks, Friedman & Berliner
20 Exchange Place
New York, New York

Dr. Richard L. Doan
Manager, Atomic Energy Division
Phillips Petroleum Company
Idaho Falls, Idaho

Dr. Abel Wolman
Department of Sanitary Engineering
and Water Resources
The Johns Hopkins University
Baltimore, Maryland

In The Matter of Pacific Gas & Electric Company
Docket No. 50-205

Gentlemen:

Enclosed for your review is a copy of the decisional record to date in the matter of the Pacific Gas & Electric Company application for license to construct and operate a nuclear power reactor at Bodega Bay, California. Copies of the AEC staff hazards analysis and the applicant's summary description, along with any other information which might later be determined to constitute a part of the decisional record, will be forwarded to you when available.

Sincerely yours,

Gerald Hadlock, Counsel
AEC Regulatory Staff

Enclosures:

1. ACRS ltr dtd 4/18/63
2. PG&E ltr dtd 4/5/63
3. PG&E ltr dtd 3/4/63
4. AEC ltr to PG&E dtd 2/26/63
5. PG&E ltr dtd 12/28/62
6. PG&E License Application

DISTRIBUTION:

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- G. Hadlock
- C. T. Edwards

OFFICE	PG&E Preliminary Hazards Summary Report	DLR	CHadlock
SURNAME		CTEdwards:bmj	
DATE		5/16/63	5/16/63

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FROM:

CEC

Washington, D.C.

TO:

W. Lowenstein

CLASSIFICATION:

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REG. NO:

DESCRIPTION: (Must Be Unclassified)

Ltr. re-emphasizing his belief that there should be another seismologist outside of P&S's company to evaluate the adequacy of the site in terms of seismicity in

ENCLOSURES:

connection with P&S's proposed new atomic park in view of the fact that they plan const. and operation of two more nuclear plants at Browns Ferry by 1979 and

REMARKS:

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CONCURRENCE

DATE ANSWERED:

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W. Lowenstein

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D. Ryan (atson)

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M. Newell

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document 50-205

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informal & suppl.

"swenstein, DLR, Hg"

Joe Fouchard, Division of Public
Information, Headquarters

Sept. 21, 1962

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

ADDITIONAL HEARINGS ON PG AND E BODEGA BAY PLANT

MI:RLS

This memorandum supplements one of March 10, 1962, on the same subject. A brief summary is given of the hearings of May 21 and 22, and June 6, 7 and 8, 1962, conducted by the California PUC. Notes are based on transcripts of hearings borrowed for the purpose. This memo covers Volumes IV through VIII, pages 510 through 1,498. Notes have been briefed sharply except for references to Dr. Seaborg in his capacity as Chancellor of the University, Berkeley.

Because of many protests received by the Public Utilities Commission after March, 1962, hearings were ordered reopened by the PUC and sessions were conducted by Examiner Leonard Patterson. At the opening May 21, Patterson stated that 240 letters from individuals and petitions with signatures of 1,015 persons had been received by the PUC. Some supporting letters and petitions also were received.

At the outset of the hearing PGE's witness introduced the new AEC Site Criteria which he said became effective May 12, 1962. The criteria were discussed in some detail, particularly as to exclusion areas and distances related to earthquake faults. Other background by PGE presented in March was updated.

Then the following witnesses appeared:

Dr. Joel F. Gustafson, Professor of Biological Sciences, San Francisco State College, opposed the project because of earthquake fault locations, and criticized the proposed area for recreational purposes citing the SL-1 accident where entry was prevented in the reactor building for several days. Gustafson is President of the Point Reyes National Seashore Foundation and of the Marin Conservation League.

Philip S. Flint, Palo Alto, a member of the Sierra Club Conservation Committee, stated PGE had used "pressure" on county officials to obtain approval of the site. He then stated:

"Equally peculiar was the sudden silence of the University of California, another branch of our State Government, which had been studying the

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Bodega Head area seriously as a location for a marine biological laboratory. The biologists' report on this site had been very favorable, but the University quietly stopped consideration of the area when PGE announced its intentions.

"I believe that it is correct to say that the members of the faculty involved in evaluating the Bodega site were actually forbidden to speak out on this matter by the University Administration. I do not have strict documentation of this claim, but I did not find it possible to get any faculty members to discuss the Bodega problem and I can cite correspondence from former Chancellor Glenn T. Seaborg asking support for our views on the preservation of Bodega Head. I stated that 'It is our intention to strenuously oppose this plan of PGE when they make application for a permit from the State Public Utilities Commission.'

"We are looking for support hopefully from the University of California. I am not expecting that the various government bodies or the University will take an aggressive stand against PGE, but it seems feasible to me for them to present the reasons that they have an interest in Bodega Head and to provide facts gathered in the studies that they have made.'

"Dr. Seaborg's answer to me parried the question of any participation of the University in the hearing. He only discussed the prognostications of the evaluating committee based on the assumption of a power plant being present. One part of his letter is of interest, 'the Committee of Biologists studied this report.' By report he means of the oceanographers of the University and, continuing the quotation, 'and concluded that they could not forecast with any precision what the consequent ecological changes would be, but the fact that the ecological future of Bodega Head was unpredictable made it understandable (undesirable) to locate a marine laboratory at Horseshow Cove, in view of the plans for the power station. Thus, the Committee is now exploring alternate site possibilities.'"

Flint continued, remarking that Bodega was perhaps the finest site on the Pacific Coast for research in marine biology and oceanography. Then he said:

"Thus, when a great University like the University of California stops talking about scientific use of such a desirable area, it makes one wonder. What's more, I was amazed to learn that faculty members of such an academic institution were being kept from speaking. In my opinion, the PUC should subpoena the biologists' report and the reports over the past ten years to the Chief Administrative Officer made by the Chancellor's Faculty Committee for the Marine Biological Laboratory, in order to determine whether or not there was collusion between PGE and the University Administration. These records have never been made public and are not available to members of the faculty. Why not?"

Flint continued with remarks relating to relationships between PGE and the Sonoma County Board of Supervisors. He said also that a County Grand Jury had investigated or inquired into the matter. On cross-examination by PGE counsel, Flint read into the record part of a letter from Chancellor Strong stating the University would not take a position in matters not directly concerned with University matters. The letter was one from Strong to Neilands, Professor of Bio-Chemistry at Berkeley. (Testimony by Flint begins on page 562.)

Later, (beginning on page 600) on cross-examination Flint was asked how he classified Dr. Seaborg's reply to his letter and he stated he would consider it "questionable" adding "I don't know that Dr. Seaborg is at fault. I think that the Board of Regents is the guiding influence here."

Prof. J. E. Neilands, Bio-chemistry, UC, Berkeley appearing on behalf of the "Northern California Association to Preserve Bodega Head and Harbor" challenged PGE's proposal to use Bodega Head as a recreational area in about 1970 after reactor operating experience and AEC approval, if obtained.

There was considerable discussion about the experience factor required for establishing a recreational area around the proposed plant. The

possibilities of closing the area due to accidents or incidents were also discussed, particularly insofar as the harbor was concerned. The effect of denying admission to fishing vessels which might be seeking refuge in storms, was mentioned.

Apprehension was also expressed by an opposition witness (Page 672) that public fear of contaminated fish from the area might cut down on the market for fish products from the Bodega Head area.

Another witness contended that "atomic particles" blowing toward Tomales Bay might make the public believe dairy herds and oyster beds were endangered and thereby decrease sales. Another witness (page 713) claimed fallout from the plant would contaminate clams and shellfish in the Bodega Bay area stating that when ships were returned to Mare Island from early Pacific tests, they were washed down and resultant radioactivity "killed the clams in that area and that area is across from Mare Island, Torrey, San Pablo and that location."

In Volume V, beginning testimony continued with expressed fear of the effects warm discharge water would have on fish and mollusks, particularly on salmon.

A. Staker Leopold, Assistant to the Chancellor, UC, Berkeley, testified (page 793) on the University's position vis-a-vis the reactor plant and the plans for a marine biology laboratory. In effect there was no concern.

Dr. Joel Hedgepeth, University of Pacific, testified against the reactor plant contending marine biological studies six miles southward (Tomales Bay) financed in part by AEC and ONR might be jeopardized. He also contended increases in temperature of water would be damaging to marine life.

Hedgepeth (page 1056) referred to a letter from Chancellor Seaborg to Flint in which temperature effects on Horseshow Cove (proposed site for the UC marine biological lab) were discussed. *on ocean effects*

On page 1078 there is reference to a letter to Chancellor Seaborg from Professor Ralph Emerson, Secretary of the Committee on the Marine Biological Laboratory, dated November 29, 1960, which stated Bodega Head was the best of all California coastal sites for a marine biological laboratory.

Philip Berry, Oakland attorney representing the Sierra Club, tried to move that UC records from the Chancellor's Office and from the

September 21, 1962

Committee on Selection of the Marine Biological Laboratory site, be subpoenaed (pages 1246-1253). This was taken under advisement by the Examiner but denied the following day.

In summary, the protestants, including David Pesonen, representing the Sierra Club, based their criticism of the reactor plant on the grounds the area was invaluable as a resource for marine biological studies and recreation. But they tried to rely more, in the May and June sessions, on challenges of the safety of the proposed reactor. They aimed particularly at potential damage to fish, shellfish and the food web; to damage from increased temperatures of the waters; and to possible radiation damage to fish and to the surrounding environment including dairy herds nearby.

There was considerable discussion of the size of the exclusion area and the possibility of closing the harbor of refuge in the event of incidents. In addition, the routing of an access road by PGE was criticized as damaging to the marine life along the shore.

There were witnesses favorable to the project, but the number was held down purposefully to try to reduce the length of the sessions.

In preparing for any meetings AEC may conduct in this area in connection with consideration of an application by PGE when filed, experience of presently operating reactors such as Yankee, Pittsburgh PWR, and others would be helpful, especially studies into effect of discharges low-level radiation and warming waters into nearby rivers or lakes.

cc: Robert Lowenstein, Director, DL&R, HQS
E. C. Shute, Manager, SAN
R. W. Smith, Director, Compliance Region V
Carl Becklund, Acting Director, Reactor Division, SAN



FROM: SAC, Manager for Public Inq.
Southwick
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TO: J. Fouchard
cc. R. T. Weinstein

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Additional Hearings on PG and R
bedroom Bay Plant

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