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① donated to Library, S. U. N. Y.  
Arthur McComb

# PLUME IS DOOM

OR-  
NUCLEAR  
FISSION  
ENERGY  
AS SEEN  
THROUGH  
THE EYES OF  
ONE MAN  
WITH  
ONE VOTE

BY: ARTHUR McCOMB

THIS BOOK WILL BE DENIED  
AS PAID FOR, TO THE EXTENT  
YOU TRY TO UNDERSTAND  
ITS CONTENT AND INTENT.

17 OF 18 LEGISLATORS STEADFASTLY OPPOSE FISSION NUCLEAR AS INHERENTLY UNSAFE, IN SUFFOLK COUNTY. ONLY ONE, THE CHAIRMAN, LOU HOWARD, VOTES RIGIDLY PRO-NUKE, EVEN THOUGH ON RECORD AS ADMITTING THAT; “---NO EXPERT WOULD EVER SAY THAT THERE IS NOT A POSSIBILITY OF A MELT-DOWN.” I CHILL TO REALIZE THAT ANYONE DARES TO GAMBLE WITH LIVES IN A DEADLY PLUME. ALL PRO-NUKES KNOW IT CAN HAPPEN.

(SEE PAGE 18, MINUTES OF 8/31/84 FINANCE COMMITTEE SESSION, LINE 31.)  
ALSO SEE PAGE 110 THIS BOOK FOR EXERTTS.

Doc  
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9/15/84  
SS  
M34  
1984

"Plume is Down", a 14 year portrayal medley of news items, letters, information, plus comments of my own, on growth of insidious fission nuclear energy in our time, is now dedicated to a gutsy army of resolute souls, battling, beside me and each other, to abandon or convert Shoreham. We face another army, misguided but just as intent to open this capricious and deceptive promise of unlimited, economical source of energy, as we are to curb it, before it curbs us. Regrettably, our pro-nuclear fission neighbors are unwittingly abetted and aided by federal pressures, fed by all of our taxes. Some, indeed, seem to be inspired by a mirage of private gain or self interest.

One book could not hold the flood of recorded text of record, nor list of unselfish, unsung, and too often unseen loyal souls to our common cause. To me, a few stand out slightly above the rest, and I will name them, and omit much too many others of equal stature. Irving Like tops my list, with Ann and Bill Carl who showed the way. Peter Cohalan and Mario Cuomo stand with a spunky group of (all but 1) county legislators; to remember, finishing my personally elite group with Clarissa, my long-suffering wife.

This book is but a vignette of massive, ongoing worldwide reaction to the false promise of pie in the sky, and the public awakening that we are digging ours, and future generations graves, seeking that pot of unlimited energy at the end of the rainbow. Call it what it is - an unmanageable, inherent menace to mankind (fission energy, not this book). No safe way, except the future of fusion, seems possible to harness this giant, nor the radioactive waste it bestows on us. NRC experts, under oath, offer us no hope.

I list below the Suffolk district, the legislator, address and phone number, who aid us.

11. Greg Blass	11 W. 2nd St., Riverhead, N. Y., 11901	727-7200
12. John Rosso	640 Montauk Hwy., Shirley, N. Y., 11967	399-0500
3. John Foley	31 Oak Street, Patchogue, N. Y. 11772	475-5800
4. Rose Caracappa	260 Middle Country Road., Selden, N. Y. 11734	732-2000
5. Steve Englebright	149 Main Street, Setauket, N. Y. 11733	689-8500
6. Donald Allgrove	180 E. Main St., Smithtown, N. Y. 11787	724-4888
7. Michael D'Andre	49 Landing Ave., Smithtown, N. Y. 11787	724-5705
8. John Morgo	26 Railroad Ave., Sayville, N. Y. 11784	567-0460
9. Joseph Rizzo	3250 Sunrise Hwy., E. Islip, N. Y. 11730	581-3621
10. Phillip Nolan	2000 Brentwood Ave., Brentwood, N.Y. 11717	231-3110
11. Patrick Mahoney	4 Udall Road, West Islip, N. Y. 11795	661-1800
12. Sondra Bachety	655 Deer Park Ave., N. Babylon, N. Y. 11703	661-3425
13. Alice Beck	101 N. Wellwood Ave., Lindenhurst, N. Y. 11757	226-1340
Beck resigned 9/14/84	- for deputy County Executive - replacement 11/6/84 follows.	
15. Wayne Prospect	1789 E. Jericho Tpke. Huntington, N. Y. 11743	499-5886
16. Patrick Heaney	424C Montauk Hwy., E. Quogue, N. Y. 11942	653-6090
17. Jane Devine	256 Main St., Huntington, N. Y. 11743	673-9393
18. Robert La Bua	333 Larkfield Rd., E. Northport, N. Y. 11731	368-5100

Do not forget previous legislators when we muster those who support our cause.

It hurts to omit so many so loyal, but Leon Campe, Marge Harrison and Dave Willmott--OK! Besides Irving Like, Ann and Bill Carl, County Executive Peter Cohalan and Governor of our state Mario Cuomo, and the present and past legislators mentioned above, any list of supports must not be without mention of the strong SHOREHAM OPPONENTS COALITION and ancillary groups, associate and independent, who have generously given of their strength and weight. I follow this dedication with parts of the September, 1984 SOC letter.

SHOREHAM OPPONENTS COALITION September, 1984.

LILCO WINS SOME ROUNDS With the help of the PSC and big banks, LILCO has been pulled back from the edge of bankruptcy. The latest rate hike and bank loans (which we'll end up paying for too), have allowed the company to meet a critical interest payment deadline, and, more important, remain solvent through 1985. Though LILCO's bankruptcy would not have ended our battle against Shoreham, its financial victory gives LILCO the boost it needs to press on with Shoreham.

LILCO's allies have wasted no time building off the company's new strength. The biggest threat comes in attempts to undermine Suffolk County's intervention against Shoreham.

ALC# 454467-07

(cont'd) SOC September letter.  
(Six paragraphs titled: "Suffolk: Cold Feet? seems to bear out such assumption.)

(then)  
This erosion in the County's commitment comes at a very critical time. With a low power test license looming, with LILCO outspending the County 3 to 1, we can't hope to win if we don't have well-supported counsel, experts, and a steadfast legislature.

The county's attorneys and experts need roughly \$1.8 million to see the intervention through the end of the year. They need the funding to complete three separate NRC proceedings and several court suits. Some legislators have complained that they don't know where the money goes, yet, for anyone who's investigated, who's attended the NRC hearings and seen counsel and experts at work, it's clear the money's well-spent.

Here's what to do: Call County Executive Cohalan (360-4000) and your county legislator. Urge them to carry on the fight.

The NRC: Perhaps the most damaging aspect of the county's new reluctance to forge ahead is that it comes during a highly sensitive time. The infamous Marshall Miller licensing board has just given LILCO - without the company even asking - the board's okay to load fuel and test the plant at very low levels of power. (Phase I & II licensing.) The NRC's five commissioners must agree with the board before a license can be issued, but the votes appear to be there.

What should we do? First, it is essential to remember that this "little license", if LILCO should win it, is not the end. Our strongest arguments rest with the questionable legality of LILCO's emergency plan. Shoreham can never operate at full power without an emergency plan. The way it looks now, the NRC may be foolish enough to let Shoreham operate at 1/1000 of rated power - and never be able to authorize levels above that.

Second, we must be ready. SOC is planning a day-long vigil at Shoreham the day the NRC is likely to vote on the Phase I & II License. Our presence at Shoreham will remind the Commission and politicians that the majority of Long Islanders do not want the plant to open - at any level of power.

We need supporters at the vigil. If you are able to join in, please call the SOC office 360-3987. We will keep a list of volunteers and call you when we are sure of the NRC's decision date.

RADIO CAMPAIGN: SOC is preparing to go on the offensive with professionally produced radio spots designed to get our message across. We've begun a fundraising drive to make this possible. Our appeal has gone out to supportive foundations and large donors. If you'd like to help and can contribute extra this month, please earmark your extra donation "Radio Campaign Fund." Our goal is \$10,000.

The PSC: The enclosed petition (they were mailed out with this SOC letter) speaks for itself. Governor Cuomo needs to back his strong words with some more strong actions. Please circulate it and return completed petitions to our office. (SOC letter then listed legislators, addresses and phone numbers - see previous page).

Petition reads as follows: "DEAR GOVERNOR CUOMO: The Public Service Commission is robbing ratepayers! We cannot afford to pay for Shoreham. We can't afford to keep LILCO Alive. Paul Gioia, chair of the PSC, has established current PSC policy. His willingness to bail LILCO out - again and again - is breaking family budgets and Long Island's economy. Ratepayers need your help! We urge you to replace Paul Gioia as chair of the PSC as soon as possible."  
(THIS IS ONE CHANGE WITHIN THE GOVERNORS POWER)

PROFUSE APOLOGY FOR OLD CLIPPINGS. DARK MARKS ON EDGES WERE DUE TO SCOTCH TAPE AND FOURTEEN YEARS AGING. WE CLEANED UP AS MUCH AS POSSIBLE. I DIDN'T EXPECT THEM TO PRINT NOW.

ALC# 1041269

of-11/27 Rev: 8/3/09 RL

Except for the items in this book clearly identified as otherwise, I claim authorship. I probably attended more adversary sessions on Shereham nuclear energy since 1970 than anyone else. Many world-wide qualified persons, cross-examined at length under oath, filled the transcripts, now in libraries, with testimony describing the inherent, deadly danger in all fission nuclear plants. Therefore, under the "fair use" doctrine of the 1978 copyright law, it in my book were used for edification of the public as a defense of my home and family as well as the public, and thus is not infringement. It meets the five tests of "criticism, comment, news reporting, scholarship and research", and the four criteria of non-profit educational purpose, the nature, the amount used and the market effect on any copyright works. My wife and I ask for no profit, and stand to lose all it costs us. We have seen no explicit denial of the fission energy risk from authority, or pro-nuclears; in fact it is admitted. Our printing and distribution budget is as bare-bones as our social security benefits allow.

*Arthur McComb*

**CREDITS**

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	<p><b>PENNSYVER NEWS</b></p> <p>105 8/18/84 letter ed. P.RM Jane Alcorn.</p>

Notary service, missing in my auto-bio and maligned since Romans, ran 36 years 1946-82 for approx. 40,000 day, nite, holidays with thousands no-charge for service people and oaths of office. I dissented with state fee redoubling with no ok to charge more. The oath I framed for my services; "About this instrument before us, have you read it, do you understand what it means when you sign it, is it complete and true and correct to the best of your knowledge, and not to be changed?". All my applicants swore to this.

1974  
ARTHUR AND CLARISA  
AT A RONKONKOMA FIRE  
DEPARTMENT ANNUAL DIN-  
NER-FELICES-PATCHOGUE.



This book will be deemed as paid for to the extent that you try to understand its content and intent.

# PLUME IS DOOM~

-- OR --

NUCLEAR FISSION ENERGY AS SEEN THROUGH THE EYES OF ONE MAN WITH ONE VOTE ~

EXCEPT FOR THE ITEMS IN THIS 132 PAGE COLLECTION CLEARLY IDENTIFIED AS OTHERWISE, I, ARTHUR McCOMB, CLAIM AUTHORSHIP OF ALL LETTERS AND OBSERVATIONS. ON THOSE, ALL RIGHTS RESERVED. -COPYRIGHT © 1984 - VOLUME I (SEE INDEX PAGE V)

### SPECIAL MENTION

This book owes its life to Charlie Mandracchia my godson, and John Bedell our son-in-law, with their wives Janet and Lily, our daughter. After 25 years hardware, John and Lily bought it. Now Charlie runs it while they work mostly elsewhere. They bought a creaky press and photo-gear second hand (or more) and Charlie, a novice printer, runs it. With my dubious help, he strove thru a gaggle of goofs and gum-ups built-into over-used devices, in our sometimes over-zealous, ignominious struggle to reach the finality.

Please, please excuse our amateur offspring. Experience will improve our work.

Our cost is material and tax. Labor is gratis and use of the press is thrown in to advance our project. John knows Shoreham Unit 1 intimately as he welded much of its guts for 6 years, and we both have homes well within the risky 20 mile zone believed by Suffolk as minimum for public safety. We all fear a fission nuclear future. In John's family our daughter Lily, their daughters Cher, Jody and Katy, finches, fishes and snails, and a fat dog and avocado trees, are lives to protect. John, a top line plumber for many years, knows what can happen to plumbing in emergency-core cooling and regular core-cooling systems. They're not magic. Both can fail, even with the most ingenious, sophisticated backup schemes. And human error cannot be ruled out. Just one failure - just one slip - and in counted seconds, we add horror to history.

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*Arthur McComb*

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#### PENNSYSAVER NEWS

- 105 8/18/84 letter ed. P.RM Jane Alcorn.

NOW ~~4~~ YEARS LATER - ~~5~~ BILLION DOLLARS TAB

JAN. 1970

TABU

OCT. 1983/84

86 HEARINGS

CHRONOLOGY OF

PUBLIC & LIMITED & EXECUTIVE

ADDRESSING  
LILCO BID TO LICENSE SHOREHAM-NUCLEAR

LETTERS - NEWS CLIPPINGS - INFORMATION - COMMENTS

GATHERED BY: ARTHUR McCOMB - FOR ALL

AS: BROOKHAVEN RESIDENT & CIVIC VICE PRESIDENT & CIVIC COUNCIL CHAIRMAN  
SESSIONS

AT: ATOMIC ENERGY COMMISSION CONSTRUCTION PERMIT HEARING (3 SAT)  
(1970-71-72-73) (PUBLIC INPUT LIMITED TO ONCE FOR PERSON OR CLUB - 3 MINUTES) - 60

AS: BROOKHAVEN RESIDENT ONLY (8 SAT)  
U.S. REPRESENTATIVES OVERSIGHT COMMITTEE - INTERNAL & INSULAR AFFAIRS  
(APRIL 19<sup>TH</sup> 1983) (INVITATION ONLY - NO PUBLIC VERBAL INPUT - LETTERS ACCEPTED) - 1

AS: BROOKHAVEN RESIDENT & FOR 3 SENIOR RESIDENTS (8 SAT)  
NUCLEAR REGULATORY COMMISSION LICENSING BOARD PRE-HEARINGS - 2  
(JULY 13<sup>TH</sup> - AUGUST 9<sup>TH</sup> & 10<sup>TH</sup> 1983) (ADDRESS LIMIT - ONCE EACH AT 5 MIN) PUBLIC HEARINGS - 2

AS: BROOKHAVEN RESIDENT ONLY  
GOVERNOR CUOMO'S FACT-FINDING COMMISSION  
OF ELEVEN MEMBERS, THREE ATTENDED 1/2 OR LESS PUBLIC HEARINGS.  
OF ELEVEN MEMBERS, THREE WERE ABSENT FROM ALL PUBLIC HEARINGS.  
AUG. 12<sup>TH</sup>, 15<sup>TH</sup>, 16<sup>TH</sup> & 30<sup>TH</sup> PUBLIC HEARINGS - 4  
JUN. 28<sup>TH</sup>, JUL. 11<sup>TH</sup>, 15<sup>TH</sup>, 22<sup>ND</sup>, 29<sup>TH</sup>, AUG. 8<sup>TH</sup>, 17<sup>TH</sup>, 31<sup>ST</sup>, SEP. 7<sup>TH</sup>, 14<sup>TH</sup>, 30<sup>TH</sup> EXECUTIVE HRS.,  
WITH PUBLIC AS ONLY OBSERVERS. SOME MEMBERS MOSTLY ABSENT. - 11

AS: BROOKHAVEN RESIDENT ONLY  
N.Y. STATE PUBLIC SERVICE COMMISSION.  
OF SEVEN MEMBERS, ONLY ONE ATTENDED ONE OF THREE PUBLIC HEARINGS!  
REST ABSENTEES, ALL PUBLIC SESSIONS!  
JUL. 21, 22, 27 - PUBLIC HEARINGS - 3  
EXECUTIVE HEARINGS - 3

I FEEL SURE THAT I HAVE LISTENED MORE HOURS THAN ANYONE ELSE. Arthur McComb TOTAL SESSIONS - 86

I ATTENDED MOST OF TAB 86 SESSIONS. (ADD ABOUT 30 SINCE OCT. 1983) **PLUME IS DOOM**

Cost has kept this book limited to show the most for the least. I cried in my beard for every fit item which I could not fit in. My file is bursting. I am a saver, and in a few more years, Clarisa and I would have to sleep in a tent to keep file papers dry in the house. Maybe there will have to be another book - I hope not - I hope for a nuclear energy solution - fusion is likely. Financial aid has been offered but I shy from such help to avoid taint of well-meant influence. I accepted some, but this book is me - one person, one vote. I would rouse others to share the torment I feel.

*MAN'S WORST MISTAKE - NUCLEAR FISSION ENERGY -  
MUST BE WIPED OUT - OR MAN WILL BE.*

*Arthur McComb*

TOWN OF  BROOKHAVEN

TOWN COUNCILMEN  
TOWN HALL - PATCHOGUE, LONG ISLAND, NEW YORK, 11772

JOHN BELLPORT  
COUNCILMAN

GRover 5-5500

January 21, 1970

Mr. Arthur McComb  
76 Eastlake Terrace  
Lake Ronkonkoma, New York 11779

Dear Mr. McComb:

As promised during our telephone conversation, here is a very brief run-down of what transpired at the LILCO meeting.

The Long Island Lighting Company representatives gave their plans for the future development of the Shoreham Nuclear Power Project, the projects output in electricity, and the need for this Nuclear Powered Project. The representatives of LILCO also presented charts outlining the limits of radioactivity as considered safe by the Atomic Energy Commission, and LILCO's Shoreham Plant's output of radioactivity.

The public hearing will be held in the near future at the Rocky Point School. I'll inform you of the exact date when it is published.

If I may be of any help to you in the future, please contact me.

Very truly yours,

*John Bellport*  
JOHN BELLPORT  
Councilman



SUFFOLK PROLOGUE TO A FIGHT FOR SURVIVAL, 1970 - 1983.

(the following was written in March, 1970)

The COLLEGE HILLS and The LAKE RONKONKOMA CIVIC ASSOCIATION of Brookhaven Town, each continues to look at all sides of all matters with the following excerpts drawn from a "PETITION FOR INTERVENTION" in the LILCO license application matter to the ATOMIC ENERGY COMMISSION, to build SHOREHAM NUCLEAR POWER STATION PLANT, UNIT NO. ONE:

Babylon attorney Irving Like for LLOYD HARBOR STUDY GROUP, INC., known for, among many things civic; the draft of our STATE CONSERVATION BILL OF RIGHTS, and the county charter revision, drew up this "con" side of a burning national question now hitting us all.

On 3/3/70, a Brookhaven resolution supporting LILCO was issued, but preceding, and thus preempting the valued pros and cons to be aired at the AEC Rocky Point hearing (now postponed; 3/31 to 5/25/70). Ann Carl, noted Suffolk conservation writer whose husband William presides the study group, accepted our invitation to request town board reversal of their above act at the 3/17 Tuesday board meeting (10 AM) until after the AEC hearing, to avoid any prejudice.

IMPRESSIONS, EXCERPTS AND SUMMARY OF PETITION TO INTERVENE; "CON"

(Condensed from 39 pages by Arthur McComb)

The draft cites its history, purpose, deeds and authority to be a part, with other Suffolk groups and residents, in this action; "Educational and scientific purposes -- relationship of technology and the environment; impact on human and natural resources -- use, application of atomic energy on L. I. -- effect -- public's health, welfare and safety; -- protection of the environment and to aid in the formulation of a policy -- without pecuniary benefit -- cooperate with other groups --".

"Petitioner -- membership, persons who reside, own property, do business, pay taxes, -- immediate vicinity -- radius of 50 miles -- customers -- stockholders of the applicant utility -- organizations -- conservation, scientific, academic, sportsmen, fishermen, recreational, civic and environmental -- excess of 2500 people --".

" -- environmental effects will adversely affect the health, safety and economic interest of the Petitioner and its membership, and the quality of their life on, and the unique environment of, L. I."

"Petitioner and its members have a personal right to live in and enjoy an environment free from improvident destruction, pollution, or unnecessary radiation, and they have a personal right to have ownership, use and enjoyment of property free from unnecessary invasion or impairment.

"The proposed project would cause irreparable damage to and would abridge the personal and property rights of the Petitioner and its members, which rights are protected by the Fifth Amendment to the United States Constitution".

"Petitioner believes--impact -- detrimental to public interest, -- and that applicant has not demonstrated that:

- a)--can be constructed and operated without undue risk to health;
- b)--can be constructed and operated without adverse effect on the quality of air and water in the vicinity, natural resources, aesthetics, existing or proposed private developments, the comprehensive plan of the Town of Brookhaven, and the adequacy, reliability and the cost of the electric service;
- c)--the alleged benefit -- justifies the risk of injury or damage, -- to the health, safety and property -- unique environment".

PETITIONER IS INTERESTED IN PROTECTING ITSELF AND THE LONG ISLAND COMMUNITY AND ENVIRONMENT FROM ANY UNDUE OR UNNECESSARY INCREASE IN THE RADIATION AND THERMAL DISCHARGE OR OTHER HAZARD, AND BELIEVES THAT THE ELECTRIC POWER NEEDS OF L. I. CAN BE MET THROUGH ALTERNATIVE MEANS WITHOUT NECESSITY OF CONSTRUCTING PROPOSED FACILITY".

"-- near dense population -- estimated population -- 1985 -- Suffolk County about 2,000,000.  
-- County "dead end" -- only land exit west over a very limited number of highly congested

(CONT'D.)

(cont'd.)

highways and the ciling LIRR -- accident -- nuclear plant -- appropriate and effective arrangements could not be made -- to permit ready removal and evacuation -- land, sea or air".

-- transport of radioactive wastes -- ultimate burial ground -- inadequate, highly congested transportation network of L. I. and metropolitan N. Y. -- hazard --; -- and by sea -- extremely dangerous to L. I. Sound waters -- N. Y., Conn. and R. I."

"L. I. -- three major airports and a number of smaller -- overflowed by 750,000 plane movements yearly; and in bad weather, stacked holding patterns over eastern L. I." "-- hazard of crash -- accident or the discharge of radioactive effluents and heat into the L. I. Sound, nearby streams, underground water table, and the atmosphere, -- endanger --". "Prevailing winds -- northwest in winter, -- non-existent in summer. L. I. is exceptionally prone to temperature inversions, low clouds and foggy, drizzly conditions which trap air pollutants, form smog and deposit them with the rain on the land below. -- may create -- conditions hazardous to enormous number of aircraft which overfly -- holding pattern, take off or land --". "-- spreading out, over a large area, -- radioactive gases -- normal or abnormal operation.

THE PETITIONER WILL OFFER EVIDENCE CONCERNING THE FOLLOWING:

1. danger of operational accidents; 2. improper substitution of "designed safeguards" in lieu of "engineered safeguards"; 3. insufficiency of experience as to the "engineered safeguards", a single barrier core containment vessel instead of the multiple barrier type proposed for urban areas, and the operational reliability and environmental effects of an experimental facility the size of the proposed Shoreham nuclear power plant located in an area as densely populated as L. I. 4. the accidents and incidents involving radiation in atomic energy activities and radiation exposure experience within the AEC, as bearing upon the possibility of accident at the proposed Shoreham station; 5. the failure of the proposed plant to meet AEC Rules and Regulations, 10 CFR Part 100, Reactor Site Criteria factors; 6. the inadequacy of the Standard 10 CFR 20, regarding emission of low level radioactive wastes to the cooling water and air; 7. the violation by the Atomic Energy Commission (AEC) of the standards of the International Commission on Radiological Protection, in that the AEC - a) assumes a safe threshold and that there is a level below which radiation cannot cause cancer; and - b) assumes that slow delivery of radiation will mitigate cancer risk; 8. the lack of standards needed to properly design, construct and operate such a plant; 9. the lack of design features required to guard the proposed facility against sabotage and the resultant danger to the nation; 10. effect of this plant on the nation's resources in view of its obsolete design and extreme low efficiency, and the small amount of known uranium deposits; 11. adverse economic effects on the customers of the applicant; 12. lack of adequate medical facilities and personnel on L. I. for the treatment of potential radiation victims.

In view of the prevailing littoral drift, the proposed project will cause serious erosion of the L. I. Sound shoreline and damage to shorefront property owned by Petitioner's members".

Petition, under "BIOLOGICAL EFFECTS OF IONIZING RADIATION", gives evidence of lack of assurance of no biological damage to people from radiation, failure of applicant to show that radiation dose levels permitted by 10 CFR 20 (FEDERAL REGULATIONS) can be met, since the site does not meet site criteria, or that any benefits indeed can be had without such risk, including possible chromosome breakage, genetic mutation, growth inhibition, hemopoietic deficiency, cancer, leukemia, cellular and organismal death, and other somatic effects, under the permit applied for by applicant, and notes that valid scientific justification for the allowable dose of 0.17 rads of total body exposure to ionizing radiation has never been presented, and AEC standards neglect the problem of multiple sources of radioactive pollution. Also, extent radioactive isotopes in aquatic organisms enter feed chain to man, etc.

Other items shown are leakage of radioactive effluent possible into groundwater, weak procedure to fix responsibility of utility to monitor and report, and danger to the nation's gene bank.

Under section headed: "RADIOLOGICAL, THERMAL, AND OTHER NON-RADIOLOGICAL EFFECTS ON FISH AND WILDLIFE", petition shows AEC is responsible to consider adverse environmental effects, including possible thermal discharge by plant into fish-bearing and recreational waters of the Sound.

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and any danger to waterfowl, risking chain-supporting eco-systems among its marine plant life as well. The tidal exchange is sluggish, parts having oxygen sag from the Connecticut River to Shoreham, and effect of sewage discharge already sets significant hazardous increase in nutrient content.

Further; "The petitioner believes that the present and proposed plants on L. I. Sound may contribute about 6-billion gallons per minute of heated water pouring into the Sound, thus creating a heat dump there and speeding up its eutrophication. The regional effects of an aggregation of power plants there would change the entire ecology as a result of such warming, and create synergistic action on absorption of radionuclides, and destroy it as a suitable habitat for its recreational and commercial fisheries".

"The cooling water intake poses a potential hazard to fish resources and, in particular, to significant numbers of fish and small aquatic crustaceans, which are basic food items. Fish eggs, larvae and other plankton are killed in their passage through the plant. Such destruction cuts down the food supply for larger fish".

Then, under: "BENEFITS VERSUS RISK", Petitioner offers evidence that the benefits and risks of the proposed Shoreham facility are not as has been presented by the applicant in its public information program, and to show that the benefits claimed for nuclear power have not been realized; that reliability of large reactors has still to be demonstrated; that costs far exceeded estimates; that no nuclear power station has demonstrated that it is competitive in cost with electric power stations, and that nuclear power plants are not clean, safe or reliable, insofar as L. I. concerns.

Again, in its "PUBLIC INTEREST" section, the petition to intervene lists many press and governmental treatments of the question in sincere concern on recent dates and avers; "The purpose of the public hearing (3/31/70) on the instant application is to determine whether or not the construction and operation of the proposed Shoreham facility will cause undue risk to the public health and safety or damage to the environment or biosphere".

"Petitioner's intervention and participation will aid this determination by making the proceeding on the application an adversary proceeding in which the applicant's evidence and the regulatory staff's position can be tested by cross-examination, and in which independent evidence and legal argument can be presented by the intervener on the actual and legal issues". Petitioner feels the public interest and concern for health, safety and environment can only be articulated in such a forum of members of both the lay and the scientific communities, brought to testify as expert witnesses to properly air and examine all contrary views in depth.

In the final petition section; "THE ISSUES", Petitioner intends, among many points already made, to question whether the amended "Atomic Energy Act" granted power to the AEC (Atomic Energy Commission) or the FRC (Federal Radiation Council) to determine radiation standards; whether either is a competent body acting under valid procedures; whether determination of appropriate balance between benefits and risks is legislative in character; if the statute grants power to either, to delegate responsibility of determining radiation standards to private groups, National Committee or the International Commission, on Radiation Protection; if such grant is invalid; and finally, whether due process is being denied, and the personal and property rights guaranteed by the fifth amendment to the U. S. Constitution is indeed violated.

1983 UPDATE: THE LANDMARK CASE FROM THE ABOVE PETITION OF LLOYD HARBOR STUDY GROUP RAN YEARS WITH ABOUT 60 REGULAR DAY-LONG SESSIONS, AND NUMEROUS SPECIAL ONES, HELD IN MANY PLACES, WITH A STREAM OF LAY, SEMI-PROFESSIONAL AND NOTED PROFESSIONAL WITNESSES, SOME WORLD-WIDE, HUNDREDS OF HOURS IN SESSION, AND MANY THOUSANDS OF PAGES OF TESTIMONY, EXAMINED AND CROSS-EXAMINED IN ADVERSARIAL PROCEEDINGS. THE FILE IS IN STONY BROOK UNIVERSITY LIBRARY, FOR PUBLIC SCRUTINY.

Arthur McComb 15

59 Railroad Avenue  
Ronkonkoma, N. Y. 11779  
March 17th, 1970.

Town Board, Town of Brookhaven,  
Patchogue, New York.

Gentlemen:

In six years we celebrate a national happening which was intended to assure a people that expression of their will would never be suppressed or bypassed. The "Public Hearing" made famous in New England towns was the vehicle.

Now, your hasty, lengthy, erratic, incomprehensive resolution of March 3rd trying to support LILCO in its application to a federal commission, the AEC, for a nuclear building and operational permit, is not only improper and extraneous, but is spotted with errors and omissions.

In view of your knowledge expressed therein that both the pre-hearing and hearing had been set by AEC for 3/13 and 3/31, it becomes eminently prejudicial to both proceedings which are designed to be fair, unbiased and un-influenced, especially by such a legislative body charged by law with all final decisions. You possess the only patent power of any government unit directly responsive and responsible to protect locally the health, safety and welfare of town residents by zoning power given in Town Law Section 261, if such peril should indeed become apparent to you.

However, you cannot exercise such power without a public hearing, and this was never done, so your resolution is not only out of order and reflective of negligent legal advice, but it is dereliction of your own oaths of office, and expressive of poor, triggered judgement.


I demand, as a resident, elector and taxpayer of Brookhaven Town, that this resolution be rescinded forthwith, as you had not the power to so enact in the procedures followed.

Under 261, a valid, effective ordinance exists from 1966, leaving only one direction for this board to go -- that is to reverse that ordinance, if you saw in it any peril to us.

This is your sworn, and only obligation.

Sincerely,

  
Arthur McComb.

**1983 UPDATE: WE HAVE COME A LONG WAY SINCE THE ABOVE COMPLAINT, WHEN THE FEDERAL NUCLEAR-FISSION POLICY WAS RUNNING STRONGER NATIONWIDE, SINCE ITS FIRST GLOWING PROMISE, IN AN ALMOST UNBRIDLED PROMOTION BY THE AEC. THEN A SKEPTICAL PUBLIC, MORE INFORMED AND WARY, SAW RESULTS IN 1975 AS AEC BECAME NRC, AND PROMOTION WAS REASSIGNED.** 

IT HAPPENED AT 3/17/70 BROOKHAVEN MEETING

Don Leo and Art McComb (Farmingville & Ronkonkoma) objected to the 3/3 Board resolution for LILCO Nuclear Plant approval by the ATOMIC SAFETY and LICENSING BOARD of the AEC. Mr. Leo's draft cited sections 130 & 261 of Town Law, and noted that several others, plus numerous cases, make it clear that law delegates the awesome responsibility of community "health and safety" ONLY to our Board, and among Mr. McComb's charges were "impropriety--spotted with errors--prejudicial--dereliction of oath of office--triggered judgement". Similarly, in substance, Mr. Leo contended as follows:

1. The motion to pass the resolution was made without any advance public notice, not even on the 2/26/70 agenda for the 3/3 meeting.
2. It was made without consulting taxpayers of our Town, giving the AEC impression that said taxpayers wholeheartedly approve, when, in fact, they were never consulted; and that it should have first been exposed to public hearing, or should not have been voted until the whole Board had had opportunity to attend the AEC hearing, at the least.
3. The resolution delegates to the Atomic Safety and Licensing Board, our Board's duty to "judicially protect the public health and safety of all residents of the Town of Brookhaven and all other persons who may work, reside or indirectly or directly enter the environment affected by this public installation". The unwise, if not illegal result of the resolution has been that the duly elected representatives of the people of Brookhaven have delegated to a board, appointed by another board, which in turn had been appointed, their duty to protect the "health, safety, morals and general welfare of the community".
4. This resolution was passed before the Board had had an opportunity to review and consider vital information which has been gathered by various conservation groups during the past 3-1/2 years. On 6/2/66 a public hearing was held in Shoreham on LILCO'S application for rezoning to construct the nuclear plant. No information is in those minutes of possible dangers of nuclear and thermal pollution, and since then, vast amounts of information and knowledge have been accumulated worldwide on the subject. Mr. Barraud has stated that the resolution merely restates the approval of the 1966 Town Board, but, in 1966 that Board did not have access to the voluminous knowledge acquired since.

Mr. Leo concluded with the conviction that this Board should be made aware of all possible material on thermal nuclear pollution and other potential and real dangers of atomic energy; and so presented Ann Carl, a leading Suffolk County conservationist and columnist, to follow with an address to the Board on that subject. At first, the Supervisor demurred, but acquiesced to the many residents present.

Mr. Leo, supported by others, then recommended that the Board intervene the AEC hearing in behalf of townspeople, for our chance to cross-examine witnesses, or to represent any position which becomes evident as in the interest of Brookhaven taxpayers, in the course of the hearing. The Board not only refused verbally, but actually saw fit to physically pass on a unanimously negative resolution not to take this step.

(As of May 19th, 1970, neither letter has been answered in any way, even though Mr. McComb faced the Board this date in meeting with a reminder of the various and sundry serious charges so leveled.)

ALL OF THE ABOVE CAN BE VERIFIED IN PERMANENT TOWN RECORD.

*Robert McComb*

# AEC Biologists Fear A-Plant Disasters

WASHINGTON (WP) — Atomic Energy Commission biologists have called on the agency to reduce radiation limits from near power plants to virtually zero to prevent what they call "future biological disasters."

Failure to cut radiation limits sharply, Drs. John W. Gofman and Arthur R. Tamplin of the AEC's Lawrence Livermore Laboratory predict could bring "something so to" an extra \$2,000 a year from cancer and leukemia when nuclear plants increase vastly in size and number.

The technology is now available to reduce A-power plant radiation several fold at some added cost, Tamplin maintained. But if it were not he conceded, atomic power would be priced out of today's market.

The scientists also proposed a "zero pollution" policy for all power plants, nuclear and fossil, and all in-

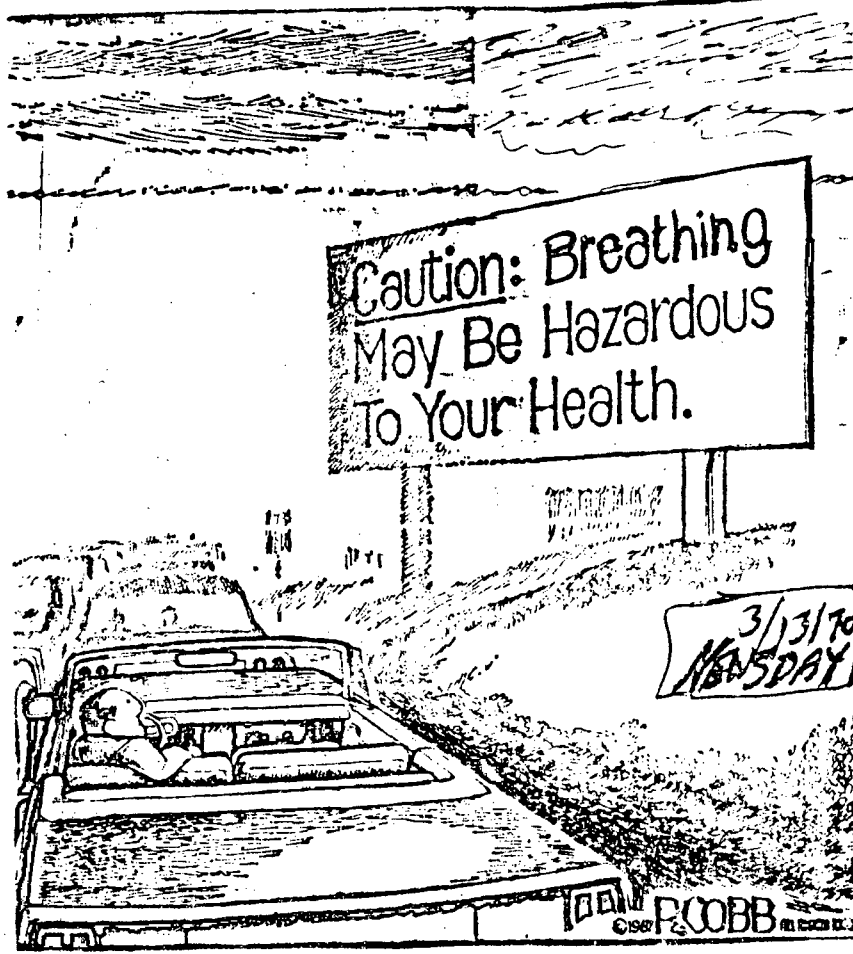
country. This would increase power costs, and keep nuclear plants competitive. The two were among speakers at a public "teach-

in" yesterday sponsored by a new National Committee to Stop Environmental Pollution. Gofman and Tamplin have

been arguing for months that all nuclear power plant radiation—which they admit is small today—should be reduced 10-fold.

## A More Careful AEC. NEWS DAY EDITORIAL

It was about time that the Atomic Energy Commission adopted a more responsible interpretation of its duty to see that nuclear reactors do not pollute the nation's environment. In fact, this week's ruling that applications to build nuclear reactors must meet federal and state as well as the AEC's own specialized anti-pollution standards has come just in time to force the Long Island Lighting Company to show, at the May 25 hearing, that its proposed nuclear reactor at Shoreham will not create thermal, much less radioactive, side-effects damaging to the Island's ecology. Unfortunately, the AEC had to be prodded into adopting broadened licensing criteria by the Lloyd Harbor Study group, the citizens' organization which opposes LILCO's plan. It is perhaps too much to hope that these new standards will of themselves insure that an agency charged with promoting the development of atomic energy can or will regulate such allies as LILCO. But at least, the AEC has officially recognized the public's growing concern about the deterioration of our environment.



## Scientists Warn Of Pollution on LI

Three scientists from the State University at Stony Brook today called for long range study and comprehensive planning to prevent pollution of the Long Island Sound by nuclear-generating plants.

The three testified in Manhattan at an ad hoc hearing into the potential dangers of nuclear plants. The hearing is being held by Reps. Lester Wolff of Kensington, Joseph Addabbo of Ozone Park and Ogden Reid of Westchester.

Stony Brook Oceanography Professor Peter K. Weyl told the congressmen that "we must look at the overall development of the Sound instead of deciding on each power plant and sewer-outfall separately."

"Through continued and intensified research we must develop the capability to predict the impact of the proposed changes on the marine environment. And to help government and industry in environmental planning, we (the universities) must train a new breed of professionals."

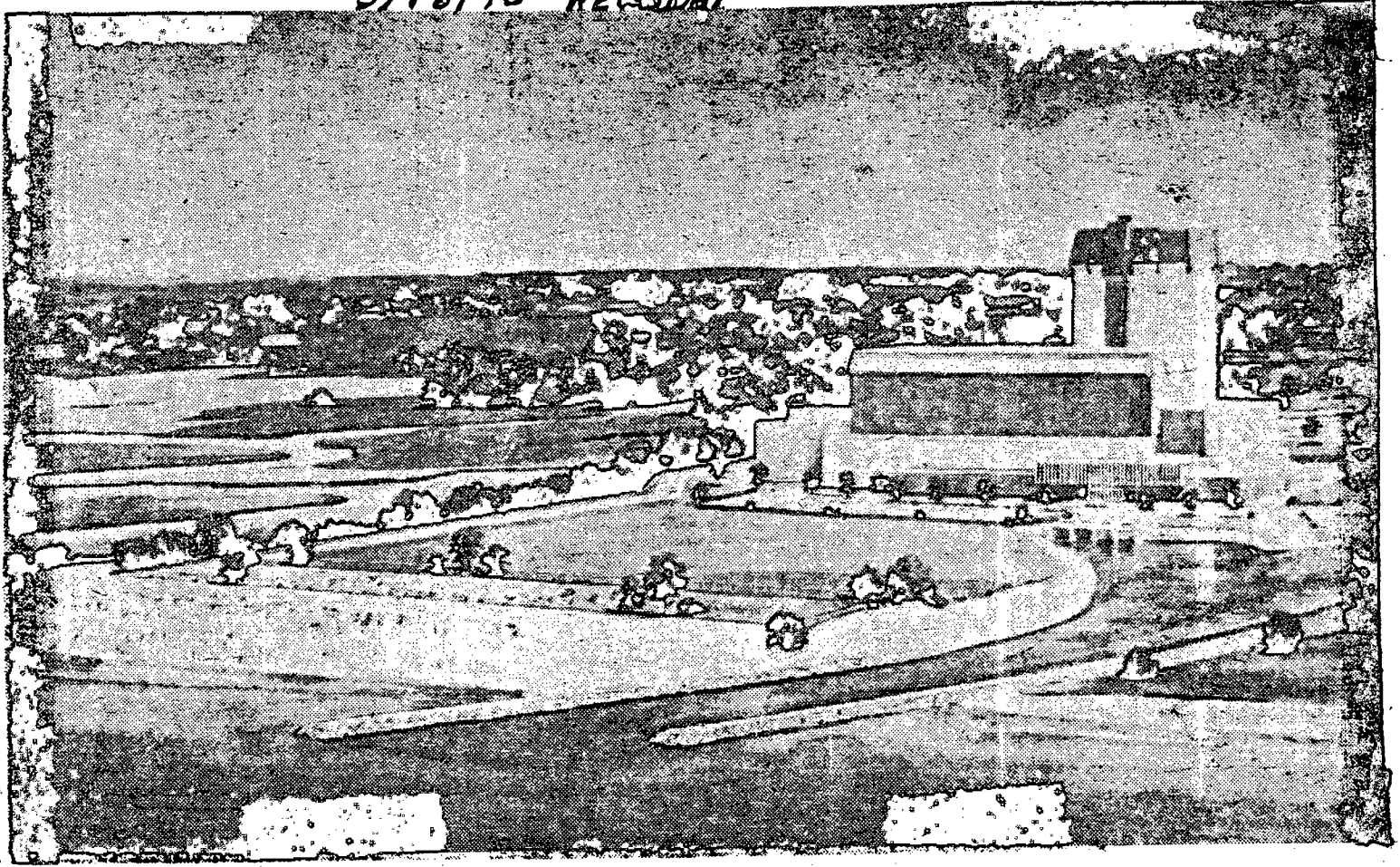
Charles D. Hardy, a research associate in Stony Brook's Marine Science Research Center, told the congressmen that the last intensive study of the Sound was made 15 years ago.

"During the intervening period," he said, "only isolated or localized measurements have been attempted on major physical, chemical and biological parameters."

George C. Williams, a professor of biological sciences, discussed the effect of heat from existing power plants on plankton and fish in the Sound.

# Nuclear Plants: High-Tension Issue

5/18/70 NEWSDAY



LILCO's proposed nuclear power plant at Shoreham, as pictured in an artist's rendering above, already has generated a fight between the utility and local conservationists in the Lloyd Harbor Study Group. The clash in Suffolk County is a reflection of a growing nationwide battle. Opponents of the plant cite dangers of thermal and radioactive pollution; the utility says it must have the facility to keep up with the population

The Shoreham Nuclear Plant

EDITORIAL 10/2/90 - NEWSDAY

One purpose of a public hearing is to get people to look at and to listen to viewpoints they may not agree with. When the Atomic Energy Commission first announced that it planned to hold public hearings on the controversial LILCO proposal to build a \$271,000,000 nuclear power plant at Shoreham, we immediately conjured up visions of a lot of people showing up wearing earplugs and blinders. It turns out, however, that we were unduly pessimistic.

The hearings, which have been temporarily adjourned by the AEC, have been for the most part incisive, revealing and professional. They have concentrated on the key issue: is the 820-megawatt nuclear plant safe enough to operate without causing irreparable damage to the environment and without creating undue risks for the people living in the Shoreham area?

The sessions have necessarily embraced horizons that transcend the particulars of the Shoreham plant. This is because the Shoreham question is in a sense a test case. The AEC, LILCO and the environmental groups opposed to the plant know that the grounds on which this case is decided may well establish a precedent for the construction of other nuclear power plants—on the Island and elsewhere.

There are at least two reasons for this. One is that Americans are increasingly aware that their thirst for electric power has begun to exceed the supply. Either we build more power plants or we cut back on our demands. The most radical critique of the Shoreham proposal, therefore, comes not from environmentalists (who insist only on reforming plant designs to protect the environment) but from fundamentalists who revolt in principle against man's growing reliance on technology. At heart theirs is a back-to-nature philosophy, a Thoreau-like desire to stem technological growth before it further severs man from the world around him. Theirs is an appealing and refreshing notion.

But it is not an especially practical one. We doubt that many Long Islanders, for example, are prepared to turn in their air conditioners, television sets and power tools. In this

respect there seems no turning back the clock. Some of us may look back in anger but most of us look forward to the future hoping that we can both harness technology to supply our needs and keep it under control. This is one cake we want to have and to eat.

Thus the Shoreham debate has implicitly avoided the philosophical question to focus on the environmental issue: how safe can we and must we make this plant? This is the realistic question: for it accepts the need for more power but rejects unacceptable ecological damage. The Lloyd Harbor Study Group and other witnesses have brought to the AEC hearings persuasive testimony about the plant's environmental hazards. They fall into two basic categories. One is thermal (the plant's discharge water will heat up the area's marine ecology) and the other is radioactive (both gaseous and liquid isotopes will be released by the plant). The thermal question has been assigned by the AEC to other government agencies (a questionable delegation of authority, in our judgment). But the AEC couldn't avoid tackling the radioactivity danger head-on.

The AEC panel will have to decide whether LILCO has designed its plant with sufficient attention to the pollution problem. In our judgment, there are still some very serious questions about the design of the plant. But at the hearings LILCO officials displayed a genuine responsiveness to these concerns. They have proposed to add a new filtration system and a new cooling system that will cut down on radioactive and thermal pollution. This is a far cry from the arrogance LILCO has shown in the past in (a) unilaterally choosing the Shoreham site and then (b) dismissing as unfounded all criticisms of the site selection and plant design.

LILCO is moving in the right direction now. We hope that the hearings will conclusively determine whether it has gone far enough. Nothing would be more satisfying than to be able to endorse this Shoreham plant on the basis that it is safe enough.

But the hearings will resume and may go on for quite awhile. In our view, there's no rush. The Shoreham decision is one that we'll have to live with for a long time. It is vital to make the right one.

1983 UPDATE: THE NEWSDAY (AND OTHER) EDITORIALS I HAVE SAVED SHOULD AROUSE INTEREST IN COMPARISON WITH THOSE WE NOW READ, THIRTEEN YEARS LATER, AND BILLIONS FURTHER IN HOCK. LONG ISLAND PRESS IS GONE.

Arthur M. Lamb



# LILCO to Buy 12/11/70 - L.I. PRESS Shoreham Land

Long Island Lighting Co. has contracted to purchase 425 acres adjacent to the site of its proposed nuclear power plant at Shoreham.

The utility has reached agreement with the Brooklyn Catholic Diocese to buy the property which is called St. Joseph's Villa.

The land will be used for additional electrical generating units.

Although company spokesmen said no decision has been made on whether the units will be nuclear powered or conventionally powered, Irving Like—attorney for the Lloyd Harbor Study Group which opposes construction of the Shoreham plant—said that since the company calls it Shoreham Unit One it is implied that more nuclear units will be built on the same site.

LILCO has not applied for a change of zone from Brookhaven Town needed to construct an electrical power plant. Charles R. Pierce, LILCO senior vice president, said the land would be developed for recreational and environmental purposes along with its commercial use.

The diocese also will be permitted to continue use of the property for the next seven years.

Like said he was hoping the company might use the additional acreage to install dry cooling towers for the proposed Shoreham nuclear plant. Such a plan would eliminate the need to use 600,000 gallons a minute of Long Island Sound water to cool the steam.

LILCO spokesmen said, however, the dry cooling towers would require the use of large amounts of fresh water

# L.I. Lighting Acquires Big Site in Shoreham 12/11/70 - N.Y. NEWS

The Long Island Lighting Co., announced yesterday it has purchased a 427-acre site immediately west of its proposed nuclear power plant in Shoreham for future use as an electric generating station.

The site, at North Country Road, purchased from the Catholic Diocese of Brooklyn is occupied by St. Joseph's Villa.

Lilco said it has agreed to allow the villa to continue use of its facilities for the next seven years.

Price Put at \$2M

Purchase price, according to a company spokesman, was "slightly in excess of \$2 million," and title

to the property is expected to be transferred next year.

According to the spokesman no decision has yet been made on whether the villa site will be used for conventional electric or atomic power.

He said purchase of the land was predicted on the availability of open space, which is fast diminishing in Suffolk County and which is required to accommodate a facility of that type and size.

# What's the Hurry? NEWSDAY EDITORIAL 12/11/70

The Atomic Energy Commission has a dream. It envisions that by 1980 at least 112 nuclear power plants will be in operation across the United States and that by the year 2000 nuclear power will produce 60 per cent of the nation's electricity. One small step in the AEC's overall dream is the Long Island Lighting Company's "proposed" nuclear power plant at Shoreham, Long Island. We say "proposed" because even though the Shoreham hearings at Port Jefferson Station are not yet concluded, LILCO has already begun construction anticipating perhaps that AEC approval is in the bag.

The AEC is in a great position to see its dreams come true because it is both promoter and licensor of nuclear power plants. This all powerful position has prompted some criticism. And despite heavy competition from other doomday rhetoricians, AEC critics have attracted a good deal of attention. For they charge, among other things, that the commission is not sufficiently concerned with public safety or environmental problems and that AEC radiation safety standards for power plants are high enough to cause cancer and leukemia.

Whether these grave charges are true or not, the commission gives every impression of being more concerned with promotion than safety. Its occasional forays into the area of environmental and human safety often seem half-hearted. This week the AEC appeared to tighten the safety standards requiring nuclear plant operators to keep radiation discharges "as low as possible." This announcement had all the assurance value of the Federal Aviation Agency requesting airplane companies to hold down the number of crashes.

Radiation is not the only potential danger from the Shoreham plant. This week the Federal Water Quality Administration concluded that the "facilities to be provided at the (Shoreham) nuclear power generating station for discharging thermal wastes into the Long Island Sound are inadequate." This is a serious charge, considering that thermal pollution can cause impressive damage to aquatic ecology—by altering the metabolic rates, reproductive cycles, behavior, defense mechanisms and eating habits of fish. Fishing is more than a recreation on this Island. For many it is a livelihood.

Only the AEC can require the Shoreham plant to meet more rigorous requirements. The commission has said for the record that it won't issue a permit if the nuclear plant doesn't meet state and/or federal environmental standards. But the commission must demonstrate that it means business. It has been sidled away from environmental issues at its hearings, which resume Tuesday. That policy should change. Haste in licensing this plant could produce the most dangerous sort of waste.

# Delay A-Plant Permit: U.S. Agency

12/9/70 NEWS BY WILLIAM NEUGEBAUER

A federal report disclosed yesterday, recommended that the Long Island Lighting Co. be denied a permit at this time to build an atomic power plant at Shoreham. The report was viewed by the project's chief opponents as a possible breakthrough that might spur other governmental agencies into making similar recommendations.

The view was expressed by Irving Like, attorney for the Lloyd Harbor Study Group, following disclosure of a report handed up to the Atomic Energy Commission by the Federal Water Quality Administration, the first federal agency to come out against the proposed \$201 million plant.

Lilco's design for the 829-megawatt boiling water reactor in the Brookhaven Town community has been the focus of AEC public hearings, which began September and are slated to re-

sume next Tuesday at Port Jefferson Station.

## View of Agency

The water agency's nonbinding recommendations came in response to an environmental statement that Lilco filed last June.

In its seven-page report, the agency recommended that a construction permit be withheld from Lilco until sufficient engineering and ecological information is available to determine the possible impact upon the

environment by the applicant."

The document also said that proposed facilities for discharging thermal wastes into Long Island Sound were "inadequate."

"This," Like said, "is what we've been arguing all along, that the lighting company has not made a sufficient in-depth ecological evaluation of the possible effects of the plant on the aquatic environment."

Among technical data requested by the agency were detailed estimates of the proposed cooling

water discharge system, its long-term beneficial and detrimental effects upon the ecology, and in-depth discussions of the alternatives to the proposed cooling method.

A Lilco spokesman said that detailed plans for a water discharge system have not been completed. He said that the utility's application to the AEC deals with radioactive matter, which the commission has repeatedly said is its sole responsibility under the National Environmental Protection Act.

The spokesman said that Lilco plans call for releasing cooling water 1,500 feet out into Long

Island Sound, and that the temperature 300 feet from the discharge point would be "no more than 1.5 degrees higher than on the hottest day you can find." In winter, the temperature difference would be about 4 degrees, he said.

"We have been assured by leading biologists, ecologists and other experts that this release is not going to disturb the ecological balance around Shoreham, let alone the sound," the spokesman said. "We believe we'll receive the AEC license for construction because we will be able to conform and will conform with anything that is required to do so."

# AEC Data on A-Plant Differs

By Harry Pearson 12/17/70 NEWS DAY

Port Jefferson Station—Atomic Energy Commission witnesses testified yesterday that the agency had no firm guidelines for the construction of nuclear plants and that the proposed Shoreham plant might well release more radioactivity into the environment than the Long Island Lighting Co. says.

The commission staff members began their testimony to present their case in favor of building the plant. In doing so, however, they said that their analysis of LILCO's plan for the project showed that radioactive releases from the plant might exceed 10 per cent of the federal maximums. LILCO officials have testified during commission hearings on a construction permit for the Shoreham plant that they would close down the nuclear plant if its radioactive releases exceeded one per cent of federal limits.

Richard E. Ireland, a commission official responsible for evaluating the Shoreham plan, testified that the commission's computations on radioactive releases from the proposed plant were far more "conservative" than LILCO's. His testimony provoked a

series of questions from the Lloyd Harbor Study Group, which opposes the plant, about the commission's guidelines and criteria for nuclear plants. Ireland said that there were no firm standards and added, "The nuclear industry is sort of flying blind in terms of what to do."

Ireland said that the numerous types of nuclear reactors and the varying conditions under which they were operated made development of uniform standards difficult. He did say that lack of commission manpower accounted partially "for our inability to promulgate standards quickly."

During the morning session of the commission's Safety and Licensing Board hearing, Edward J. Walsh Jr., LILCO's attorney, rested his case for the \$271,000,000 Shoreham facility after his witnesses were cross-examined for 15 days. The study group's attorney, Irving Like of Babylon, then made a motion to Jack M. Campbell, the board's chairman, that the case be dismissed.

Like said that he would present his motion in written form today, and Campbell said that he

would not make a ruling until the motion was presented. Like maintained that the lighting company failed to comply with commission regulations and the National Environmental Policy Act.

The attorney for the commission, Martin Malsch, then called four members of the commission's regulatory staff to testify, and the safety analysis of the proposed LILCO plant those men had drafted was recorded as their testimony. The analysis said that even with a "design basis accident" that would allow radioactivity to escape into the environment there would be no danger to health and safety.

The witnesses testifying for the plant yesterday were all members of the commission's division of reactor licensing, which is responsible for the safety of nuclear reactor installations. The commission's licensing board must decide whether to give a construction license to LILCO. Although the commission says that the two divisions are separate, it has been under increasing criticism in recent months for its dual role as regulator and promoter of the peaceful uses of atomic energy.

# LILCO Exception

Port Jefferson Station - The Long Island Lighting Co. admitted yesterday that it could seek to maintain operation of its proposed nuclear power plant at Shoreham at a radiation level higher than it has pledged if shutting down the plant would create a power emergency.

Under cross-examination at an Atomic Energy Commission licensing hearing, Andrew Wofford, LILCO's project manager for the plant, said that company would seek to continue operating the plant then only at the request of the Public Service Commission.

LILCO, which has said that it would contract with the AEC to limit radiation emissions to one per cent of the maximum federal limit, would have to seek variance to exceed the contractual limit. Otherwise, it would have to shut the plant down. Under the contract, LILCO would have to keep the radiation exposure level at 1.7 millirems per year. A single lethal dose of radiation would be about 500,000 millirems.

Referring to a possible power emergency, Wofford said, "That's the only circumstance when we might ask for a variance." Wofford was replying to the Lloyd Harbor Study Group, which was cross-examining LILCO witnesses. The study group opposes construction of the plant. Mrs. Ann Carl, a spokesman for the study group, said later, "We feel that this is a way out (of the contract)."

# A-Plant Seen as Hazard to Children

By Annabelle Kerins 4/15/71  
Port Jefferson Station - A contro-

versial critic of nuclear power claimed yesterday that even a low level of radiation increases the number of childhood deaths. That opinion immediately came under heavy attack at the Atomic Energy Commission's hearings there on the proposed Shoreham nuclear-power plant.

Radiation physicist Ernest Sternglass claimed that his statistical analyses showed that long-term, low-level radiation causes childhood deaths from birth defects and leukemia. The figures he has developed, he said, show that the number of those deaths increase or decrease with the radiation level.

Sternglass' opinion was no surprise to Long Island Lighting Co. officials and other parties at the hearings. He is a frequent witness at hearings on nuclear power, and the AEC, among others, often has attacked the conclusions and methodology of Sternglass, a professor at the University of Pittsburgh's University School of Medicine.

He was cross-examined vigorously by Ferdinand Shore of the Suffolk Scientists for a Cleaner Environment. Shore first attacked the validity of Sternglass' claim of a relationship between radiation and mortality. The claim was based on an analysis of a more than 20-year period in Utah. Shore tried to prove that even a minimal margin of error would destroy the theory, since the number of childhood deaths is relatively small in total population. Shore pointed out that Sternglass' statistics did not take into account increases in population during that period.

Shore then attacked Sternglass' use of his childhood mortality patterns as a basis for assuming a cause and effect relationship. Shore said that Sternglass had not discussed other possible causes of mortality, such as German measles epidemics. Dr. Alice Stewart, who testified earlier at the hearings for the Lloyd Harbor Study Group, has disavowed the Sternglass conclusions, which are based in part on her work.

Sternglass is used to such attacks, which he called "nit-picking," and claimed that they did not jeopardize the validity of his conclusions. He claimed that radiation could increase infant mortality from diseases seemingly unrelated to radiation.

**UPDATE 1983: WE DONT KNOW WHEN IT WILL HAPPEN - WE ARE ONLY SURE IT CAN! THAT IS A PERFECT DEFINITION OF RUSSIAN ROULETTE AND IT MAY BE POINTED AT OUR UNBORN. NRC'S ORDER TO DEVISE WORKABLE EVACUATION IS EVIDENCE OF CERTAIN, GRIM DANGER IN FISSION PLANTS. RADIANT BABES TO COME WILL LEARN EARLY ON, TO SPELL CESIUM, STRONTIUM, RADON, IODINE, CURIES, PLUTONIUM AND DEFINE THEM, WHILE WE GRANDPARENTS GLOW WITH PRIDE.**

# A Time to Act

EDITORIAL 4/13/71 NEWSDAY

In a signed article below, Newsday environment writer Barry Pearson gives a condition report on Long Island Sound. It is sick, and it is being treated with official prescriptions that are compounded in confusion and administered haphazardly. It may die.

**H. PEARSON "VIEWPOINTS" - SEE BOOK IX PAGE 3**

If you don't want to be a mute witness to this ecological murder, Pearson has some suggestions for action, including a massive letter writing campaign to demand a three-year moratorium on all projects that would affect the Sound or its shoreline and the creation of a Long Island Sound Commission with the power to halt the pollution of this priceless body of water. His suggestions are good. If the people of Long Island demand action, they can get it. Shall Long Island Sound die of an overdose of poison? Or shall it live? The answer is up to you.

**BREEDER REACTORS AND THE DANGER OF PLUTONIUM**

Mr. NELSON. Mr. President, the Senator from Alaska (Mr. GRAVEL) recently discussed the proposed breeder reactor development program in a speech before the National Newspaper Association.

In the address, Mr. GRAVEL warned of impending dangers to the health and safety of a potentially large number of individuals and to the environment unless this program is subjected to intensive examination.

Mr. GRAVEL raises the question whether section 102(c) of the National Environmental Policy Act is applicable to the breeder reactor development program. There is little question in my mind that the section is applicable.

I ask unanimous consent that the text of the address by Senator GRAVEL be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

**SHOULD WE BACK, OR SACK, THE BREEDER?**  
(By Mike Gravel, U.S. Senator from Alaska)

Footnotes at end of article.

I am going to do everything I can to help focus national attention on President Nixon's decision to back the breeder. The breeder will be a new kind of nuclear reactor costing the taxpayers about \$3 billion to develop.<sup>1</sup>

What will we get for that massive investment?

We will get another way to boil water for making electricity, and we'll get more radioactive plutonium out of the breeder reactor than we put into it.<sup>2</sup> This bonus-plutonium can be fashioned into fuel to boil some more water.<sup>3</sup>

One pound of plutonium can produce as much energy as 3 million pounds of coal.<sup>4</sup> It is not enough, however, to marvel at this singular aspect of plutonium; it has other interesting aspects.

One pound of plutonium can also produce an explosion with a force equal to 20 million pounds of TNT.<sup>5</sup>

Furthermore, one pound of plutonium is a poison so powerful that it represents the maximum "permissible" amount for 700 million people.<sup>6</sup> Breathing or swallowing a bit of plutonium about the size of a common dust particle can give a person his full "permissible" amount.<sup>7</sup>

By 1980, we will be making 60,000 pounds (not particles—pounds) of new plutonium every year in this country with the current nuclear technology, unless some present policies are changed very soon.<sup>8</sup> That plutonium-figure will leap even higher if we develop and deploy breeder reactors.

Promoting a "plutonium economy," as plutonium-discoverer Dr. Glenn Seaborg calls it,<sup>9</sup> is gambling that man can confine every bit of this toxic and tricky material—tricky because it catches fire so very easily. The plutonium fires at the Rocky Flats warhead factory are not a good omen.<sup>10</sup>

Half of any plutonium particles which escape into the environment by fire, flushing, or other accident, will remain as a radioactive hazard for 24,000 years.<sup>11</sup>

Plutonium's complete confinement is something you naturally wonder about when you look at the AEC's own "Plutonium Production Flow Diagram," and see how many handlings are required just to produce what the diagram calls a "Finished Plutonium Item."<sup>12</sup>

In some laboratories, all forms of plutonium are kept in hermetically sealed enclosures; in other labs, most of the work is performed within glove boxes. Workers wear protective clothing which must be cleaned in a laundry with special facilities, and they must use special air-supplied masks if the contamination-level is high.<sup>13</sup>

Just a few pounds of plutonium can form a critical mass and explode, if the confinement is close and rapid.<sup>14</sup> That is how nuclear warheads go off. Therefore, in a plutonium production plant, where large quantities of plutonium are handled, what the AEC describes as "elaborate precautions" must be taken to prevent accidental nuclear explosions.<sup>15</sup>

Plutonium will someday be handled in every country of the world, if the breeder reactor is allowed to become man's prime energy source for the future. Carelessness somewhere just seems inevitable.

Since plutonium escaping into the environment will travel freely around the planet, the breeder, by its very nature, is an international problem. Furthermore, this country is not alone in its breeder research; Britain, Italy, France, Germany, Belgium, the Netherlands, Japan, and Russia are also conducting breeder research.<sup>16</sup> The efforts may be a civilian variant on the arms race; perhaps no country dare not to "breed" its very own plutonium for the "plutonium economy" of the future.

Deadly accidents releasing massive amounts of radioactivity from nuclear power plants are a possibility—perhaps a probability—which deserves our most vigorous investigation, both with regard to the breeder and to the reactors already going into operation.<sup>17</sup>

Clearly a growing number of informed Americans are wondering about that hazard, as you can tell by efforts in California, Minnesota, Oregon, and New York City to prohibit further construction of nuclear power reactors.<sup>18</sup>

Also notable is the audience response to the television program, "The Advocates." In mid-February, one of the subjects was Should There Be a Moratorium on the Construction of Nuclear Power Plants? There are over a million viewers, who may vote by mail. Obviously there are sometimes attempts to stack the mail, but the program tries to recognize and announce them. In the fourth largest vote in the history of the show (which is in its second season), the vote was as follows:

3702 in favor of a moratorium.  
3154 against a moratorium.

Plus 2435 additional votes against a moratorium identified as "bloc voting from concerted lobbies," including General Electric. Organized votes are those on form-letters, letters with identical wording, and letters sent in bulk from the same address. Most of the lobby-vote came from Louisiana and Alabama; Alabama sent in 1378 votes against a moratorium, and 24 votes for a moratorium.<sup>19</sup>

When the organized vote is discounted, the majority of viewers favored a moratorium. I am not saying that "The Advocates" audience is typical.

However, the vote is yet another signal that there is plenty of deep concern in this country about radioactive power plants. It would be foolish if President Nixon were to imagine the matter could be settled simply with his budget decision.

His decision might inadvertently seal the fate of all mankind, and such a decision deserves, at the very least, as much public debate as the SST airplane. An administration decision to push this country—and probably the world—into a plutonium economy without first inviting, encouraging, and stimulating the most profound public discussion, reveals a conceit which I find astonishing.

I hereby, today, before this group of newsmen, call upon the President, his science advisors, his four AEC Commissioners, the breeder-backers at Westinghouse, General Electric, and North American Rockwell, to explain and justify this project of theirs in open forums, domestic and international.

The strategy used so far to make utilities, also, invest in the breeder makes me uneasy. It comes as no surprise to me that the utilities were not contributing much to the breeder;<sup>20</sup> utilities spend about eight times more money on advertising than on any research, good or bad.<sup>21</sup> What surprises me is the kind of encouragement which the AEC deeply anxious for help with the breeder may be extending to the utilities.

In a speech about "truly advance technology," like—specifically—the breeder, AEC Commissioner Johnson hinted darkly last September about the peril to our social fabric and democratic institutions if we don't have plenty of electricity, and then he closed by saying this:

"There is substantial truth in the old adage, 'He who pays the piper calls the tune.' In my personal view, this could well prove to be a prophetic admonition to our utility industry. . . . If this industry, with a sympathetic government, can not devise ingenious ways to bring about the kind of truly advanced technology that the coming decades demand, then ways will nevertheless be found to meet our national needs, and they may prove to be insensitive to the traditional independence which has characterized decision making in this pluralistic industry."<sup>22</sup>

Barking for the breeder occurred also at the annual conference of the American Nuclear Society and the Atomic Industrial Forum, where it was admitted that sufficient unity of will and action in favor of the breeder program had not yet been achieved. The necessity of informal meetings and plain talk with key leaders in and out of government was described.

That conference was in November, 1970. Now the President's budget is showing a 46% increase in the breeder-effort—up from \$95 million last year to \$139 million this year.<sup>23</sup>

Who are those key leaders in and out of government who are promoting the breeder? They have names, and yet you and I and the public—we don't know who they are. It seems likely that bankers are involved, that strategists who might like control over most sources of energy are involved, as well as other individuals in very high finance.

After all, billions of dollars have been invested in nuclear power plants, the program might collapse for lack of fuel without the breeder, and that's enough to make key leaders resolutely blind to the safe alternatives like solar, geothermal, wind, and fusion energies, and techniques to remove pollutants from fossil-fuels and to repair damage from strip-mining.

If the American people do not want a plutonium economy, is there a justifiable price-tag for stopping it? I believe this is a reasonable and crucial question. In my opinion, it would be naive and self-defeating not to start insisting on some open answers.

A policy committing us all to a radioactive economy deserves the attention of the whole country—not just of the President, the AEC Commissioners, and a handful of others. I favor vigorous and public discussion with those key leaders and with others from coast to coast.

One place we could start is right here, in the Appropriations Committees of Congress. The National Environmental Policy Act requires the Administration to submit detailed "environmental statements" for scrutiny before money is appropriated for federal projects with possibly adverse environmental impacts; such statements must discuss alternatives to the proposed project, too.<sup>24</sup>

We also need to hear from independent voices in engineering, medicine, ecology, and alternative methods for making electricity, as well as from the workers who would be called on to process the plutonium in a breeder-economy. We need to encourage a great national debate:

Should we back the breeder, or sack the breeder?

FOOTNOTES

<sup>1</sup> The government has invested an estimated \$1 billion in the breeder already; research began with the Clementine project in 1946. Dr. Glenn Seaborg says, "To successfully achieve the LMFBR (breeder) program objectives, the AEC will have to spend in excess of \$2 billion in addition to the large industrial expenditures. The program will take over fifteen years of intense and concentrated effort."  
(Statement in Hearings before the Senate Appropriations Committee on H.R. 14159 (Public Works), Fiscal Year 1970, Part 7, page 7142.)

<sup>2</sup> A simple description of this process is to be found in the *New York Times*, March 8, 1971, "Clean Reactors Delayed in Drive for Atom Power," by Walter Sullivan.

<sup>3</sup> Gas-cooled breeder reactors might have the potential for advancing beyond water-boiling into direct-cycle gas-turbine generation of electricity, according to Gulf General Atomics. However, the Nixon decision is to subsidize the water-boiling liquid metal fast breeder reactor (LMFBR).

<sup>4</sup> See the booklet, "Plutonium," by William N. Miner, Aug. 1968. It is one of the AEC's "Understanding the Atom" series, available from the AEC Division of Technical Information, Oak Ridge, Tenn. 37830. The coal-equivalence is illustrated on page 5.

<sup>5</sup> "Plutonium," page 1. See note No. 4.

<sup>6</sup> The "maximum permissible body burden, or the total amount of plutonium that can be accumulated in an adult without eventually producing undue risk to health, has been set at 0.8 microgram" ("Plutonium," page 37; see note No. 4.)

A microgram is one-millionth of a gram. There are about 450 full grams to a pound.

<sup>7</sup> Also from "Plutonium," page 37. See note No. 4.

"Hot" particles of plutonium-oxide in the lung may pose a special danger; an interesting paper on the subject is "Plutonium and Public Health," by Dr. Donald P. Geesaman, 1970; it is available in "Underground Uses of Nuclear Energy," Part 2, Hearings before the Senate Subcommittee on Air and Water Pollution, August 5, 1970, page 1523.

Dr. Geesaman concludes, "The health and safety of public and workers are protected by a set of standards for plutonium acknowledged to be meaningless. Such things make a travesty of public health, and raise serious questions about a hurried acceptance of nuclear energy."

<sup>8</sup> These figures derive from testimony of T. C. Runion; President of Nuclear Fuel Services, Inc.; see "Environmental Effects of Producing Electric Power," Part 2 (Vol. I), Hearings before the Joint Committee on Atomic Energy, January and February 1970, pages 1704-5.

His forecast for U.S. spent-fuel in 1980 is almost 3,000 tons for that single year; he estimates that there are 10,000 to 12,000 grams of plutonium in every ton of "spent" nuclear fuel. A total of 30 million grams of plutonium works out to roughly 60,000 pounds.

<sup>9</sup> Speech by Dr. Glenn Seaborg, October 5, 1970, entitled "The Plutonium Economy of the Future," delivered to the Fourth International Conference on Plutonium and Other Actinides.

<sup>10</sup> The most serious plutonium fire (costing \$45 million) occurred there on May 11, 1969. According to *Science News* (Nov. 29, 1969, page 496), "Plutonium is a diabolical element: unpredictable, difficult to handle and as a result dangerous. In fact, because it combines so readily with oxygen, small plutonium fires are almost an every day occurrence in Atomic Energy Commission plants that handle it."

<sup>11</sup> The physical half-life of plutonium-239 is 24,000 years. Physical half-life means the time required for half of the radioactive atoms to decay to non-radioactive forms. After ten half-lives (which makes 240,000 years for plutonium-239), one thousandth of the original amount of radioactivity still exists.

The biological half-life of a radioactive substance is the time required for half of it to leave the body. "Once in the body, plutonium is eliminated so slowly that as much

as 20% of any amount taken in will still be there 50 years later" (from "Plutonium," page 37; see note #4.)

<sup>12</sup> See "Plutonium," pages 14-15 (note #4). Plutonium operations include: cooling tank storage, dissolver, chemical processing, precipitation, hydrofluorination, reduction, pickling, fabrication; also chemical washing, dissolving incinerating, and chemical processing to produce a plutonium nitrate solution; also waste disposal.

<sup>13</sup> From "Plutonium," pages 37-39 (see note #4.)

<sup>14</sup> From "Plutonium," pages 34-35 (see note #4.)

The amount necessary for a critical mass is only 13.2 pounds, according to an article called "Please Don't Steal the Atomic Bomb," in *Esquire* magazine, May 1969. That article also asserts that a black-market for plutonium is considered a serious danger by Dr. Glenn Seaborg, Dr. Ralph Lumb (who is the AEC's expert on this particular matter), Dr. Ralph Lapp, Dr. Albert Wohlstetter, Dr. Theodore Taylor.

<sup>15</sup> From "Plutonium," page 35 (see note #4.)

<sup>16</sup> A chart called "Liquid Metal Cooled Fast Reactor Projects" (International) is to be found in "Cost-Benefit Analysis of the U.S. Breeder Reactor Program," WASH-1126, April 1969 from the AEC Division of Reactor Development and Technology; page 98.

<sup>17</sup> See, for instance, an interview in the January 1970 issue of *Power Engineering* with M. A. Shultz, Professor of Nuclear Engineering at Pennsylvania State University.

He says, "Better gear notwithstanding, when we talk about 50 reactors, the statistical probability of something going wrong and an accident occurring is an absolute certainty... Mathematically, this is a certainty, and in a short finite period of time. I'm not talking about maximum credible accidents. I'm saying that there will be accidents. My feeling is that they will be minor accidents. The industry's safety record to date is perfect. I am going to argue on the basis of (John) Garrick's studies and some of my own work that, when there are 500 plants on the line, we will have to do considerably better or our perfect safety record disappears."

Refer also to warnings from AEC experts in "Concern over Nuclear Power Plant Safety," *Congressional Record*, March 19, 1971, pages S3435-3439.

<sup>18</sup> A nuclear moratorium bill in the Minnesota legislature is being introduced by State Senator Coleman.

Two bills are in the Oregon Senate: SB 51, sponsored by Senator Hallock. SB 218, sponsored by the Senate Committee on Environmental Affairs at the request of the Oregon Environmental Council.

A bill in the New York City Council was sponsored by Councilman Theodore Weiss.

In California, an active citizens' initiative is underway to put a 5-year nuclear moratorium on the 1972 California ballot; it is section No. 16 of a long, environmental petition sponsored by the People's Lobby, Hollywood, California.

<sup>19</sup> As reported in *Nucleonics Week*, March 11, 1971, pages 4-5.

<sup>20</sup> See, for instance, speech by AEC Commissioner James T. Ramey, December 10, 1970, "The Breeder Reactor: Need for Greater Utility Participation." Also a speech by Rep. Chet Hollifield, November 18, 1970, "The Need for a Comprehensive Energy Program."

<sup>21</sup> Senator Lee Metcalf (Montana) says the 1969 figures were \$323.8 million on sales and advertising, and \$41 million on research and development; as reported by Ralph Lapp in *The New Republic*, January 23, 1971, page 18.

<sup>22</sup> Speech by AEC Commissioner Wilfred E. Johnson, September 22, 1970, "Energy for Tomorrow."

<sup>23</sup> Fiscal 1971: \$85 million for technical development, \$10 million for work on a demonstration plant.

Fiscal 1972 (requested): \$103 million for technical development, \$36 million for work on a demonstration plant.

In making comparison, an inflation factor of about 5% should be considered.

<sup>24</sup> National Environmental Policy Act of 1969, Public Law 91-190, Title I, Section 102.



United States of America  
 PROCEEDINGS AND DEBATES OF THE 92<sup>d</sup> CONGRESS, FIRST SESSION  
**Congressional Record**

# Age of Plant Ready To Fight All the Way

5/17/71 *L.H. PRESS*  
 Irving Like, the attorney for the Lloyd Harbor Study Group—chief opponent to a proposed nuclear power plant at Shoreham—already is preparing for his next battle against the LILCO facility.  
 Whether through an appeal against an unfavorable decision by the AEC board reviewing the case, or a new ruling on water standards from the plant's planned appeal, Like and the members of the study group plan to fight against the plant "any way we can."  
 The current licensing session will end this week with the AEC board asking each of the interested parties to file a set of proposed findings.  
 Like said this was the equivalent of filing briefs in civil court, and the review of all material would take many months. While he does not concede that the study group's efforts to block the plant have failed, he is already thinking about an appeal to the U.S. Second Circuit Court of Appeals.  
 "The board has one set of ground rules (for evidence) for us, and one set for them (the plant advocates)," Like is charged. Ann Carl, one of the study group's founders, agreed with Like that some of the board's rulings on study group actions "have been harsh."  
 The study group's primary attack on the proposed atomic generating plant has been to make the hearings an "open scientific forum" in which witnesses could speak out on a spectrum of possible effects of the LILCO plant.  
 But many of the points the study group wants to develop have been ruled outside the scope of the hearing. Like said some work—such as studies on the effect of plant's thermal discharge into Long Island Sound—will be introduced in a hearing on water quality which will be held by New York State if the AEC grants the permit.

# AEC Review Set on Safety At Shoreham

5/17/71 *NEWSDAY*  
 Port Jefferson Station—The question of just how efficient emergency cooling systems for the proposed Shoreham nuclear power plant might be has been a key question by opponents of the plant. This weekend, the Atomic Energy Commission took both sides it is reevaluating the Shoreham emergency system.  
 The nuclear core of a power plant is cooled by water flowing around it during normal operations. If that flow is cut off in the Shoreham plant, there are three emergency cooling systems that draw on the same water supply, but different power sources, to cool the core. A failure of the emergency systems could result in overheating and a possible release of radioactivity.  
 In a written statement issued to opponents and proponents of the plant during the AEC licensing hearing Saturday, the AEC regulatory division said, "We are presently conducting a re-evaluation of the effectiveness of the emergency core cooling system for the Shoreham plant. We will inform the board at a later date when we anticipate the completion of this review." It said the review would be "completed within a few weeks."  
 James Yore, chairman of the safety and licensing board conducting the hearing, said last night, "I have not seen it (the statement). Nothing has come to our attention." He said he would check into the matter when the hearing resumes today.  
 Clare Miles, a spokesman for the AEC regulatory staff, said the review of the Shoreham system was not new. "This is an ongoing case."  
 William Carl, president of the Lloyd Harbor Study Group, main opponent of the construction permit for the \$271,000,000 Long Island Lighting Co. proposed plant, said, "We've maintained along that they [emergency cooling systems] don't meet anything until they have tested them. Until they run the test they won't really know if it works... that's the difference between a designed system and a tested system."  
 The AEC board is also even reviewing core.

UPDATE TO OCTOBER 1984.  
 ECCS (EMERGENCY CORE COOLING SYSTEM) STILL UNTESTED. WE ARE STILL FLYING BLIND

5/12/71-CHANNEL 4-NBC "TODAY" PROGRAM NEWS REPORT,  
 ADDITIONAL NUCLEAR PLANT PROPOSED TO BE BUILT NEAR SAN ONOFRE PLANT IN CALIFORNIA ON COAST NEAR SANTA CATALINA ISLAND WAS BLOCKED BY CONSERVATIONISTS. LOCAL LEADER INTERVIEWED SAID UNDERGROUND FAULT AT SITE, QUIET FOR THOUSANDS OF YEARS, CAUSED CONCERN AFTER RECENT QUAKES.

NORTH AND CENTRAL SUFFOLK HAD A QUAKE IN 1939-I FELT IT  
*Arthur McComb*

TO ALL SUFFOLK COUNTY RESIDENTS

~~MON 5/11/77~~  
~~WED 5/13/77~~

~~ABOVE HEARING WAS ON FRI. 5/13 IN ROCKY POINT TO HOLD HEAR-  
ING. SEE GROUND RULES, ETC. PETITION TO INTERVENE IN THE  
SESSIONS IS REQUESTED. 160 DAY POSTPONEMENT - ALL GRANTED.  
STARTS MON. 5/25, 10 AM. TO CONTINUE ALL WEEK IF NEEDED.~~

~~10 A.M. (AND ALL WEEK, POSSIBLY)~~

# ATOMIC ENERGY COM - MISSION PUBLIC HEARING

**FOSSIL VS ATOMIC POWER  
- FOR -  
PROPOSED LILCO SHOREHAM PLANT**

YOUR CHANCE TO HEAR ALL  
PROS AND CONS FROM **EXPERTS**  
AND **LAYMEN**. YOUR CHANCE  
TO SPEAK YOUR PIECE - NOW OR MAYBE  
**NEVER!**

SHALL THE A. E. C. APPROVE  
THE LILCO BUILDING PERMIT  
AS SUBMITTED? IS ECOLOGY  
RELEVANT?

THIS IS YOUR BALLGAME;

**BE THERE!!**

ARTHUR McCOMB  
Railroad Avenue  
Rochester, N. Y.

~~DO NOT  
SPEAK  
IN  
THE  
MEETING~~



IT'S TIME TO WAKE UP  
BE THERE

Gentlemen of the Board:

Speaking as a private citizen in my own interests, I say that this hearing is neither fish nor fowl. As one person, I have always been mostly concerned with the mechanics of administration of public affairs, and secondly with the issue on top,

I know that the AEC recently relented to permit public participation with limited appearances, one for each, and started calling these "public hearings". It also has been called "quasi-judicial" and "quasi-public hearing", of course nearer the truth.

Curtailment of any citizen trying to comment into the record with relevant matter at the time of its discussion and giving him one appearance a year later is hardly "public hearing". The cast of characters and subject matter - yes, even the chairman - change with such kaleidoscopic rapidity, that the thrust of his comment is lost.

The adversary nature of the proceedings must be protected at all times, and that is the charge of any chairman worth his salt. If the public is orderly and relevant, they should not be denied. Restraint and curtailment of timely comment by orderly persons might help the result be an autopsy, not a solution. Much value of perspective may well have been lost to the licensing board. At times, in this hearing, I have had to suppress anger or indignation, sometimes I could not suppress it. Everyone has a bursting point in the containment vessel of his wrath, and it is better to provide safety factor in orderly comment than to let it burst.

This hearing's minutes include announced approvals in resolutions from school board, Shoreham Village and Brookhaven Town by their officials, but no mention that public hearings were advertised and held, or not held. None were. A claim is also on record by Suffolk County Executive E. Lee Dennison that Suffolk County approved, but he not only held or advertised no hearing, he didn't even have a legislative board resolution to support him. I hope this board keeps sight of local impact of such blurbs.

The town board has the "home-plate" responsibility for public health and safety by law, but they are on record commenting that they rely on your decisions. This board has, from time to time, pointed out that we have a State commission review to protect us ecologically, and a citizen like myself cannot help but see that by the time State hearings are set, and after much money is spent on construction (lightly called site preparation), the State points to Federal and Local "approvals", wring their hands and deplore their inability to change anything so firmly processed. This is a circular argument with the conclusion supporting and creating the premise in specious vindication.

I believe that the 1% "self-imposed" limitation on radiation releases in effluent, is relatively meaningless, as there is no real assurance, as witnessed by Mr. Wofford's testimony, that any shut-down can be held firm. Indeed, his example of an emergency which may rupture the "commitment", a New York City blackout, merely supports the general feeling of many of the public that behind the veneer of this hearing, is full intent to use Suffolk as manufacturing dumping ground for radiation effluent in the air, in the sea and in underground water, and also in final decommissioning of plants. LILCO will shut down so long as there is no power demand. Like credit at a bank, anyone at all who doesn't need it, can get it quickly with a smile.

LILCO's application for change of zone made 5/12/66 to Brookhaven Town Board, sets forth objects and purposes of petitioner incorporation to supply power to Suffolk, Nassau and a part of Queens, and no other place is cited. How come they now, after they achieved rezoning on such declaration, decide to serve New York City? Are we building in Suffolk for New York City? If so, it should be said. Another gripe is 10/28/70 testimony of Mr. Wofford on decommission 30 or 40 years hence. Will we have a legacy to leave our descendants of high radiation pollution not only in burial grounds but in decommissioned plants staying "hot" for many years? (CON'T)



More will follow as I could not finish. I close with points I have learned. 1. radiation does exist. 2. at any one place and time, rads are hard to count. 3. some damage is done to all life exposed to it, and 4. large doses kill quicker than small ones. The high improbability of nuclear plant hazard reminds of the UNSINKABLE SHIP TITANIC. Licensing board majority should be men already physically damaged by radiation.

Sincerely,



Arthur McComb

~~Letter~~ ~~Enclosure~~ ~~before~~

Atomic Safety and Licensing Board of the U. S. A. E. C.  
Packet No. 50,322 - Lilco Proposed Shoreham Plant No. 1

By Arthur McComb, 59 Railroad Avenue, Ronkonkoma, N. Y. 11779

May 17th, 1971.

Gentlemen of the Board:

Speaking first as Vice President of THE LAKE RONKONKOMA CIVIC ASSOCIATION, INC. I oppose this plant of such large capacity, first because we have, since 1962, opposed any decisions by government bodies which in any way fosters population density for our county beyond the often declared safe limit of 3,000,000 people, or which may imperil health, safety and welfare of its residents. Limited water supply dictates,

Inasmuch as plant No. 1 would be 829 megawatts; plant no 2 is obviously the next step and LILCO's 1970 purchase of 425 acres more extends that probability. We are convinced that such increased power can only be to sell to New England and the city.

We oppose this peril to our Island existence which, if approved, would bring the whole camel into our tent and push us out the back flap. Motivation for stockholders profits appears strong as a factor, impossible to fight after the first "open-sesame" by your commission, if given, and we implore you to search your consciences and apply your understanding of the nature of your commission charter to hold this up.

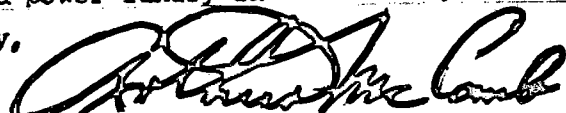
We draw your attention to the 12/11/70 Newsday editorial; "WHAT'S THE HURRY". It charges that AEC being both promoter and licensor, are more concerned with promotion than safety and that LILCO believes "AEC approval is in the bag" and is already constructing. I have seen the construction, and it is beyond "site preparation" as it is cutely called. It is rank arrogance. Whether their charge is true or not, AEC has put itself in the compromising position, and must face the suspicion. I quote further in part: "This week, the AEC appeared to tighten the safety standards by requiring nuclear plant operators to keep radiation charges 'as low as possible'. This announcement had all the reassurance value of the FAA requesting airplane companies to hold down the number of crashes".

Do you wonder or criticize skepticism? The public, often burnt, is often shy.

In the knowledge that your board adamantly holds its parameter to be radiation risk to life and health and to safety, narrowly interpreted, our association asks you to deny the license, deciding mostly from my reports of 50 or so daily sessions exposed to the finest experts on radiation. They ask; "what's the hurry".

Now secondly, speaking as Chairman of the CIVIC COUNCIL OF SACHEM AND RONKONKOMA, INC., I report that, although this five-club council has been recently inactive, it still exists assuming substantially the same pose as above, and with similar authority, I declare to you their often expressed similar policy and opposition. We are impelled by concern for accelerating populations everywhere representing the real root problem, and feel that the right attack is self-discipline, rather than object submission to lush comforts of unlimited power luxury in so-called "progress".

Sincerely,



Arthur McComb,

Vice-President, Lake Ronkonkoma Civic Association Inc  
Chairman, Civic Council of Sachem & Ronkonkoma, Inc.

# The End... After 10,000 Pages

## LILCO Atom Plant Hearings Near Close

licensing hearing of a proposed nuclear power plant at Shoreham—the longest such hearing in Atomic Energy Commission history—is expected to end today at Port Jefferson station.

5/19/71 - L.I. PRESS

It will leave three Atomic Energy Commission hearing officers with more than 10,000 pages of transcript, scores of supplemental documents and the memory of 52 days spent in the basement of the Holiday Inn motel.

The officials—Board Chairman James R. Yore, A. Dixon Calligan and Hugh Paxton — will review the hearing and decide whether or not to give the Long Island Lighting Co. permission to build the 820 megawatt, \$270 million plant.

Today's session will be devoted to giving each of the parties involved a chance to make a summation to making several technical rulings to tie up the hearing's "loose ends."

One point being contested is that the AEC staff's review of the reactor's emergency core cooling system—a part of the plant—will not be ready for several weeks.

Irving Like, attorney for the Lloyd Harbor Study Group—a main foe of the plant—has asked for a chance to present the review findings in his final summation.

AEC REGULATORY staff attorney Martin G. Malsch suggested that the review can be sent to the board of other involved parties by mail, but if the hearing rules in Like's favor it could mean an additional hearing session.

Under AEC rules, when the summations are completed a party will be able to file a written "proposed finding of fact and conclusion of law," suggesting what board ruling should be.

Under AEC rules, when the summations are completed a party will be able to file a written "proposed finding of fact and conclusion of law," suggesting what board ruling should be.

The proposal will be sent both to the board

Only after all documents are received will the three board members review the transcript and make the decision. Yore declined to estimate when the decision would be made, but one experienced observer indicated it would not be before the fall.

The decision can be appealed to an AEC appeal board or in the civil court system up to the Supreme Court, Yore explained. The plant also faces a state hearing on water standards and another AEC hearing will be held when it is completed so an operating license can be issued.

YESTERDAY'S session was given over to AEC staff witnesses who entered technical testimony and to residents and members of civic groups who wanted to give "limited statements" about the plant.

One AEC staff witness, Edythelena Tompkins, a radiation epidemiologist, attacked claims by a Lloyd Harbor Study Group witness that there is a direct relationship between radiation and infant mortality.

She said testimony by Dr. Ernest J. Sternglass was based on faulty analysis, improper base comparisons and exclusion of important factors.

The Lloyd Harbor Study Group introduced a firm witness, Dr. Jerold Lowenstein, who warned that "omitted data (on radiation) shows current permissible radiation doses for man could . . . result in thousands of cases of cancer and leukemia."

He was closely questioned by Joseph Scinto, an official of the State Department of Environmental Control and by LILCO attorney Edward J. Walsh Jr.

Lowenstein conceded under cross examination he was not familiar with the specific details of the proposed LILCO plant but added his testimony was a "general statement on nuclear power plants."

Most of those giving limited testimony—which is not subject to cross examination, but does require the defendant to prove its case.

Harbor Study Group, the chief opponent of LILCO's planned reactor, said that the testimony had proven his case. "What you can have here is the 'holocaust,'" Like said after the hearing. "It shouldn't be built, not here, or else, but the concrete dome over it." Matthew C. Cordaro, senior environmental engineer at LILCO, said, "You're talking about an incident that has less probability than the world ending. You might as well consider a tidal wave first."

The study group has pressed the issue of the effect of a plane's crashing into the reactor because of the plant's location less than five miles from a runway of the Grumman Aerospace Corp.'s Calverton Airport. Both LILCO and the AEC have said that Calverton air traffic would not be a hazard to the plant. The summation by the attorneys is expected to conclude the hearings today.

# Shoreham Crash Seen as A-Threat

"I would not imagine that it would be catastrophic," Ireland said. He added later that he meant that it would not kill people, but he would not elaborate. "It would be a problem," said Joseph Scinto, attorney for the New York State Atomic and Space Development Authority. "Some people would probably get sick."

Dr. Hugh Paxton, a member of the three-man safety and licensing board which is to decide on the construction permit, had asked Ireland to estimate the consequences of the worst possible airplane crash. "His guesses are going to be the best," Paxton said later. "You don't ignore it; it would need emergency measures. We don't expect to see it happen, but it isn't incredible." After Ireland made his estimates, Irving Like, attorney for the Lloyd

By Annabelle Kerins <sup>NEWSDAY</sup> Staff Writer  
Port Jefferson Station member of the Atomic Energy Commission's regulatory staff testified here yesterday that a plane crash at the proposed Shoreham nuclear reactor could cause a radiation release above the recommended safety limits.

Opponents of the planned reactor then argued that their claim that the plant would be unsafe had been proved, while the Long Island Lighting Co.'s attorney said that it had not. The exchange came after Richard Ireland, a member of the AEC's licensing staff, estimated that an airliner nose-diving into the top of the reactor structure could cause more radiation to be released than is permitted under the commission's standards.

# A-Plant Opposition, for the Yet Unborn

PI7-TNU-12/11/70

NEWSDAY  
By Kenneth C. Crowe



Port Jefferson Station—Arthur McComb, a Brookhaven-circa and political figure, sought to insert a touch of human drama into the Atomic Energy Commission hearings on the Shoreham nuclear power plant yesterday by dedicating his statement of opposition to his "grandchildren and generations unborn."

McComb, who as a Democrat once served as Brookhaven Town clerk and more recently has run for town supervisor as a Conservative, told the gathering: "It [the nuclear plant] will make untold millions for stockholders in a massive supply of power to the whole peripheral megalopolis, Boston to Philadelphia, while exhausting the natural ecological resource heritage bequeathed to us all . . . with rotten sea water, rotting fish, contaminated ground water and air, a radiant food chain, an increased hazard of the transport of spent nuclear fuel over highways through communities, and for who knows how long after decommissioning [will be] a monstrous, contaminated monument to our children on a thousand unusable acres after 40 years."

## In Defense of the Project

Defending the Shoreham project, the Long Island Lighting Co.'s project manager, Andrew W. Wofford, said later: "I don't think it is a threat to future generations. I think it's a threat to future generations if we stick our heads in the sand and have a book burning or a moratorium on technology."

Wofford said the plant would cover less than 15 acres, with the nuclear reactor taking up a diameter of 200 feet. When the plant is decommissioned, he said, the property could be restored at a cost upwards of \$15,000,000. "We would suspect it might be more economical to cover it up and monitor it [for radiation]," Wofford said. For how long? A hundred to 200 years, he replied.

McComb appeared at the hearing on behalf of the Lake Ronkonkoma Civic Association. Opposition to the proposed 820 megawatt plant, which is being built on the west side of Wading River Creek fronting on Long Island Sound came from other local citizens groups. There were eight in the audience, the largest turnout in a week and a half of hearings.

Dr. Monroe Schneider of Brooklyn, who has a summer home in Wading River, spoke on behalf of the North Shore Committee Against Nuclear and Thermal Pollution, offering opposition similar to McComb's.

McComb: For the Ages

Monroe: Pollution Threat

2 Spectators

Heard at Last

Port Jefferson Station—Two members of the long-suffering public finally

got their opinions into the record of the Atomic Energy Commission hearings here yesterday.

Both Arthur McComb and John Speers had been such regular members of the audience throughout the 51 sessions that the board had to flip a coin to figure out who was to get the last word. "They both deserve gold medals," James R. York, chairman of the board, said. McComb, who owns a hardware store in Brookhaven, won the toss. He was against the proposed Shoreham nuclear plant. Speers, a retired Brookhaven National Laboratory employee, was for the plant, but the disagreement was not unexpected. Since September, the two have been having long, heated private arguments over the issue.

Despite their differences, the two managed to agree on one thing: The hearings have taken too long. "There has to be a better way," said Speers, who has missed only three hearings in the last 51.

WE GOT NO GOLD MEDALS

(Ed. note: The following is a statement made before the Atomic Safety & Licensing Board at a recent hearing on the LILCO application to build an atomic power generating plant at Shoreham; the photo is of his two grandchildren mentioned by Arthur McComb in the course of the presentation.)



Speaking first as President of the LAKE RONKONOMA CIVIC ASSOCIATION, INC., we oppose this plant of such large capacity of 829 megawatts, with its potential to increase to double with the 1970 doubling of land area, because we have, since 1962, opposed any act to foster population density beyond the declared safe Suffolk limit of 3,000,000, estimated maximum supplyable with all known fresh water potential. I refer you to my letter of 5/17/71 which closed the first 54 hearing sessions.

Harry Pearson in Newsday, 5/19/70, quoted official John Munther of the State Bureau of Water Quality Management; "Tolerance for temperature variations in coastal waters is very small but river organisms stand wider temperature ranges". We can expect much more sensitivity in eco-impact here than the harassed Indian Point plant on the Hudson River, and they have certainly had their share of headlines, on fish-kills.

Now I speak for myself, my grandchildren, their children, and ad infinitum. A 55 year resident, I have missed few of the sessions held since first scheduled 3/31/70 and probably have a fuller file than any other observer, on progress of this landmark case. My address to you could go book length without hardly trying.

On July 29th, 1970, the Long Island Press quoted John J. Lee, director Marine Microbiology Laboratory City College New York; "We are very well on our way to committing suicide", that testing standards of government agencies are; "too shallow"; that "in terms of environmental forecasting are woefully inadequate" and that water pollution is "very much worse than people think it is". This is one of many well educated observations in the past two years in ever growing numbers. The same article quoted State Senator Norman Lent; "94% of Suffolk residents are today drinking water considered unfit for human consumption by Federal Standards".

Harry Pearson quoted Dr. Thomas J. Thompson in Newsday 7/10/70: "This is no small power that does not carry with it some sort of "risk to our environment". I place no emphasis on the "not in my back yard" argument, but rather that ANY new plants will seriously pollute the big "backyard" of Mother Earth. Demand has been doubling every ten years, according to John N. Nassikas, chairman of the Federal Power Commission, 1970, while population figures rose only from 14 to 18 percent concurrently.

At the present accelerated growth of world population and rising demand for electric power, and not considering ourselves apart from world resources, we can absolutely project growing disaster conditions for all living organisms on earth. Efficiency can be improved to a point, but as we dance, so shall we pay the piper. Efficiency has limits. It only fends off doomsday.

and he noted that they pump up more than 500 million gallons of fresh water every day which natural processes cannot entirely restore. If this was true when reported over two years ago, or even half true, what will it be if Shoreham adds power in the future, and provides enough power to serve ever doubling population, encouraged to move in by that very power supply?

Alternatives? Obviously, to assure survival, our generation, not our children, must take the bull by the horns for the hard decision, not throw the bull, year after year.

We cannot continue to live in a projection of our present practices and planning, yet we not only plan for more of the same, but criminally encourage it. We

do no favors for anyone; those who are now here, or those who will follow us. We are overloading the lifeboat, and it will surely sink.

We are building to create irreversible hazards not only in supply of drinking water, but the air, noise and traffic pollutions from overpopulation, and radiation. A pile-up of normal daily releases in air, in sea food, farm food, drinking water, or radiation, worsening in air when inversions are present. Spare me this beneficent "progress".

More than spare me; spare my grandchildren, their grandchildren, straight, not twisted and gnarled in hideous mutations, or in the massive destruction of bone marrow from which they will find no escape as we "progress".

On July 29th, 1970, Myron S. Waldman reported Jack Pearce, U.S. Marine Biologist as saying that the vast dead sea of New York Harbor spread two miles in two years into Long Island Sound. Adding atomic plants can only hurry this "Dead Sea Spread".

Judy Fischer in her September 1970 Long Island Press feature series, said that denial of the (Shoreham Nuclear) plant would mean "a whole new way of thinking. And some scientists believe it the only way of thinking that will save America's dwindling natural resources and beauty." And so do I. And I go further.

We must, to survive, address ourselves IMMEDIATELY to self discipline in WORLD POPULATION to achieve a ratio and balance that will assure HEALTH, SAFETY AND WELFARE FOR GENERATIONS YET UNBORN, and by so doing, we save ourselves. And we start by your denial of this and other nuclear fission plants. Then you recommend that our course be set to develop new power sources of safe technology geared to the ecology, or do with less. Economy be damned where health, safety and welfare is at stake.

You have the power. You have this landmark hearing such as has never been compiled anywhere before. I am sure that each of you, as individuals, have the fortitude. Use it. Rest assured, nothing else matters. This plant, enormous in 829 megawatt capacity - and all set to double on the acreage which has been doubled, is surely set to develop, admittedly, into fantastic commercialism. It will make untold millions for stockholders in a massive supply of power to the whole peripheral

megalopolis. Boston to Philadelphia, while exhausting the natural ecological resource heritage bequeathed to us all. Of course, it leaves good old Suffolk with rotten sea water, rotting fish, contaminated ground water and air, a "radiant" food chain, an increasing hazard of the transport of spent nuclear fuel over highways and through communities, and for who knows how long after decommissioning a monstrous contaminated memorial monument to our children, on a thousand unusable acres, after 40 years. Good Old Suffolk, I knew her when. I have listened carefully to the experts, and I am not assured that all these things can be avoided.

Each year will be cumulatively worse than the preceding one as we "gloriously" pay homage to that great, elusive god called "progress". Shall we say, "live it up, and to hell with generations yet unborn? Lets run air conditioners in high-rise mausoleums day and night with all streets lit up all night everywhere, and to hell with generations yet unborn - let's have one hell of a binge! Or shall we come to our senses?" Man, had survived untold centuries without electric nose-wipers - why do we suddenly, in a 30 year span, find that we cannot live without some of it?

All we need is one emergency core cooling system failure - the core meltdown which technology cannot give us assurance of safety in. Alone it is bad enough to wipe out a million people - but combine it with an inversion, a very possible and almost probable happening with high density air pollution. It is real efficient. It will solve a lot of overpopulation for us, with few left to collect insurance due from air own tax monies, through and with compliments of the Price Anderson Act.

There are just too many unknowns - as well as too many knowns. We are asked to believe claims that "maximum credible" and "design basis" accidents are remote enough to be "statistical" impossibilities, but they are never quite called "physical" or "certain" impossibilities. Poor solace for the million lives within the range of Shoreham if that million-to-one chance just happens to be the next one up.

←  
MAY  
1983  
UPDATE  
→

The "Sound Off" article in the "Main Street Press", January 5, 1970 and other statements to the AEC went to the media, being variously used, in over three years, well before the THREE MILE ISLAND calamity. It was enough to stop this madness - but it lives. Newsday said the AEC chairman cited my persistence as deserving a gold medal. I was very active in opposition to fission nuclear power for most of the reasons used by those active since the late 60's, with me, both speaking for myself, and as chairman of Lake Ronkonkoma Civics and Ronkonkoma Civic Council of six clubs. Those units, now disbanded, are blended with other civic divisions. However, I am convinced and unwavering that Fission Nuclear is a real and horrible danger to society. I see no compromise. Besides ever-present radiation danger, verified by many worldwide experts in that landmark hearing minutes, other real hazards, often overlooked, are; erected on earthquake fault; aircraft crash into concrete dome only 4" thick (Readers Digest said 4'); homes uninsurable for nuclear hazard; Price-Anderson Act holds federal limit at 500 million; coal and oil smoke can be cleaned; a radiant Suffolk food chain and a radiant, unusable monument to stupidity after estimated 40 years maximum plant usability. The AEC (now NRC) held about 60 daylong sessions. Active since 1968, I had to show up in 1973. My business hurt. Suffolk Government, stay in the

MORE UPDATE 1983: ONCE THE PLANT IS FED WITH NUCLEAR FUEL AT ANY LEVEL, WE ALMOST HAVE TO LOOK FOR AN ACCIDENT TO CONVINCCE THE PRO-FISSION ZEALOTS TO TURN BACK TO A PATH OF LIVING WITHOUT THE DREAD. UNFORTUNATELY, A MOTH CALLED IRADIATED PLANT IS USELESS AND INCREDIBLE DANGEROUS TO OUR COUNTY. WE MUST NOT ALLOW IT TO BE ENERGISED!!

*Arthur Belmont*

CENTRAL BROOKHAVEN HAD AN EARTHQUAKE IN LATE 1930'S - I FELT IT. IT CAN RECUR.

# Atom Plant Foes Find New Fault

By Harry Pearson *12/71 NEWSDAY*  
Port Jefferson Station—The subject was earthquakes and the adversaries at the Shoreham nuclear power plant hearing spent hours yesterday arguing over what effect a major earthquake might have on the plant.

The Long Island Lighting Co., which is trying to get an Atomic Energy Commission license to build the Shoreham facility, said the plant was being designed to withstand an earthquake larger than any that had been registered on Long Island.

The opponents of the LILCO project, the Lloyd Harbor Study Group took issue with the company's stance. Irving Like of Babylon, the group's attorney, said the plant was not being designed "to take care of a severe earthquake."

The study group spent considerable time during yesterday's hearing before the AEC's Safety and Licensing Board questioning an AEC consultant, a structural engineer, about the effects of an earthquake on the plant. AEC attorney Martin Malsch objected to the examination, saying the AEC had brought an earthquake expert to the hearing Monday but Like had refused to cross-examine him. Like said he had no time to question him.

Joseph Scinto, attorney for the State Atomic Energy Council, said after the meeting that his research had shown that Long Island was very unlikely to suffer any more than a minor quake.

Mrs. Ann Carl, spokesman for the study group, said a geologic fault had been traced to a point 10 miles shy of the proposed plant site, and that the AEC had not undertaken a study to determine if that fault did, in fact, come closer to the site.

LILCO said a federal study had shown that Long Island has experienced no earthquakes larger than 5 on the Modified Mercalli scale, and that the Shoreham site itself had experienced an earthquake higher than 3. Company engineers said the plant was designed to withstand an earthquake of intensity up to 7.

**Atom Hearing Extended**  
*12/71 L.I. PRESS*  
The Atomic Energy Commission hearing into whether Long Island Lighting Co. should be granted a construction permit for a nuclear power plant won't end at 11:23 after all. The hearing, which began in March, 1970, is already the longest in AEC history. It will resume tomorrow at Jefferson Station. Last night Irving Like of Babylon, attorney for the Lloyd Harbor Study Group, which opposes construction of the proposed plant at Shoreham, said he had requested a recess to study the 500 pages of rebuttal testimony submitted to him by LILCO, the AEC regulator, and Suffolk Scientists for Cleaner Power and a Safe Environment. This round, therefore, Like said, will run only through Friday or perhaps Saturday of this week. The final hearing will begin May 11 when LILCO and supporters will offer their rebuttal witnesses and testimony.

MORRIS K. UDALL, ARIZ., CHAIRMAN

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JAMES V. HANSEN, UTAH  
BILL EMERSON, MD.  
JOHN MCCAIN, ARIZ.  
BARBARA VUCANOVICH, NEV.

— THOMAS DOWNEY —  
— ROBERT MRAZEK —  
— WILLIAM CARNEY —

### WITNESS LIST

Emergency Preparedness and the Licensing Process:

Shoreham Nuclear Power Plant

Monday, April 18, 1983

#### PANEL 1:

Mr. Peter F. Cohalan, Suffolk County Executive  
H. Lee Dennison Building  
Veterans Memorial Highway  
Hauppauge, New York 11788

Mr. Cohalan will be accompanied by:

- Mr. Frank R. Jones, Deputy County Executive, Chairman of Suffolk County Radiological Emergency Planning, Steering Committee
- Mr. Donald Dilworth, Commissioner, Suffolk County Police
- Dr. Kai Erikson, Professor of Sociology, Yale University Consultant to Suffolk County

#### PANEL 2:

Mr. Wilfred O. Uhl, President  
Long Island Lighting Company  
250 Old Country Road  
Mineola, New York 11501

Mr. Uhl will be accompanied by:

- Dr. Mathew Cordaro, Vice President of Engineering
- Mr. Ira L. Freilicher, Vice President for Public Affairs

#### PANEL 3:

Dr. David Axelrod, Commissioner of Health  
New York State Department of Health  
Mayor Erastus Corning 2nd Tower  
Governor Nelson A. Rockefeller Empire State Plaza  
Room 1408  
Albany, New York 12237

also,

Chairman  
New York State Disaster Preparedness Commission  
Public Security Building  
State Campus  
Albany, New York 12226

(CONT'D.)

Witness List (con't.)  
Emergency Preparedness Hearing  
April 18, 1983

PANEL 4:

Ms. Nora Bredes, Shoreham Opponents Coalition  
195 East Main Street  
Smithtown, New York 11786

Mr. Leon Campo, Chairman  
People's Action Coalition of Suffolk County  
P.O. Box 27  
Shirley, New York 11967

PANEL 5:

Mr. Vance Sailor, Secretary  
Citizens for an Orderly Energy Policy, Inc.  
180 East Main  
Patchogue, New York 11772

PANEL 6:

Mr. William J. Dircks, Executive Director of Operations  
U.S. Nuclear Regulatory Commission  
1717 H Street, N.W.  
Washington, D.C. 20555

Mr. Herzel H.E. Plaine, General Counsel  
U.S. Nuclear Regulatory Commission

Mr. Dircks and Mr. Plaine will be accompanied by:

- Mr. James Sniezek, Deputy Director, Office of Inspection and Enforcement
- Mr. Guy H. Cunningham III, Executive Legal Director
- Mr. Roger Blond, Senior Risk Analyst, Office of Nuclear Regulatory Research

PANEL 7:

Mr. Richard W. Krimm, Assistant Associate Director  
Office of Natural and Technological Hazards  
Federal Emergency Management Agency  
Washington, D.C. 20472

Mr. Krimm will be accompanied by:

- Mr. Gary Johnson, Chief of the Technological Hazards Division
- Mr. Spence W. Perry, Associate General Counsel

Arthur McComb  
30 Kirby Lane  
Lake Ronkonkoma, New York 11779.  
April 18th, 1983.

Congressional Hearing  
Suffolk Community College  
Farmingville, New York 11735.

I have had residence in Suffolk County, in Brookhaven Town, since 1918, have had schooling up to and including the opening year at this college, in 1960, with a year of my six in U. S. Naval enlistment in their service school. I am a family man with grandchildren, worked in post office, railroad, industry and just ended 25 years as a small businessman in hardware. I am happy to feel included in the characterization of a "crazy" with temerity to oppose a horrible future under nuclear threat approved by my "peoples government".

My life includes town elective office, much civic activity with years as chairman of various groups, over thirty years in Boy Scouting, sports, firemanics and I am still active where needed. I am forty years a volunteer fireman, etc.

From the sixties through 1973, I attended most of the hearings and meetings in the process of the Shoreham Plant, with about sixty, mostly daylong, before the Atomic Energy Commission (AEC), and submitted statements representing my civic groups and myself, which I include for your record. My file is voluminous.

The 1973 statement was mailed this year to many persons, those now active pro and con, including elective officials and bureau heads in New York State, and I have had many answers, from which I give a few excerpts following:

Thomas J. Downey, Member of Congress; "Whether the plant will ever open depends on the answers, but as of now, I do not think an operating license should be granted and that the plant should remain closed."

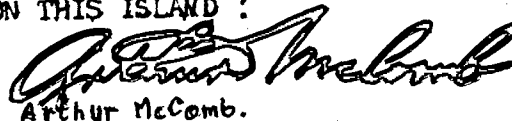
Paul Harenburg, New York State Assemblyman; "Your statement was interesting, informative, and alarmingly accurate. I am glad I was able to read it."

Alice M. Beck, County Legislator 13th dist.: (After a long, thorough letter of responses to her inquiries of county officials and professionals such as Police, Firemen, School Teachers, County employees etc. etc. who were expected to conduct evacuation in disaster, said) "It is a natural response for people to put the interests of their families before their jobs and their desire to do so should place no stigma upon them. Indeed they are probably better ---".

John L. Behan, New York State Assemblyman; "Please keep me in touch with your views and concerns. I am glad to have your longstanding support behind me."

The matter of evacuation should never have been a condition of licensing - it should have been A REQUIREMENT BEFORE CONSTRUCTION: We asked for it.  
My letter could have been THREE MILES LONG ON THIS ISLAND:

Sincerely,



Arthur McComb.

UPDATE-OCT. 1983: IT OCCURS TO ME THAT WE STILL ELECT OUR FEDERAL PARTS OF A GOVERNMENT, EXECUTIVE, LEGISLATIVE, AND SOME JUDICIAL THEY THEN APPOINT A BUREAUCRACY WHICH TOO OFTEN SEEMS IMPRESCINDIBLE SEE MY 9/30 LETTER TO OUR GOVERNOR ASKING FOR HOLD. WHOSE DO WE APPEAL? A COPY OF PAGE 75 WENT TO ALL ELECTIVES, FROM THE PRESIDENT DOWN.



# Views 'misrepresented' say Acampora, Janoski In Shoreham testimony

4/27/83-WED-PS-SUFFOLK LIFE

By PETER SCULLY

Selden — Testimony offered by Long Island Lighting Company President Wilfred Uhl in a sworn appearance before a Congressional subcommittee plainly misrepresented their position on emergency planning for the controversial Shoreham nuclear plant, the supervisors of Brookhaven and Riverhead towns said Friday.

Riverhead Supervisor Joseph Janoski and Brookhaven Supervisor Henrietta Acampora said they have never supported the adoption of an evacuation plan for the \$3.2 billion reactor as was indicated in Uhl's testimony before the House Oversight Subcommittee during hearings at Suffolk Community College last week.

The town boards of both towns have expressly opposed the adoption of any emergency plan for

Shoreham not approved by the Suffolk Legislature, which has declared the plant should never operate because local geographic and traffic conditions would preclude a successful evacuation in the event of a severe accident. Presiding Officer Lou Howard (R-Amityville) is the sole legislator to call for the adoption of a plan.

In prepared testimony filed with the Congressional subcommittee, however, Uhl stated that on February 10, Presiding Officer (Lou) Howard announced that he was supporting the county's draft emergency plan, and urged the rest of the legislators to do the same. Brookhaven Town Supervisor Henrietta Acampora and Riverhead Town Supervisor Joseph Janoski wrote to Howard supporting his stand. Shoreham's entire 10-mile EPZ lies within the towns of Brookhaven and Riverhead.

It could be construed, both supervisors agree, to mean the two towns which make up the 10-mile EPZ supported by LILCO support the plan, while the county does not.

"I never supported Lou Howard's stand, in writing or any other way," said Acampora. "I don't even know the man. I want a copy of that testimony."

Janoski was equally irked. "It's a fabrication in my opinion," he said. "I never took a position in support of any evacuation plan or in support of Howard's stand."

Utility spokeswoman Jan Hickman said LILCO had based its assumption on the contents of letters from Acampora and Janoski to Howard, in which the supervisors urged county officials to "develop the best plan for a radiological emergency that will protect the public health and safety."

"Obviously, we interpreted this as support of

Howard's position, said Hickman. "If that was a misinterpretation, we apologize."

Janoski was not appeased and vowed to contact Subcommittee Chairman Rep. Edward Markey (D-Mass.) to set the record straight.

"This happened once before, and at that time, I accepted the apology," continued Janoski. "This is the second time my statements have been misinterpreted to serve LILCO's ends. I can't accept a simple apology, especially when they used my name in sworn testimony before Congress." LILCO interpreted Janoski's stand similarly in a February 24 bulletin to its employees.

The "misinterpretation" stems from the letters written to Howard by Acampora and Janoski following the presiding officer's announcement that he would support the adoption of either LILCO's

plan or the draft later rejected by the county.

The supervisors said they took special care not to advocate the adoption of any plan. "The word 'adopt' came up," said Janoski, who explained that he and Acampora had worded the letter together. "I said absolutely not. We are not taking a position."

Other town board members in both towns were not part of the letter writing effort.

Janoski said there had been lobbying on the part of the utility, which urged the letters be written at a time when LILCO hoped the state Disaster Preparedness Commission would approve the "LILCO plan" and forward it to federal officials for review. A copy of the letter went to DPC Chairman David

Archel. On February 17, however, Gov. Mario Cuomo announced he would not impose the LILCO plan on Suffolk

County, which has declared timely evacuation from the area around Shoreham impossible. Janoski said he had written the letter because of the possibility a plan would be imposed on the county, and the governor's stand alleviated his concerns.

Other than in media accounts, the only reference to the letter came in the February 24 LILCO bulletin, which also said Acampora and Janoski had supported the adoption of the county plan.

Hickman said she was not sure where LILCO got the letter. "Maybe it became part of the record," she said.

An aide to Rep. Thomas Downey (D-Amityville), who brought the hearings to Suffolk, said Acampora can submit written testimony to the subcommittee to set the record straight. LILCO would be notified and given an opportunity to respond, the aide said.

## LILCO Lies Again

Last week in a Congressional hearing, Wilfred Uhl president of LILCO, stated in sworn testimony that the supervisors of Riverhead and Brookhaven Towns supported Suffolk County's Presiding Officer Lou Howard's belief that an evacuation plan could be developed in case of an accident at the Shoreham nuclear power plant. Henrietta Acampora and Joseph Janoski both have feverishly stated they are in support of

Howard's stand. They said they had sent a letter to Howard, expressing the view if the plant was to go on line, they felt an evacuation plan was needed beforehand. They did not support either LILCO's plan, which was rejected by the county, or the enlarged plan developed by the county at a cost of \$600,000 which was then rejected by county officials as an impossibility.

Acampora and Janoski indignantly question how Uhl could construe their

letter as statement of support for LILCO. Uhl's statement appears to be a blatant mistruth, given at a Congressional hearing to create the impression that the two towns most affected by the Shoreham nuclear power plant are in support of LILCO, without reservation. We wonder what the ramifications would be if J.Q. Public gave false testimony at a Congressional hearing. Would John Q. Public be cited for contempt? Indicted in federal court for perjury?

Jailor and the key thrown away?

What is even more alarming is what will happen to John Q. Public if LILCO is able to get away with such dishonesty, which could lead to the opening of this plant without every safety precaution having been taken.

One more example of why even the supporters should question the integrity of the management of the Long Island Lighting Company.

And why not?

Arthur McComb, 30 Kirby Lane  
Lake Ronkonkoma, N. Y. 11779.  
May 9th, 1983.

Open Letter to Anyone Living Within 20 Miles  
of Any Nuclear Plant, or in Peconic County.

(SENT TO EDITORS OF 25 NEWSPAPERS  
IN SUFFOLK COUNTY)

I am not an engineer, I am not a nuclear physicist. I am not a biochemist. I am not a lawyer, nor a doctor, nor scientist, nor a man of any letters. Some nuclear power plant proponents seem to think that no citizen such as me has any right to say yes or no to licensing, even when established by men or women of letters as aforementioned, that such nuclear plant cannot be operated without threat to public health, safety and welfare of all living things around it, without hazard to all worldly goods, and degrading of values of real estate, homes, commercial and community owned facilities of all kinds.

I can listen, even the common people like me were flatly limited to address either the AEC or the NRC. I started listening in 1966. About AEC so-called "hearings" started in 1970 - I made most of them and heard many experts of letters. I was finally permitted to briefly address this venerable adversary session, and I made the most of it. I am on record. As I saw it, it was a defense of my home and family.

Whether or not disaster happens one week, month, year, or many years after the plant is licensed and produces, is immaterial. No one seems to have proven any certain timetable, so we would go on living in constant dread just waiting for it to happen, rain or shine, snow or sleet, day or night, hurricane or earthquake, inversion weather or windstorm. OUR ONLY CERTAINTY IS THAT THE WORST HAS COME WITHIN AN ACE OF HAPPENING MUCH MORE THAN ONCE IN THE WORLD, AND THAT SOONER OR LATER IT PROBABLY WILL: NEAR TO HOME, WE DON'T KNOW YET WHAT LONG-TERM LIVING-CREATURE DAMAGE THREE MILE ISLAND INHERITS. PRAYING MAY KEEP OUR NORTH SHORE EARTHQUAKE FAULT QUIET.

We couldn't evacuate, let alone return to any sort of normal living. Even if evacuation were possible, and even if healthful, peaceful living could be restored to the evacuees, THE FACT THAT A NUCLEAR PLANT COULD MAKE THIS NECESSARY IS MORE THAT REASON ENOUGH NOT TO LICENSE THEM. HEALTH, SAFETY AND WELFARE IS NOT EVEN DEBATABLE: WHY DEBATE EVACUATION? IF EVACUATION COULD BE NECESSARY, NO PLANT SHOULD OPEN! HOWEVER, WE ARE DEBATING EVACUATION, UNFORTUNATELY. WHY DON'T WE PUT A STOP TO IT?

We are also aware that the possible accident means a wipeout for most people near enough, no matter whether fatal or not. I suspect that for survivors, they would probably be sorry they lived. Contemplation of the knowledge which we common non-scientists have received from people of letters, is horrible. Living in apprehension with its cumulative stress and not being able to explain to our younger people why we allowed it to endanger them, is much worse than any of the vituperation now coming from some of the nuclear power proponents. One said we "vomit" objections.

As I told the Atomic Energy Commission in 1971, I have, in my mundane, non-scientific mind, learned at least five salient facts: 1. radiation does exist. 2. rads are hard to count. 3. accidents are likely. 4. some damage is done to all life exposed to rads. 5. large doses kill quicker than small ones. I said then that the high improbability of nuclear plant hazard reminded me of the UNSINKABLE SHIP TITANIC, and that licensing-board members should be persons already physically damaged by rads.

Assemblyman Harenburg with four others, I am told, back a divestiture bill to strip LILCO of all electricity producing properties, to be purchased by the State Power Authority (PASNY) for local operation, to free consumers from staggering costs of Shoreham. But, his office says, NRC rules that Shoreham cannot be purchased until it has run at 60% capacity for a full year. I fear that this ruse is just what LILCO wants - experience shows that such plants normally run UNDER 60%. Are we outsmarted?

*Arthur McComb*  
(516) 588 2020

# Cuomo: Crisis Plan Up to U.S.

*Disputes federal officials on responsibility for evacuation in a nuclear accident*

P. 3 5/10/83 TUE NEWSDAY  
By Alan Finder and Alison Mitchell

Albany — Gov. Mario Cuomo contended yesterday that he has "no specific legal responsibility" to develop evacuation plans for nuclear accidents in the state, calling instead for the federal government to take a more active role.

Federal officials, however, said that states by tradition have been the primary authority in all disasters — including nuclear emergencies. "In the event of an emergency occurring, it would be the local governments and the state that would control the evacuation," said Richard Krimm, an assistant associate director of the Federal Emergency Management Agency. He said that the role of his agency is simply "to work with the state as far as evaluating their plan." Krimm added that the U.S. Disaster Relief Act requires that the federal government stay out of a disaster until it receives a governor's request for assistance.

On Thursday, the Nuclear Regulatory Commission, which licenses nuclear plants, said that it would close the two reactors at Indian Point on June 9 if nothing is done to resolve emergency evacuation plans for surrounding Rockland and Westchester. Federal officials had been scheduled to meet today with representatives of the State Disaster Preparedness Commission to discuss the Indian Point situation, but the meeting was postponed a week. Marianne Jackson, a FEMA spokeswoman, said that the delay would allow time to get more people involved.

The NRC ultimatum on Indian Point represented the second time in three months that the fate of a nuclear reactor in New York State has hinged on emergency evacuation planning. In February, Suffolk County Executive Peter F. Cohalan and the County Legislature refused to approve an evacuation plan for the Shoreham nuclear reactor, arguing that Long Island's geography makes safe evacuation impossible. Cuomo then said that he would not impose a state evacuation plan on the locality.

According to Krimm, the situation in New York is unique. He said that currently there are 53 operating nuclear power sites in the country and there have been evacuation drills at each of them. "State and local governments have participated," he said. "This is the first time I've heard state and local governments say this is a federal responsibility."

At an impromptu press conference, Cuomo said that as governor he has "no specific legal responsibility. That's absolutely correct, and no one has ever contradicted that." He said yesterday, however, that it is his intention to force the federal government to consider for the first time whether it should take a more direct role in helping with nuclear evacuation since it ultimately licenses nuclear reactors.

He refused to specify precisely what he had in mind. But he recited a few examples of how the federal government could take a more active role, though cautioning that the suggestions are not "serious ones."

He suggested that if Shoreham and Indian Point were both to remain closed, the federal government might consider supplying alternate energy or giving financial subsidies to pay for replacement power. He also suggested that the federal government should help pay for the cost of Shoreham even if the plant does go on line in order to defer rate increases.

The governor also suggested that the federal government consider stationing troops near nuclear plants to ensure that people are available to help with evacuation. One of the issues that caused FEMA to reject plans for Indian Point is the question of whether bus drivers in Westchester would help remove residents in case of a nuclear accident.

Such a suggestion has also been raised by Westchester County Executive Andrew O'Rourke. Kiernan Mahoney, a legislative assistant to Sen. Alfonse D'Amato (R-N.Y.), said D'Amato was considering legislation to create a brigade of people trained to help out

the localities. But he said the legislation is not intended to confront local and state refusals to put an emergency plan in place at Indian Point and Shoreham. "I don't think there's any possibility that the federal government could ever put together at reasonable cost an evacuation team that could supplant the local government," he said.

Jeanine Hull, counsel to the House subcommittee on energy conservation and power, which oversees nuclear regulation, said that the panel had also been following the stalemates over Shoreham and Indian Point. She said, however, that the subcommittee did not see how the matter could be resolved, since the federal government didn't want to preempt states. "We're dealing with separation of powers. We're dealing with state's rights," she said.

Cuomo said yesterday that he did not mean to imply that the state has no role in emergency planning, just that it should not have the only role. "No one ever heard me say we don't have a role to play." But he added: "There's nowhere in the federal or state law any adequate description of who's supposed to do what." Later, he said that he specifically meant there was no federal law on the matter.

In 1981, the State Legislature changed the state law regarding disaster planning to make it clear that it applied to nuclear disasters as well. The law requires the State Disaster Preparedness Commission to put together a statewide disaster preparedness plan that must be approved by the governor and reviewed annually. Krimm yesterday pointed to that law as an example of the state's acceptance of at least some responsibility in disaster planning.

But Cuomo said that existence of the state law should not cloud the issue he was making and added: "If that's what is standing in the way of federal involvement, all you have to do is appeal it or amend it . . . This is a national question, a very important question of policy."

Arthur McComb  
30 Kirby Lane  
Lake Ronkonkoma, N. Y. 11779  
May 14, 1983.

Honorable Mario Cuomo, Governor, New York State,  
Executive Chambers,  
1350 Avenue of the Americas,  
New York, N. Y. 10019.

RE: Panel to evaluate the economic  
impact of keeping Shoreham nu-  
clear plant closed, support for  
Leon Campo to be appointed to  
serve for Suffolk "People's Action  
Coalition".

Honorable Governor Cuomo,

I attended the day-long hearing at Suffolk Community College held on Monday,  
April 18th by the Congressional "Committee on Interior and Insular Affairs"  
and submitted the enclosed letter to their files. Enclosed is a copy of  
their witness list-to-testify on the Shoreham plant evacuation planning.

Leon Campo of Mount Sinai in Suffolk County, spoke on Panel 4 listed, and I  
am sure he would be an asset on any panel for this subject. His knowledge of  
the subject, and articulate ability gained him a well-deserved compliment of  
the congressional committee after he testified. Other enclosures will be ex-  
planatory of my interest, background, and general support of the group that  
Mr. Campo stems from. The committee compliment of record was long and strong.

May I add my kudos and firmly suggest that Mr. Campo can only help your new  
panel achieve a just solution to the problem before it.

Sincerely

*Arthur McComb*  
Arthur McComb.

Attention:  
Mr. Frank Murray,  
Aide to Governor Cuomo  
7 enclosures, some of which  
have been mailed previously.

UPDATED TO OCT. 1983: I LEARNED AFTER SENDING THE ABOVE, THAT IT WAS ONE  
OF MANY, INCLUDING ONE FROM OUR TOWN SUPERVISOR. I ALSO LEARNED  
LATER THAT THE NO-MEMBER COMMISSION HAD 3-ANTI AND 7-PRO SHORE-  
HAM, SO I SENT ANOTHER ON 7/19 (PAGE 40) WHEN TOLD THAT THE BROOK-  
HAVEN LAB PRO-SHOREHAM COUNTERED LEON CAMPO WITH THEIR CHOICE,  
DR. KOUTS. I KNEW NEITHER MAN BEFORE THIS. MY TRY TO GET IRVING-  
LIKE WAS NOT EVEN ANSWERED, EVEN THO NO ONE WAS MORE QUALIFIED.  
THE ABOVE WAS ANSWERED (PAGE 30).  
*Arthur McComb*



STATE OF NEW YORK  
EXECUTIVE CHAMBER

ALBANY 12224

MICHAEL J. DEL GIUDICE  
SECRETARY TO THE GOVERNOR

July 6, 1983

(REC'D. 7/13/83)

Dear Mr. McComb:

Governor Cuomo has asked me to respond to your letter regarding Leon Campo and the Shoreham Fact Finding Panel.

I am pleased to inform you that Governor Cuomo has appointed Mr. Campo a member of the Panel.

Your statement of support for Mr. Campo is appreciated.

Sincerely,

Michael J. Del Giudice

Mr. Arthur McComb  
30 Kirby Lane  
Lake Ronkonkoma, New York 11779

UPDATED TO OCT. 1983: TO OCT. 26<sup>TH</sup>, THIS IS MY ONLY ANSWER TO FIVE LETTERS. MINE OF 9/30 (PAGE 75) WENT WITH COPIES OF ALL PREVIOUS ONES, HANDED TO THE GOVERNOR OCTOBER 5<sup>TH</sup> AT COLONIE HILL. NOTE THAT I MADE SPECIFIC CHARGES OF DUE PROCESS VIOLATION BY NRC LICENSING BOARD, AND COMPLAINED ABOUT THE UNBALANCE OF HIS FACT-FINDING PANEL AND THE EFFECT IT WOULD SEEM TO HAVE ON THE PANEL'S POSITION-PAPERS, ALSO, ABOUT THE POOR ATTENDANCE RECORD OF THOSE HAVING VOTING STATUS, LIVING OUT OF OUR LIKED AREA. I ASKED THAT THE THREE WITH NO PUBLIC HEARING ATTENDANCE BE DENIED A VOTE ON THE PANEL REPORT, AND THAT THE THREE WITH ONLY PART ATTENDANCE, GET PART VOTES. *Arthur McComb*

# Legislature endorses move to put Shoreham to vote

P16-SUFFOLK LIFE-5/25/83-WED.

By PETER SCULLY  
The Suffolk Legislature last week unanimously endorsed a bill introduced by State Assemblyman George Hochbrueckner (D-Coram) which calls for an advisory referendum on the fate of the Shoreham nuclear plant. But other state officials said they doubt the measure will ever get on the ballot. Under state law, it is illegal to hold advisory referendums. Nevertheless, two such referenda were placed on last year's ballot - one asked residents whether they favor a freeze

on the production, and the other whether the county should perform an inspection of the Shoreham plant.

The Shoreham question was stricken by the courts after a legal challenge by a group of nuclear scientists from Brookhaven National Laboratory, but the nuclear freeze resolution - due to lack of a challenge, remained, and passed overwhelmingly.

Hochbrueckner's bill would give Suffolk County officials legal authority to ask the voters whether Shoreham should operate.

The results of the referendum would not be binding.

Before Hochbrueckner can move the legislation, however, he must show the county has requested it. Hence the home rule message which received a blanket nod from the Suffolk Legislature, including Presiding Officer Lou Howard (R-Amityville), the sole legislator to support the opening of the plant.

"I think it's important for the people of the county to have a legitimate vote," said Hochbrueckner. "I

think the vast majority will say the plant shouldn't open, putting pressure on the federal government."

Howard said he would favor an advisory referendum for a different reason.

"I'll go in any direction to get Shoreham on line," said Howard. "If you could get an advisory referendum, you would find people favor Shoreham."

Two public opinion surveys performed in the last year have shown that not to be the case. The latest of those, published in a Long Island daily in

February, showed that only 36 per cent of Long Island residents polled favor the operation of the plant as opposed to morthalling.

But Howard, who has served as a State Assemblyman, believes there is little chance the bill will pass both houses of the State Legislature. "This is a one-house bill," he said.

Assemblyman John Behan (R-Montauk), a foe of the plant, agreed with Howard that the bill, if passed by the Assembly, will die in the Senate.

"I'm always pushing for something like that," said Behan, "but the people who control the Senate have different views on nuclear energy, and if you look at upstate utility rates, you'll know why."

But Hochbrueckner insisted the bill "has a good shot" in the Assembly, and said the Suffolk Legislature's Home Rule Message will give it more credence. He vowed to seek a senate sponsor for the legislation as soon as it passes his house.

## Suffolk's Circular Argument Against Shoreham

P16-5/20/83-FRI. (EDITORIAL-NEWSPAY)

The logic underlying Suffolk County's contention that no emergency plan can be devised for the Shoreham nuclear power plant appears to be growing more tortuous all the time.

When Suffolk County Executive Peter Cohalan originally asserted that an emergency plan for the people who live within 10 miles of the plant was impossible to develop, he based his contention on a variety of factors, including Long Island's unique geographical configuration.

That theory was challenged by many Long Islanders, including the Long Island Lighting Co., which is building the nearly

completed plant. LILCO not only claims that an adequate emergency plan is possible but has devised one of its own, which it plans to submit to federal officials next week.

LILCO announced its intention to do so after the Nuclear Regulatory Commission - which must approve an emergency plan before Shoreham can begin operating - said the utility could submit its plan even if Suffolk County opposes it.

Responding to that ruling, Frank Jones, Suffolk's deputy county executive, came up with a new argument: "No paper emergency plan can be effective if it is not in fact implemented," he said, "and the county

has indicated that it will not participate."

In other words, the county has now fallen back on a classic form of circular reasoning. What the county is saying is that no emergency plan is possible; therefore the county won't participate in formulating one - and because it won't, no emergency plan is possible.

This kind of fallacious logic demonstrates the tightness of the corner the county has painted itself into. Jones is probably right when he says an emergency plan can't work without county cooperation. But the critical question that Suffolk still fails to answer convincingly is this: Could an emergency plan work if the county did cooperate?

Arthur McComb, 30 Kirby Lane  
Lake Ronkonkoma, N. Y. 11779  
May 20, 1983.

Editor, Newsday  
235 Pinelawn Road  
Melville, N. Y. 11747.

RE: Your Editorial today; "Suffolk's  
Circular Argument Against Shoreham".

Two of my letters are enclosed, one the 9th of this month, and one May 1971, and a Newsday item from December 1972. I recently mailed these to you with others, under separate cover. I red-circled passages in these three. In May, 1971, I told the AEC of Brookhaven's Town Board "circular argument", which is the reason we are in our present fix. Your editorial charges the County Executive with "fallacious logic" and "classic form of circular reasoning", but without logical foundation. The paragraph marked in my May 9th 1983 open letter is the firm county reasoning needed. Especially; "IF EVACUATION COULD BE NECESSARY, NO PLANT SHOULD OPEN", and of course, I am talking of "fission", not "fusion".

In the red-circled paragraph of the Newsday item by Kenneth C. Crowe of 12/14/72, LILCO'S Mr. Wofford blithely says \$15,000,000.00 could restore a decommissioned plant (today it may be triple) after its 20 to 40 year span of life, and suspects it might be more economical to cover it up and monitor it (for radiation) after that average life-span. I can visualize a growing Suffolk speckled with such "hot" mothballed spots - maybe ten of them in his 200-year guess, unless we are wiped out before that after an earthquake, or plane crash in its 4 inch concrete of the dome, or by equipment or human failures (still world-wide order-of-the-day), or by the ensuing attempted evacuation. "Restoration" or "Mothballing" is some "Hobson's Choice" for an unusable plant left hot. There is an earthquake fault—the dome has only 4 inches of concrete easily pierced by heavier-than-air craft—equipment or human failure cannot be ruled out. For over 15 years before your editorial, years before the frenetic plant construction, many of us tried our damndest to impress ears which too often seemed deaf.

CC: Peter F. Cohalan, County Executive.  
Leon Campo, People's Action Coalition.  
Dave Willmott, Editor Suffolk Life.  
Irving Like, Esq., Formerly LHSG Atty.

Sincerely

  
Arthur McComb.

# Shoreham saga scares man who saw its birth

By PETER SCULLY

Apathy bugs Art McComb, and he is not afraid to say it.

For nearly 20 years, McComb has chronicled the conception, construction and controversy over the Shoreham nuclear plant, and he has 10 volumes of yellowing newspaper clippings to prove it.

McComb, a retired hardware store owner and former Brookhaven Town Clerk, was one of relatively few local residents who sat patiently through days of Atomic Energy Commission construction permit hearings during the late 1960's and early 1970's, waiting for permission to make a single, three-minute statement.

"I was thinking about where we were going," said McComb. "It was a matter of self-defense. I have lived here since 1918.

"They (the AEC) discouraged input," recalls McComb. "It was an adversary procedure. They only brought in those in favor of the plant."

The hearing process was disconcerting, according to McComb, who, as Democratic town clerk



A FAMILIAR FACE to many involved in Brookhaven Town government is that of Art McComb, a former town clerk who makes his views on many important issues known.

appointed now-Supervisor Henrietta Acampora to her first town hall job as his deputy.

Town and county officials spoke in favor of the project and the financial benefits it promised, but relied on the federal agency to assure that safety concerns were addressed.

Even while the hearings were being conducted, preliminary construction, "lightly termed 'site preparation,'" was underway at the proposed site in Shoreham.

McComb spoke out against the proposed atomic plant, warning of "rotten sea water, rotting fish, contaminated groundwater and air, a radiant food chain, an increasing hazard of the transport of spent nuclear fuel over highways and through communities, and for who knows how long after decommissioning, a monstrous, contaminated monument to our children on a thousand unusable acres after 40 years."

There were those who joined the verbose activist in finding fault with the nuclear plant proposal, despite the promising financial benefits of "the atomic economy," but most appeared to trust "blindly" in the federal government agency and

the Long Island Lighting Company. Art McComb, however, decided to learn about radiation and nuclear power himself.

In comparison, McComb tells the story of four blind men who went to see an elephant. The first, he says, placed his hands on the huge animal's side, and declared the elephant to be "much like a wall." The second blind man wrapped his arms around the elephant's leg, and proclaimed the animal to be "much like a tree." The third man circled the pachyderm's trunk with his hands and determined the elephant to be much like a snake, and the fourth felt the animal's tail and likened it to a rope.

"Everybody visualized Shoreham in terms of something they know," said McComb. "I followed everything that was said."

He has watched public awareness of the magnitude of the Shoreham issue grow over the past 15 years, but McComb says he is not all that surprised by the stand taken by Suffolk County officials on the issue. He does not believe the Shoreham story is over, and he is not confident the public's interest will ultimately be served.

"I don't believe this type of risk is acceptable," said

the self-proclaimed conservative Democrat. "I'm not ashamed to say I'm frightened. I'm scared to death. All the pressure to get that plant open comes from the people who have money invested in it. It is shameful."

Acampora remembers McComb as "a good guy, so-o-o honest. Twenty-five years ago, he warned everybody about all the problems we are having today, and everybody thought he was crazy," said the supervisor, who remembers McComb expressing concern for the preservation of groundwater quality as well. "I love Artie," she said.

**UPDATE TO OCT. 1983: WHY MUST WE RUN FROM A NUCLEAR-FISSION MONSTER BORN IN TORTURED MINDS? EVACUATION WOULD BE LUDICROUS, IF IT WERE NOT SO GRIM AND DEADLY. A DEMOCRATIC (SMALLER) REFERENDUM WOULD END THIS NONSENSE. MAC AND LILCO**

**ARE ASKING - NAY, ORDERING - SOME OF US (RUSSIAN ROULETTE-WHO?) TO FACE LIFE LONG PAIN, A TRAGEDY, OR EVEN A SURE DEATH, FOR OURSELVES OR OUR LOVED ONES, FOR WHAT! TO EXPERIMENT WITH THE KILLER, NUCLEAR-FISSION ENERGY WHICH WE DON'T NEED? THOSE BILLIONS MIGHT HAVE GIVEN US SAFE NUCLEAR-FUSION. WE HAD A FACET CALLED "PUBLIC HEARING". DUE PROCESS IS LONG OVERDUE. WE ARE SMOOTHERED IN A STRONG SHELL OF VESTED INTERESTS, IT SEEMS.**



# The Arrogance of LILCO

The files of top officials have been purged. There have been delays in providing requested documents. And there has been harassment and a delay of an on-going investigation into the possibility of mismanagement.

Those charges were made last week by the staff of the Public Service Commission probing cost overruns and possible mismanagement of the Shoreham nuclear power plant. The target of those charges was LILCO, and its top officials, who must cease "practices which delay and harass staff or it is likely the investigation will fail," the PSC staff declares.

The arrogance of LILCO officials has often been the subject of discussion on this page. If the PSC staff charges prove to be correct, there can be no further argument, by anyone, that LILCO "is being unfairly put upon." It should become clear to one and all that the utility and its officials will stop at nothing, despite the cost or effect of their actions, to put their Shoreham folly on line.

Ironically, the charges against LILCO officials come at the time when LILCO submitted a request to

the PSC for a rate increase over the next three years of 56.5 per cent. This latest rate hike request is approximately 11 per cent higher than LILCO's first estimates. It is further proof that LILCO and its officials are either so inept at estimating, or are deliberately playing with the numbers, that early predictions of an ultimate rate hike of 70 per cent, or more, are indeed correct. And that LILCO, in denying those predictions, has either been grossly in error, or has been lying.

LILCO has everything to gain and nothing to lose if the PSC investigation of mismanagement fails. If mismanagement is proven, the stockholders and the utility, not the ratepayers, will shoulder a larger burden of the Shoreham costs. If the investigation fails, you, the ratepayer, will. Not only for the higher rates for electricity, but also for the higher prices which will result, and the increased taxes that will be necessary to pay the higher energy costs of municipalities.

Enough! The time for action is now!

cont. on page 4

replaced by an agency that would give the public a fair break, one that is based on integrity rather than one that is nothing more than an echo for the utilities.

The rate hikes LILCO currently proposes will result in financial disaster for the people of Suffolk County. Consider the near certainty that the ultimate increase will be even higher, and the future looks even bleaker. LILCO, and all its friends in government and business, must be exposed for the arrogance they show in attempting to better their own financial standings at the expense of the public.

And why not?

# Frightening Arrogance

P.S.C. - 6/18/83 - WED - SUFFOLK LIFE

We have often complained that the Public Service Commission appears to be owned lock, stock and barrel by LILCO and other utilities. All too often, matters before the P.S.C. concerning rates and procedures have been given such a quick shuffle by the Public Service Commission that it has appeared that the P.S.C. was misnamed and should have been the Utilities Service Bureau.

This notwithstanding, the staff of the P.S.C. finally appears to have had enough. On May 27, they issued a notice, appealing directly to the commission itself rather than to the administrative law judge, for an immediate order compelling LILCO to comply with earlier decrees. The staff is working on investigating cost overruns on Shoreham and related problems concerning this fiasco.

Reading the brief is frightening, not only because of the alleged arrogance but because even a novice, or a supporter of LILCO, would have to wonder if they did not also handle the construction of this plant in a like manner.

Here are a few excerpts from the brief: "LILCO has imposed unnecessary requirements that constitute harassment of the staff of inspectors... Many of their files are in disarray, suggesting they had been reviewed hastily by LILCO just prior to staff inspection... The Public Service Commission's staff suggested that the files of top management have been purged and swept clean of documents which might have indicated that LILCO was at fault in the cost overruns."

The staff gives a number of other instances of alleged skulduggery by LILCO, and goes on to say: "All these

instances suggest that LILCO has a strategy of impeding the flow of information to the staff." They state, "at times, LILCO has been totally uncooperative in this investigation... LILCO has delayed the investigation to an intolerable degree... LILCO went on to claim that the P.S.C. staff posed a safety risk."

To give an example, the P.S.C. staff offered as evidence a chart on the requests made for project management information. It indicated that LILCO has failed 82 per cent of the time to comply with requests made for information.

If it has become painfully obvious to the P.S.C., which regulates their rates, that LILCO has taken every shortcut to keep the truth from becoming known concerning fiscal matters, they also must be aware that LILCO probably used an equal amount of subterfuge in building the plant. No wonder LILCO has refused to allow a total, independent, outside, professional staff from investigating the quality of construction and design of the plant.

Is there anyone out there who believes a word that LILCO says at this point? Is there anyone who is willing to risk his or her life and the lives of their children on such a lack of credibility, professionalism, ethics and honesty?

We can only pray that the bureaucrats who run our governmental agencies recognize the responsibility they have before them to save and hold harmless the lives of good, hard working honest Suffolk citizens who will be put in jeopardy and peril.

God help us if our government backs down and fails to do its duty. And why not?

P.S.C. - 6/18/83 - WED - SUFFOLK LIFE

cont. from page 3

P.B. 2 - 6/2/83 - SUN. - N.Y. NEWS

# A bad two weeks for Lilco's PR staff

**T**HE LONG ISLAND Lighting Co. has again displayed its utter contempt for the citizens it serves. It filed for the largest rate increase in its history on the eve of a three-day holiday weekend and then deliberately failed to tell residents that a significant part of that increase was to pay for two nuclear plants that were never built.

When it was caught last week, Lilco's press office issued a lame excuse. The press spokesman said that in announcing details of the proposed rate hike, his office focused on the Shoreham nuclear plant because everyone was interested in it. And besides, he said, 75% of the rate increase was to pay for construction costs at the plant.

"We gave out the information that was most germane," he insisted.

His comments came after another press official became offended when asked why no one was told about the \$410 million Lilco was trying to recover during the next 10 years for its never-built Jamesport and upstate New Haven nuclear plants.

"I'VE HAD JUST ABOUT enough this past weekend and I can't take any more," she said, slamming down the phone.

She apparently was still fuming over a story that appeared the previous week in the Daily News. That story explained that Lilco was planning to announce the filing of its largest ever rate increase on the eve of the Memorial Day Weekend. Consumer advocate Richard Kessel was quoted as saying that by filing the rate hike request at the start of a holiday, many persons would not even learn of it.

In addition, details of the rate filing would be carried in Saturday newspapers, the worst day of the week for newspaper sales. The News and Newsday, the only daily papers with a special Long Island emphasis, are only about half their normal size on Saturday.

The Lilco spokesman insisted that details of the rate filing could not be revealed to the press earlier than Friday because it was not actually being filed until Friday with the Public Service Commission.

But the last time Lilco prepared a rate filing, its public relations staff briefed the press a full day early on a Thursday. They said at the time that they were aware of the needs of the press and the reading habits of the public and wanted to accommodate everyone. We wonder what happened to that accommodating attitude.

**AND YET ANOTHER** Lilco spokesman insisted with a straight face that details of the rate filing were being changed right up until the time it was actually filed with the state. Thus, he said, all of the numbers were not available for release until Friday.

The rate filing, by the way, consists of two huge notebooks filled with

several thousand pages of documents and testimony from Lilco officials. And yet, the spokesman maintained, it was not prepared until Friday.

It was Richard Kessel who first called our attention to the cover-up. A check with Lilco's press spokesmen soon revealed that the utility applied for \$410 million over 10 years to recover \$80 million it spent on feasibility studies for the two nuclear power plants that were never built.

That meant that nearly half of the non-Shoreham rate increase sought by Lilco during the first year was to pay for the drawings of these two proposed plants. How Lilco could not believe that was germane is anybody's guess.

The utility spokesmen all insist that Lilco's rate filing is a public document and that anyone wishing to learn its contents can read it by traveling to the PSC's offices in either New York City or Albany. The fact of the matter is that Lilco doesn't seriously believe anyone is going to wade through those volumes and interested persons will be content to simply read the newspapers.

**IF THE PRESS HAD** done its job properly, a Lilco spokesman insisted, it would have reported that Lilco was trying to recover the money it spent on the Jamesport and New Haven plants.

Any responsible journalist, she maintained, would have asked for the rate filing documents, read them and then reported on them in the next day's paper. And any questions a reporter had about anything concerning the rate filing would have been gladly answered.

That sounds great on paper. In reality, it would take hours to just read those thousands of pages of documents, let alone to ask questions and write a story about it. And not many reporters have the luxury of working on just one story a day. They depend upon the press representatives to assist them in preparing a story of this magnitude.

The Lilco spokesman said that had any reporter asked about the Jamesport and New Haven plants, he would have been happy to discuss them. But how were the reporters supposed to know to ask about them if there is no hint that they are even mentioned in the rate case?

Believe it or not, a Lilco spokesman claimed the reason they didn't even bother mentioning the two nuclear plants was because they didn't want to end up issuing an extremely long press release. Why didn't they mention it to the reporters writing the story? We didn't ask.

We would like to believe that the actions of the Lilco's public relations staff in the past two weeks are not a reflection of the level of competence displayed by the utility's technical staff.



STEWART  
AIN

Editor, (SENT TO 34 NEWSPAPERS)  
- RADIO & TV

Arthur McComb  
30 Kirby Lane  
Lake Ronkonkoma, N. Y. 11779 6/27/83.

No choice - we must BITE THE BULLET -- MOTHBALL SHOREHAM or it MOTHBALLS US!

I believe, after hearing nearly 60 sessions of AEC - LILCO building permit hearings, after 16 years of listening, reading and collecting, after addressing them when permitted to, that agencies (AEC, NRC et al) were pressured by our electives to produce the promise of nuclear fission power. We are to blame, one man, one vote. Nuclear fission plants have capacity, potential and enough probability to smother and destroy any defense dreamed up, including a "lemming" evacuation, from documented possible disastrous malfunctions. It can happen.

Why am I scared? Because agencies of my government seem to have stripped us of defense against life, health and welfare risks, and all our ownings. Fission nuclear energy plants do this. Insurance companies wont touch it. The tiny insurance under the 1957 Price-Anderson Act is woefully inadequate, and was passed only to remove the fear that utilities had of massive claims exceeding the \$500 million set up with our tax money and some from insurance companies. The act was passed to induce industry to invest further. Their obligation to reimburse was nullified by the Price-Anderson Act, and makes us all payees and payors, if worse than Three Mile, Fermi, Salem, etc etc occurs - and it could, world wide.


The Price-Anderson Act should be repealed, and there is a move in Congress to do so, I am told. It seems to effectively repeal the common-law right of ours to sue for damages caused by another's negligence. Repeal would place liability on utilities where it belongs. In fairness, I take blame for not fighting harder, as everyone should, in any peoples government. Repeal should turn off utilities.

Be a complainer, but be right. Our country was founded by complainers. Put your thoughts in writing like I am. Check and recheck. Correct and recorrect until your message screams out argument you can live with and support. Make it one to be proud of. Redo until you reread day after day. If it moves you, it will move others. Everyone has a message. Send yours out. I want it. This may be our last chance. Shoreham sees LILCO stockholders move heaven and earth to license.

After such a big disaster, I would rather be dead than to live on in distorted, vegetable form, painful to me, and a drain on society for lifetime care. Many would be. Should we blindly take such risk, however improbable? For us, our children, and other loved ones? Better to sharply economize, or even do without.

Miles of evidence are on record. Books are written. Ask in Library or bookshop. The "Cult of the Atom", by a Harvard graduate economist, former director of Union of Concerned Scientists, is of his ten-year probe into restricted AEC and NRC files, using Freedom of Information Act, and two major lawsuits, he says. He documents his claims. I am reading it. Paperbacks should be out, reasonable. The author is Daniel Ford of Boston.

  
Arthur McComb.

UPDATE TO OCT. 1983: SHORTLY AFTER THIS LETTER, I REALIZED THAT "MOTHBALLING" AN UNUSED PLANT MERELY LAID IT ASIDE UNTIL A LATER DATE, TO BE FIRED UP WHEN OUR VIGILANCE FADED. THE PROPER WORD I USE NOW IS "ABANDON" WHICH CONNOTES SOME CONVERSION USE WITH ABANDONMENT OF NUCLEAR FISSION. A USED PLANT DECOMMISSIONED IS PROPERLY CALLED "MOTHBALLED" AS IT CANNOT BE USED. 

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

88

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges  
James A. Laurenson, Chairman  
Dr. Jerry R. Kline  
Dr. M. Stanley Livingston

In the Matter of  
LONG ISLAND LIGHTING COMPANY  
(Shoreham Nuclear Power Station,  
Unit 1)

Docket No. 50-322-OL-3  
ASLBP No. 83-488-03-OL  
(Emergency Planning Proceeding)

I, the undersigned, request an opportunity to make an oral "limited appearance statement" regarding Emergency Planning issues connected with the Shoreham Nuclear Power Station. I understand that my presentation must be no more than five (5) minutes in length.

Signed

Date

Name

Address

Telephone

TIME LIMIT, THIS PANEL, WAS 5 MIN. IT VARIES.  
THIS IS THE FORM USED FOR A SO-  
CALLED "PUBLIC HEARING" HELD AT  
HAUPPAUGE 7/13/83, AND BEAIN AT  
RIVERHEAD, 8/10/83. ALTHO ADDRESS  
WAS AIMED AT SHOREHAM LIICO AREA,  
NONE WAS HELD IN NASSAU OR QUEENS.  
THE 8/10 SESSION WAS ARBITRARILY  
CLOSED ALMOST AN HOUR EARLY AND  
SOME WERE DENIED TO SPEAK. PUBLIC  
HEARINGS SHOULD BE UNIFORM BUT ARE NOT.  
THE PROGRESS OF A HEARING TOO OFTEN  
RESPONDS TO WHIMS AND VIEWS OF CHAIRMEN.

Limited appearance before the  
Nuclear Regulatory Commission Licensing Board.

Re. Lillo Nuclear Plant at Shoreham, N. Y. (HELD AT LEGISLATURE BLDG., HAUPPAUGE)

By: Arthur McComb, 30 Kirby Lane, Lake Ronkonkoma, N. Y. 11779 - July 13th, 1983.

Gentlemen of the Board:

I am Arthur McComb, born in Brooklyn in 1913, the year of the Panama Canal and income tax. I was brought out here, to Suffolk County in 1918 and saw beautiful wild huckle berries, strawberries, blue berries, black berries, rasp berries, beach plums, geese, ducks -- and poison ivy. Now we have only poison ivy and nuclear fission. I paid my dues in civics, politics and local government.

Now I am an angry man. OUR VOICES MUST ACTIVATE -- NUCLEAR FISSION ENERGY SOURCES MUST NOT! I feel within and around me, a growing anger and resentment, hard to contain. Fission usage has been studied to death. Nuclear fusion seems promising, not fission. We must change horses in midstream. No choice - we must BITE THE BULLET -- MOTHBALL SHOREHAM or it MOTHBALLS US!

I am not an engineer, I am not a nuclear physicist. I am not a biochemist. I am not a lawyer, nor a doctor, nor scientist, nor a man of any letters. Some nuclear power plant proponents seem to think that no citizen such as me has any right to say yes or no to licensing, even when established by men or women of letters as aforementioned, that such nuclear plant cannot be operated without threat to public health, safety and welfare of all living things around it, without hazard to all worldly goods, and degrading of values of real estate, homes, commercial and community owned facilities of all kinds.

Whether or not disaster happens one week, month, year, or many years after the plant is licensed and produces, is immaterial. No one seems to have proven any certain timetable, so we would go on living in constant dread just waiting for it to happen, rain or shine, snow or sleet, day or night, hurricane or earthquake, inversion weather or windstorm. OUR ONLY CERTAINTY IS THAT THE WORST HAS COME WITHIN AN ACE OF HAPPENING MUCH MORE THAN ONCE IN THE WORLD, AND THAT SOONER OR LATER IT PROBABLY WILL: NEAR TO HOME, WE DON'T KNOW YET WHAT LONG-TERM LIVING-CREATURE DAMAGE THREE MILE ISLAND INHERITS. PRAYING MAY KEEP OUR NORTH SHORE EARTHQUAKE FAULT QUIET. Shoreham is built near an earthquake fault.

We couldn't evacuate, let alone return to any sort of normal living. Even if evacuation were possible, and even if healthful, peaceful living could be restored to the evacuees, THE FACT THAT A NUCLEAR PLANT COULD MAKE THIS NECESSARY IS MORE THAN REASON ENOUGH NOT TO LICENSE THEM. HEALTH, SAFETY AND WELFARE IS NOT EVEN DEBATABLE! WHY DEBATE EVACUATION? IF EVACUATION COULD BE NECESSARY, NO PLANT SHOULD OPEN! HOWEVER, WE ARE DEBATING EVACUATION, UNFORTUNATELY. WHY DON'T WE PUT A STOP TO IT?

We are also aware that the possible accident means a wipeout for most people near enough, no matter whether fatal or not. I suspect that for survivors, they would probably be sorry they lived. Contemplation of the knowledge which we common non-scientists have received from people of letters, is horrible. Living in apprehension with its cumulative stress and not being able to explain to our younger people why we allowed it to endanger them, is much worse than any of the vituperation now coming from some of the nuclear power proponents. One said we "vomit" objections.

After such a big disaster, I would rather be dead than to live on in distorted, vegetable form, painful to me, and a drain on society for lifetime care. Many would be. Should we blindly take such risk, however improbable? For us, our children, and other loved ones? Better to sharply economize, or even do without.

Arthur McComb 515-588-2020

Arthur McComb, 30 Kirby Lane,  
Lake Ronkonkoma, N. Y. 11779  
July 19th, 1983.

Honorable Mario Cuomo, Governor,  
Executive Chambers,  
1350 Avenue of the Americas,  
New York, N. Y. 10019.

RE: Panel to evaluate Shoreham  
Nuclear Plant problems.

Honorable Governor Cuomo,

I enclose copies of my May 14th and your answer of July 6th. With your appointment of Dr. Kouts, a further thought is prompted, of one other Suffolk resident who should have been considered at the outset. Certainly in our state and in our United States, and probably in the world, he has been closest to the grinding wheel of the Nuclear Fission grist. Three years intensive defense of Lloyd Harbor Study Group intervenors, some 60 daily sessions of the AEC 1970-71-72 proceedings (adversarial) saw him produce world-wide witnesses, and diligently cross-examine those of LILCO, et al. I attended and helped where I could.

He also authored our state's Conservation Bill of Rights, a useful instrument to our government, among other civic devotions. If anyone else is to be asked, he surely should. He is Irving Liko, attorney at 200 West Main, Babylon N.Y. 11700. Suffolk has used his services in Shoreham matters. I don't know, or care what his politics are. I am only prompted by deep concern for health and welfare of my family, my neighbors, myself, and for our form of government.

I held no brief for so-called "blue ribbon panels", having served on one for my county, but it happens to be the only game in town. I have also been an elective and held that our regular officials, selected and elected by the people to their responsibility, should comprise our only "blue ribbon panel".

ATT: Michael J. Del Giudico. Sincerely,  
CC: Peter F. Cohalan, County Executive.  
Leon Campo, People's Action Coalition.  
Dave Wilmett, Editor Suffolk Life.  
Irving Liko, Esq., formerly LHSO Atty.  
Henrietta Acampora, Brookhaven Supervisor

  
Arthur McComb.

Arthur McComb  
30 Kirby Lane  
Lake Ronkonkoma, N. Y. 11779  
July 21, 1983

Limited address to  
New York State Public Service Commission  
Convened today in Patchogue Village Hall  
(of 7 commissioners, only Edward P. Larkin present)  
Frank Robinson, ALJ, acting substitute chairman.

I am no newcomer Johnny-come-lately, having been 65 years in Suffolk. Our PSC could be an important link in a complex scenario. High cost has become a sure thing as LILCO, federal bureaus and all other proponents of nuclear fission energy let this thing balloon for over 13 years against all sensible opposition.

I have made my living as a businessman for the past 25 years, after a varied course of livelihoods including elective office, navy, railroad, post office, industry, etc. I had to do good business or go broke. I made a living - LILCO should do it too. The money has been poorly spent. There is now a monstrous bill and someone must pay.

Now someone has to pay the piper - the dance is over. The big cost should be laid on the ones gambling for big profits like happens in Washington State. There, the WPPSS can go bankrupt as per our United States Supreme Court order.

However, the issue to me is more safety than economy. LILCO fission nuclear is a threat. I believe, after hearing nearly 60 sessions of AEC - LILCO building permit hearings, and after 16 years of listening, reading and collecting, after addressing them when permitted to, that agencies (AEC, NRC et al) were pressured by our electives to produce the promise of nuclear fission power. We are all to blame, one man, one vote.

We couldn't evacuate, let alone return to any sort of normal living. Even if evacuation were possible, and even if healthful, peaceful living could be restored to the evacuees, THE FACT THAT A NUCLEAR PLANT COULD MAKE THIS NECESSARY IS MORE THAN REASON ENOUGH NOT TO LICENSE THEM. HEALTH, SAFETY AND WELFARE IS NOT EVEN DEBATABLE! WHY DEBATE EVACUATION? IF EVACUATION COULD BE NECESSARY, NO PLANT SHOULD OPEN! HOWEVER, WE ARE DEBATING EVACUATION, UNFORTUNATELY. WHY DON'T WE PUT A STOP TO IT?

This is a prologue (rather an epilogue) of an ANGRY MAN. OUR VOICES MUST LEGALLY ACTIVATE -- NUCLEAR-FISSION ENERGY MUST NOT! With every assinine effort by its proponents to force a losing cause on me, this potentially horrible science, I feel within and around me, a growing anger and resentment, hard to contain. Nuclear fusion seems promising, not fission. We must change horses in midstream. No choice -- we must BITE THE BULLET -- MOTHBALL SHOREHAM OR IT MOTHBALLS US!

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I voiced dissatisfaction with the spectacle of such a large, well prepared and orderly public outpouring for an advertised "hearing" before our Public Service Commission, only to see my Suffolk neighbors and myself experience the indignity of being ignored by six of the seven members who did not appear, and to have to abide by a non-member acting as chairman who decided to change the rules by limiting the speaking times of the later speakers, including myself. This discontent was not prepared text, rather spontaneous, impulsive expression of displeasure.

*Arthur McComb*

# Special Report For Public Hearings on LILCO Request for Electric Gas Increases

We prepared this Special Report as a brief explanation of the request of Long Island Lighting Company (LILCO) for increased electric and gas rates. It is intended to provide a basis for public comment on the rate proposals at our public statement hearings. In view of the widespread interest in this specific case and in the Commission's role in rate-making in general, we are offering it to a wider audience.

## Temporary Electric Rate Request

LILCO is seeking temporary electric rates; that is, it is seeking to have a portion of the total electric rate increase take effect earlier than a major rate case normally would be decided. Because of the urgency denoted in such a request, we will hold hearings first to take evidence whether, and to what extent, temporary electric rates are justified.

We will, of course, conduct a series of hearings, at times and places convenient for the public, to take comments on the LILCO rate proposals, both temporary and permanent.

The hearings on temporary electric rates will take less time than those for permanent rates, since the grounds on which the Commission can permit temporary rates are limited.

## Our Procedures

This rate case was initiated when Long Island Lighting Company (LILCO) submitted an application May 27, seeking increases in its electric and gas revenues, including a portion of the electric increase on a temporary basis.

As usual, we will conduct a series of hearings to take spoken comments from the public. These will be made part of the stenographic record for consideration by the Commission.

When LILCO seeks a revenue increase, it bears the burden of showing that the additional expenses and costs underlying its request are justified and prudently-incurred. Thus, its initial filing must include evidence as to the historic level of expenses and costs, its best projection of expenses it will incur in the first year of new rates, and a detailed explanation how any rise from the historic to projected data is justified.

The Public Service Commission sets rates at the lowest level that will provide the utility an opportunity to recover the expenses it incurs in serving customers, including the reasonable cost of capital it must raise to provide adequate service. The rates fixed in each case are designed to meet the utility's expenses and costs for only a one-year period in the future, beginning about 11 months after the utility has filed its request for increased revenues.

LILCO's permanent rate filing has been publicized as if it merely had asked for a couple of lump sum increases in revenues, but the utility in fact has offered testimony and exhibits prepared by dozens of witnesses touching on scores of categories of expenses which they say supports the company's revenue claim. During the hearings and our deliberations, each of these many claims will be subjected to cross-examination, and possibly to counter testimony, and in the final analysis the

Under the Public Service Law, the Commission can authorize temporary rates only when "the public interest requires [them]," or when they are "necessary for... providing adequate and efficient service, or for the preservation of the property."

LILCO contends that it requires a temporary rate increase to generate sufficient cash earnings so that it can issue bonds to raise capital for necessary construction work—on its Shoreham generating plant, and other projects.

The Commission can approve, modify, or reject the company's request in light of the total evidence as to its justification.

## The Major Issues

Two issues responsible for about two-thirds of LILCO's claim for increased revenues will be decided, in whole or in part, in other proceedings before the Commission.

Revenues related to the commercial operation of the Shoreham nuclear plant—a net amount of \$217 million, according to LILCO's filing—will hinge on two other proceedings. In those, the Commission will decide: (1) the time span in which Shoreham-related costs and expenses will be phased into rates (LILCO has proposed a 3-year phase-in; other parties have proposed 4 and 5-year periods); and (2) the extent to which Shoreham construction costs can be charged to rates (the Commission is investigating whether, and to what extent, imprudent management of the project may have caused escalations in its cost—escalations that may not be charged to rates).

Recovery of costs for studies and licensing efforts for two major generating plants that were not built—requiring revenues of \$41 million a year, according to LILCO—also hinges on other proceedings before the Commission. In the past, the Commission has not allowed recovery of such costs in a rate case until it has determined whether the costs were prudently incurred.

Shoreham-Related: LILCO, assuming commercial operation of Shoreham by next April 1 and a three-year phase-in to rates, claims additional net revenues of about \$217.0 million. Changes in the commercial operation date, or in the length of the phase-in, or in underlying assumptions can be accommodated by the Commission, since it has until late next April to make its final determination of the utility's revenue needs.

But for the rate moderation plan it has proposed, LILCO says that the total revenues required to match Shoreham-related expenses and costs is \$755.2 million. The three-year

Raw L. Gleason

LILCO

State of New York



# The Major Issues

Continued from first page

phase-in would, according to LILCO, defer about \$400.7 million of those revenues, and fuel savings expected from displacement of oil-fired generation reduce the revenue requirement by another \$137.5 million.

**Cost Recovery:** LILCO claims that it should be allowed in this case to begin recovery—at the rate of \$41 million a year for 10 years—of the costs of preparing for and seeking licenses for two major generating plants. Of this, the company says, \$26 million is related to the proposed New Haven/Stuyvesant plant, and \$15 million to the Jamesport nuclear proposal. The Commission has held hearings on the prudence of the proposed New Haven plant, but has not yet begun its review of the Jamesport Costs.

## Other Issues

**Cost of Capital:** LILCO claims that its cost of securing capital to finance work on facilities other than Shoreham will rise, because of higher costs for bond interest and stockholders' equity, to the extent of \$16 million in revenues.

**Investment Base:** LILCO projects that the operation of facilities other than Shoreham and higher working capital requirements will increase its investment base (rate base) so that it will require additional revenues of \$21.5 million.

**Property Tax:** LILCO estimates that its property tax bill—for other than Shoreham—will rise by 13.6%, equal to \$16.8 million in revenues.

**Federal Income Tax:** LILCO forecasts that continuing effects of the Economic Recovery Tax Act of 1981, and changed accounting procedures, will increase its Federal Income Tax bill by \$46.7 million.

**Operating Expenses:** LILCO says that it has requested additional revenues only to cover the effects of inflation and wage and fringe benefit increases. But even though it is making austerity reductions in some expenses, it claims additional revenues of \$26.1 million are justified.

**Offsetting Gains:** LILCO estimates that its revenue requirement would be even higher except for an improved gross margin due to increased sales of electricity that will bring in \$22.7 million in offsetting revenues.

**Gas Revenues:** LILCO forecasts increased expenses for its gas operation generally the same categories—except for Shoreham and the cost-recovery issues—that affect electric rates. These are offset in part by prospective increased sales and improved margin that will bring in \$5.5 million in new revenues.

# Our Procedures

Continued from first page

REC'D  
7/24/83

Commission may adopt, modify, or reject any of these specific proposals in accordance with the total evidence as to their propriety.

LILCO must show, through its testimony, how inflation, changes in program, completion of new facilities, and other factors have contributed to increasing its expenses for the first year new rates would be in effect. In this case, LILCO must justify its claims for various increases in expenses that it says will be in effect for the 12 months beginning next May 1.

In the next several weeks, the Commission will begin additional hearings before an Administrative Law Judge to examine the validity of each of those claims (see The Major Issues). In the first set of hearings, the witnesses who have filed testimony for the company will face cross-examination by other parties as to the assumptions and methodology they employed.

In the meantime the Trial Staff of the Department of Public Service and other parties are seeking and obtaining further data from the company so that they can check the accuracy of the figures that LILCO filed. These additional data along with information gained through cross-examination will provide the basis for testimony that the other parties can submit as adjustments—that is, proposed changes—to the company's claims. In a subsequent set of hearings those witnesses also will be cross-examined by LILCO lawyers.

In the final stage, LILCO can present testimony rebutting the other parties' proposals.

All the parties, including LILCO and the Trial Staff of the Department of Public Service, will have further opportunities to submit written arguments supporting their proposals to the Administrative Law Judge. The Judge then will issue a written recommended decision, analyzing and resolving each of the many issues in dispute, and, by adding up those resolutions, arriving at a recommended revenue level and proposed rate changes.

That recommended decision will be the basis of the Commission's determination, but the Commission also will review additional written arguments by the various parties seeking to show that the Judge's recommendations on specific issues should be changed.

The Commission will explain in writing—in an Opinion and Order—how it decided each of the issues still in dispute and how, again by adding up all the individual items, it arrived at the total revenue and rate changes it will allow. Since the Commission has about three months to act after the Judges issue the recommended decision, the Commission will have the opportunity to make adjustments reflecting the latest known data, including changes that may occur in the meantime in the cost of capital and in the rate of inflation.

## THE HOME ENERGY FAIR PRACTICES ACT

On July 19, 1981, Governor Hugh Carey signed into law the Home Energy Fair Practices Act (HEFPA), a major component of his 1981 legislative program. In his message approving the bill, the Governor recognized the need for strengthened consumer protections in the utility area and heralded the new law as a landmark measure which codified, consolidated and extended "the rights and responsibilities of gas, electric and steam utilities and their residential customers to ensure the continued and uninterrupted provision of utility service." HEFPA and the Commission's new rules implementing the Act established detailed procedures covering customer-utility rights and responsibilities, including applications for service, termination and reconnection of service and special protections for the sick, elderly and disabled. Moreover, the law requires Staff of the Department of Public Service to devise new procedures for responding to customer complaints on utility service and to operate an emergency **HOTLINE** to protect customers threatened with serious impairments against service disconnection.

## HIGHLIGHTS OF THE HOME ENERGY FAIR PRACTICES ACT

**Application for Service:** Subject to certain legal and physical impediments, a utility must provide service to any applicant within five business days of receipt of a completed oral or written application for service. A person with money owing may pay off the arrears in a deferred payment plan and is entitled to service.

**Payment Plans:** A utility cannot terminate service to a residence for past due bills without first offering the customer a deferred payment plan. In addition, to reduce fluctuation in customers' bills due to seasonal patterns of consumption, utilities must offer residential customers a voluntary budget billing or leveled payment plan.

**Deposits:** To protect customers against unwarranted deposit requirements, the rules restrict the criteria under which a customer may be required to pay a deposit. If a deposit is

required, a customer may pay a deposit in installments over an extended period up to 12 months if he has not been disconnected for nonpayment. Except in cases involving delinquent accounts, all utilities must refund deposits after September 1, 1982.

**Contents of Bills:** The rules require utilities to issue to residential customers bills providing specified information in clear and understandable form and language. The rules also require utilities to inform residential customers of their rights and obligations relating to utility service when they take service and at least annually thereafter.

**Termination Protections:** The Commission's Rules require utilities to follow specific notification procedures before a customer's electric, gas or steam service can be shut off. In addition, there are special protections for blind, disabled and elderly customers.

For more information on the Home Energy Fair Practices Act, fill in the order form enclosed in the packet.

## CONSUMER SERVICES DIVISION

*Lisa Rosenblum, Director*

In November 1981, Paul L. Gioia, Chairman of the Public Service Commission, established the Consumer Services Division to strengthen consumer services in the Department of Public Service and to fulfill the mandate of the Home Energy Fair Practices Act (HEFPA). The Consumer Services Division is the largest Division in the Department.

Chairman Gioia combined the consumer services functions previously performed by the Power, Gas, Water and Communications Divisions into the new Consumer Services Division. The new Division was directed to provide a strong voice for consumers on issues before the Commission and to heighten awareness about the function of the Department and the services provided by the Consumer Services Division.

To meet its directive, the Division was organized into three sections: Outreach and Education, Policy and Compliance, and Consumer Service Operations.

The Outreach and Education Section develops programs to educate consumers about their rights under HEFPA, the role of the Commission, and consumer input in public statement hearings and informal hearings for utility complaints. The Policy and Compliance Section, which is composed of experts in gas, power, water and communications, provides the consumer view on issues before the Commission, makes known and enforces the rules of HEFPA, reviews utility company tariff changes, and much more. The Consumer Service Operations Section is composed of consumer service representatives who handle water, gas, power, and communications inquiries, and provides a consumer advocacy staff to improve the Department's response to consumers.

To learn more about the Consumer Services Division, fill in the order form enclosed in the packet.

## NEW YORK STATE PUBLIC SERVICE COMMISSION

*Paul L. Gioia, Chairman*

The Public Service Commission has the broad mandate to ensure that utility customers obtain reliable service at the lowest reasonable rates and with the least adverse effect on the environment.

The Commission consists now of seven persons selected by the Governor and confirmed by the State Senate, for a term of six years. Each Commissioner has an equal vote in Commission determinations.

The Chairman, who is designated by the Governor, also is chief executive of the Department of Public Service, the staff of the Commission. The Department, whose total operating budget is about \$21 million annually, consists of about 650 persons, about half of whom have professional or technical training. They include accountants, engineers, lawyers, environmental specialists, consumer service representatives and so on.

The Commission is bipartisan by law; since 1970, the statute has limited the number from one political party to no more than four out of the total of seven.

Determining utility rates is the Commission's most publicized function and a tremendously important one. But it also engages in many other important activities.

The bulk of the Staff - about 550 in all - is engaged in the regulation of utilities; the remaining 100 provide support services through administration of the Department.

### COMMISSIONERS

Paul L. Gioia, Chairman  
Edward P. Larkin  
Carmel Carrington Marr  
Harold A. Jerry, Jr.  
Anne F. Mead  
Richard E. Schuler  
Rosemary S. Pooler

To learn more about the Commission and how it carries out its mission, order *Guide to the PSC* by filling in the order form enclosed in the packet.

FRANK ROBINSON, A.L.J., SAT AS  
CHAIRMAN IN RATCHOGUE VILLAGE  
HALL P.S.C. "PUBLIC" HEARING ON THE  
SHOREHAM-LILCO RATE INCREASE  
REQUEST ON 7/21/83. ONE MEM-  
BER SAT - EDWARD P. LARKIN.

For **EMERGENCY** situations involving connection or shut-off of electric, gas or steam service, please call:

**Emergency Hotline Statewide Toll-Free**

**1-800-342-3355**

(7:30 a.m. - 7:30 p.m., M-F)

## COMMISSIONERS

### Paul L. Gioia, Chairman

Appointed in 1981; was first assistant counsel to the Governor, having served in Council's Office 10 years. Graduate of Fordham and Cornell Law. Born in Brooklyn in 1942, now lives in Latham.

### Edward P. Larkin

A commissioner since 1961, also president of the National Association of Regulatory Utility Commissioners. Served in State Legislature and as presiding supervisor of the Town of Hempstead, largest town in the U.S. Born in Brooklyn in 1915; lives in Hempstead.

### Carmel Carrington Marr

On Commission since 1971. Has served on State Human Rights Appeal Board and on U.S. Mission to the United Nations. Graduate of Hunter and Columbia Law. Born in Brooklyn, still lives there.

### Harold A. Jerry, Jr.

On Commission since 1973. Former State Senator, headed State activities in regional planning, recreational planning and court reorganization. Active in environmental matters. Graduate of Princeton and Harvard Law. Born in Plattsburgh, lives in Albany.

### Anne F. Mead

Appointed first in 1978, after serving as district judge in Suffolk County; also served several years as deputy Suffolk county executive. Graduate of College of New Rochelle and Fordham Law. Maintains homes in Albany and Sayville.

### Richard E. Schuler, Deputy Chairman

Appointed in 1981. On faculty of Cornell since 1972, and is associate professor of both economics and civil & environmental engineering. Headed PSC Office of Research in 1977-78. Graduate of Yale, earned doctoral degree from Brown. Lives in Ithaca.

### Rosemary S. Pooler

Appointed in 1981. Was executive director of State Consumer Protection Board from 1975-81. Had similar post in Syracuse, 1972-74. Graduate of U. of Connecticut and Michigan Law. Born in Brooklyn in 1938, lives in Syracuse.

State of New York

## Department of Public Service

# Guide To The PSC And Its Members

What is the Public Service Commission? What does it do?

This brief Guide to the PSC outlines the Commission's duties and explains how it performs its mission.

The back panel identifies the members of the Commission with brief biographical notes.

The Public Service Commission has the broad mandate to ensure that utility customers receive service at the lowest reasonable rates and with the least adverse effect on the environment.

The Commission consists now of seven persons selected by the Governor and confirmed by the State Senate, for a term of six years. Each Commissioner has an equal vote in our determinations.

The Chairman, who is designated by the Governor, also is chief executive of the Department of Public Service, the Staff of the Commission. The Department, whose total annual operating budget is about \$21 million and employs about 650 persons, about half of whom have professional or technical training. They include accountants, engineers, lawyers, environmental specialists, consumer service representatives and so on.

The Commission is bipartisan by law; since 1970, the statute has limited the number from one political party to no more than four out of the total of seven.

Determining utility rates is our most publicized function and a tremendously important one. But we also engage in many other important activities, such as:

• Acquiring reliable service by establishing acceptable standards and monitoring the performance of the privately-owned electric, gas, telephone and water utilities, ordering improvements where necessary, adopting and enforcing safety rules,

**IV** and investigating and resolving major service problems.

Protecting customers against inaccurate metering and billing, by setting standards for metering accuracy, and by entertaining and resolving complaints from individual customers.

Supervising accounting practices of the utilities so that we can analyze the costs they claim in seeking increased revenues.

Assuring that utilities seek the proper proportions of investment in their facilities—the division among long-term debt, preferred stock and common equity—by reviewing and approving each major security issue.

Analyzing and certifying—under Article VII of the Public Service Law—the need for, and environmental compatibility of major electric and gas transmission facilities.

Administering and promoting the program of conservation audits and loans that the electric and gas utilities provide under the Home Insulation and Energy Conservation Act.

Maintaining an active role in State and Federal proceedings that have a bearing on how we carry out our legislative mandate.

And, under Article VIII of the Public Service Law, our Chairman or a designee is the Chairman of the State Board on Electric Generation Siting and the Environment, which is responsible for the licensing of major steam ~~electric~~ power plants in the

**III** State, and whose support staff comes from the Department of Public Service.

The bulk of our Staff—about 550 in all—is engaged in the regulation of utilities; the remaining 100 provide support services through administration of the department.

Utility rates must, under the law, be fair and reasonable and provide sufficient returns to permit the utility to discharge its legal obligation to provide reliable service. We determine the level of revenues needed to continue reliable service and the rates which will produce those revenues case by case on the basis of evidence as to the utility's legitimate costs of serving its customers. The rates reflect costs—no more, no less.

When a utility seeks a rate increase, it must file written testimony and exhibits in support of its claims. We place copies of each filing in libraries convenient to the utility's customers so that they can examine them. We also hold special hearings in convenient locations so that the public can offer oral comments on the rate proposals.

In the first evidentiary hearings, which resemble a law suit with many participants, the witnesses who have submitted testimony in support of the company's claims are subject to cross-examination by all the other parties in the case. The company has the burden of showing that its claims are justified.

As the case progresses, the other parties—including the Staff of the Department of Public Service—can

**IV** submit their own written testimony proposing adjustment to any or all aspects of the company's case. These parties in turn face cross-examination by the utility's lawyers.

While the Staff of the Department of Public Service represents the consumer interest in rate cases, it has no special standing and, like other parties, must present convincing evidence to win its point on any disputed issues.

An Administrative Law Judge from our autonomous Office of Administrative Hearings conducts the evidentiary hearing, in which the record is fully developed. After receiving the evidence and written legal arguments from the parties, the judge prepares and issues a written recommended decision resolving each of the disputed issues and arriving, as a result, at the total revenues and rate changes found to be justified.

That written decision is the basis for the Commission's eventual decision as to proper rates and charges, but the Commission also will take into account further written arguments on any issue still in dispute. The Commission finally issues a written Opinion and Order discussing and resolving all of the still disputed issues and determining what additional revenues and rate changes are justified to meet the utility's legitimate costs of serving its customers. The entire process requires nearly 11 months from the date the revenue request is filed.

*Lilco's "Energy Crisis":*

Lilco claims our electric bills are so high because they must burn expensive foreign oil to produce our electricity. They say the only way to energy independence and stable rates is to complete and operate the multibillion dollar Shoreham Nuclear Power Plant.

Let's set the record straight.

The real reason Long Island's rates are so high is because Lilco is building the most expensive nuclear power plant in the industry's history. If we must pay the final 2.6-3 billion dollar price tag for the plant, our rates will "stabilize" at levels 40-75% above what they are today. There's a better way to save foreign oil and it's not through nuclear power.

Long Island's "energy crisis" is really Lilco's fiscal crisis. Lilco needs Shoreham for profit, not to save oil or produce electricity. We don't need Shoreham for anything. The smarter, cheaper way to energy independence is energy efficiency.

*The Energy Efficiency Masterplan:*

In 1980, a team of energy experts developed a common sense alternative to completion of Shoreham.\* The Energy Efficiency Masterplan is based on a simple fact: It's cheaper to save energy than it is to produce it. Our economy will grow stronger if Lilco mothballs Shoreham and lets us invest in our own homes and businesses instead of in their overpriced power plant.

*Cost-Effective Measures:*

The forty measures the Energy Efficiency Masterplan defines are cost-effective and readily available. The measures will not mean cutting back by turning down thermostats or shutting off lights. Instead, we will improve our energy use when we:

- Add insulation and weatherization to our homes and commercial and industrial buildings;
- Replace energy inefficient appliances with energy efficient models;
- Set minimum passive solar standards for new construction;

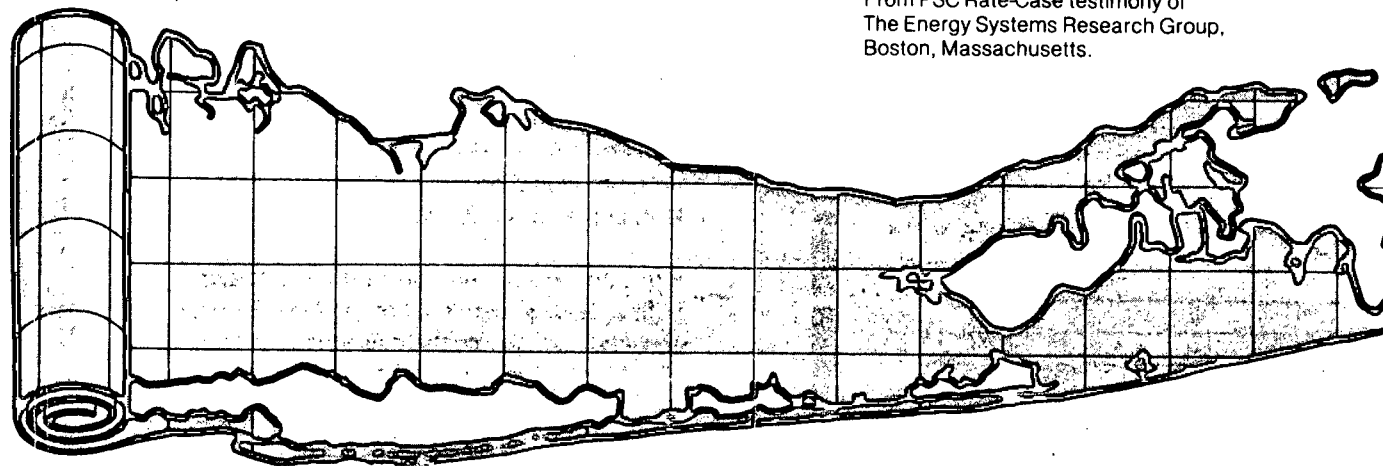
- Begin industrial cogeneration (capturing and reusing waste energy);
- Restrict electrical space heating.

These measures, and others, phased in over the next twenty years, will mean enormous savings for Long Island. Compared to completion and operation of Shoreham, the Energy Efficiency Masterplan will:

- Save ratepayers 2-3 billion dollars, including at least a 500 million dollar reduction in electrical rates;
- Save 53 million more barrels of foreign oil;
- Save as much energy as Shoreham would produce (820 megawatts);
- Save 76 million cubic feet of natural gas;
- Provide 7,000 more jobs on Long Island annually for contractors, small business-people, and construction workers (not to mention saving us from the risk of nuclear accident).

\*From PSC Rate-Case testimony of The Energy Systems Research Group, Boston, Massachusetts.

# THE ENERGY EFFICIENCY MASTERPLAN



# MAKE ENERGY EFFICIENCY A REALITY.

Here's what we have to do:

Tell the PSC and our state legislators to mothball Shoreham now. Lilco's directors must admit their mistake and take their losses before they sink any more of our money into that multibillion dollar nuclear fiasco.

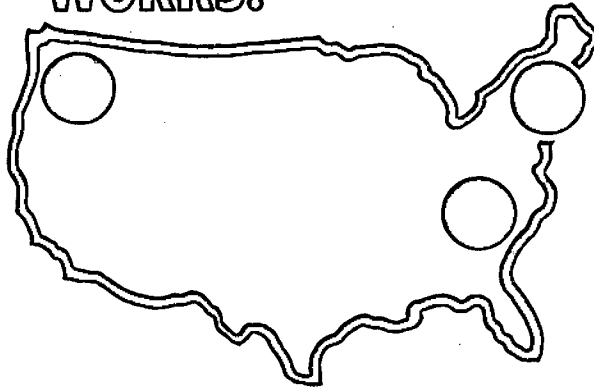
Support the Energy Efficiency Masterplan. We must let our federal, state, and county legislators know we want the cheaper, safer, smarter energy option for Long Island.

Join the Campaign For Ratepayers Rights. Chapters are forming across Long Island. We are fighting back. Together we can win.

Call or write us today.

**(516) 360-3988**

# ENERGY EFFICIENCY WORKS.



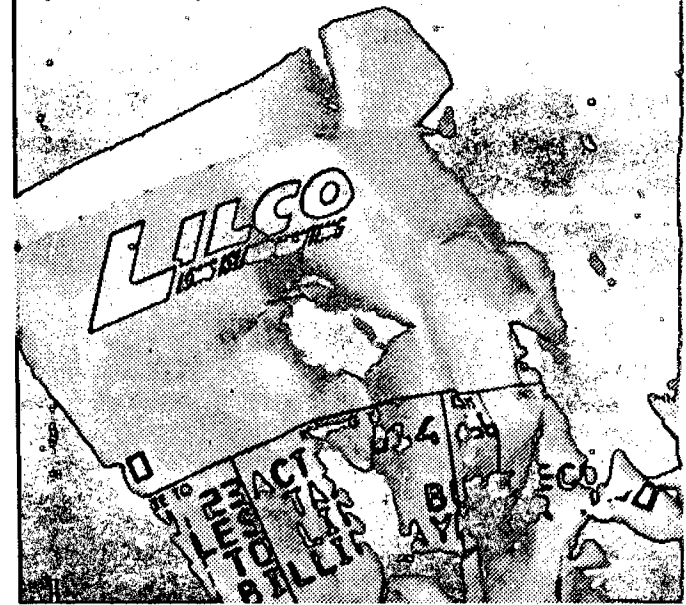
It's not too late for Lilco to stop Shoreham and let us begin to manage our own energy resources. Ratepayers across the country are already benefiting from energy efficiency programs:

- In the Southeast, the Tennessee Valley Authority offers interest-free loans for home weatherization—one measure of the Masterplan—and saves 289 million kilowatt-hours of electricity annually, and, 1,071 megawatts by 1987.
- In the Northwest, Seattle City Light is investing 2 million dollars over the next 3 years to help 10,000 homeowners (LI's program would help everyone), save 3,000 kwh per home each year.
- In Connecticut, the state and seven major utilities have joined in a non-profit residential conservation service that has already helped 20,000 ratepayers in its first six months.

We could do the same—and more—on Long Island.

# ENERGY EFFICIENCY

*The bright alternative.*



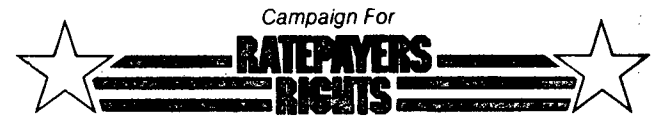
Campaign For  
**RATEPAYERS RIGHTS**

P.O. Box 972, Smithtown, New York 11787

I've had it! I want to join. Enclosed is my membership fee of \$5. Please send me a "Lilco, We've Had It!" bumpersticker.

I can't join yet. Please put me on your mailing list.

Name \_\_\_\_\_  
Street \_\_\_\_\_  
Town \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_



# SHORT CIRCUIT

## Lilco

### An Introduction to Public Power

#### Q: What does the term public power mean?

A: The term public power, when used to describe electric utility systems, refers to systems that are owned and operated by communities for the benefit of their citizens. Unlike private utility companies like the Long Island Lighting Company (Lilco)—which are owned by private individuals, large banks, insurance companies and other financial institutions—public power systems do not have stockholders.

Today there are over 2,200 public power systems in the U.S. Major cities such as Los Angeles and Seattle, as well as smaller municipalities like Freeport, Rockville Centre, and Greenport on Long Island, have municipal power systems.

#### Q: Aren't the voters of Suffolk County voting for public power in the fall election?

A: The Public Utility Service (PUS) proposed by Suffolk County would not replace Lilco. It aims to provide Lilco access to hydroelectric power from upstate New York. But initially, the PUS may be ineligible as a customer for this power and may therefore never lead to lower rates.

#### Q: Why is there so much discussion about public power and replacing Lilco?

A: Although it is regulated by New York State, Lilco is a private company which operates according to the interests of its investors and owners, who put money into the Company in order to gain increased income. The way investor-owned utilities (IOU's) work is that they are guaranteed a profit on their assets (investments). The more the company invests and spends, the more it makes, and the more it is entitled to when the NYS Public Service Commission, the rate-making regulatory body, rules on rates. Lilco's 56.5% proposed increase is a prime example of the "more they spend, the more they make" syndrome. If Lilco were to "make good" its \$3.2 plus billion Shoreham investment and the resulting profits, it is generally agreed that Long Island's economy would suffer. Because public power systems generally deliver service at rates 30% cheaper than private companies like Lilco, many concerned Long Islanders see public power as an effective way to protect LI's economic vitality and our standard-of-living.

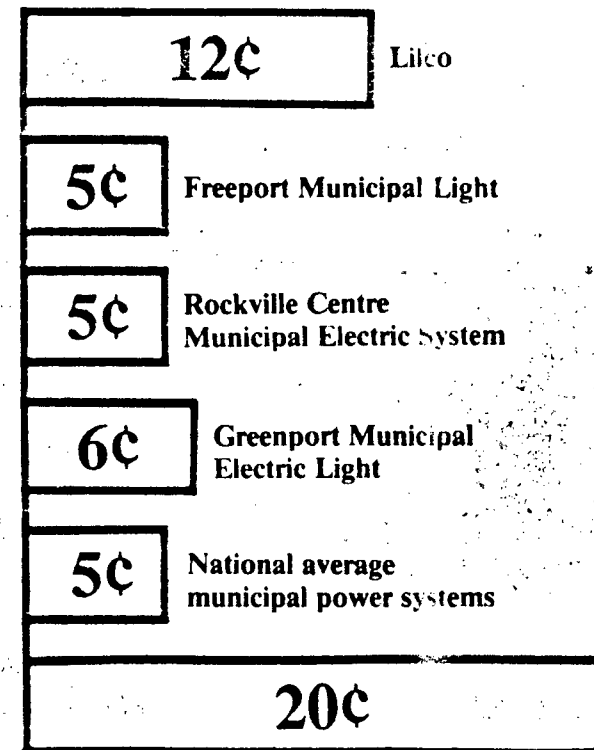
#### Q: Would there be benefit in establishing a public power system on Long Island?

A: Yes. Lower rates are a major benefit. There are four major reasons for municipal power systems' lower rates:

public power systems operate more efficiently; they can borrow money at lower interest rates; they do not pay dividends to stockholders; and, they don't pay federal taxes. In 1982 alone, Lilco's net income or profit was \$309 million. By contrast New York State's 49 municipal electric system enjoyed a 5% rate decrease in 1983.

In fact, these benefits have been specifically verified for Long Island by a technical, engineering and economic analysis of municipal acquisition—a "feasibility study"—done by the Daverman and Associates consulting firm under a \$65,000 contract with Suffolk County. The study shows that localities would continue to receive payments "in lieu of taxes" from the public utility, equivalent to present property tax payments.

### Comparing rates: Lilco vs Public Power (Costs in cents per kilowatt hour)



Lilco's projected charges if ratepayers pay for Shoreham: 20¢ per kilowatt hour



**Q: Does municipal power mean cheaper rates for industry and commerce?**

**A:** Yes. For the same reasons that municipal power systems can charge lower residential rates, they can charge lower industrial and commercial rates also. Freeport, a municipal power village, advertises business rates for electricity 40% lower than Lilco's. Such lower rates can help strengthen and revitalize the area's economy. Many industries are threatening to leave LI, claiming that their electric bills are too high. A municipal power system, with lowered commercial and industrial rates, could reverse the trend and attract industry and jobs to our region. The economy would also be helped by lower residential rates because people would have more money to spend for goods and service—expenditures which would stimulate jobs and income. And local taxes could be moderated as the electric bills of municipalities and school districts are lowered or eliminated.

**Q: Do we really want to get involved in this? Aren't municipally-owned systems inefficient and riddled with waste?**

**A:** Actually, public power systems have set a high standard of operation which their private competitors have not been able to match. This enviable record stands for the last 32 years. Looking at public power systems which serve as a "yardstick" for utility operation, the U.S. Department of Energy reported that public power systems handle production, accounting and collecting, customer services, information and sales, and administrative and general expenses more economically per kilowatt-hour of electricity sold than do private power companies. Only transmission expenses exceed those of private companies because power sources are often more distantly located.

**Q: Who would run a municipal power system? Wouldn't there be corruption?**

**A:** Municipal power systems are democratically controlled by either local elected officials and/or by an elected municipal utility board. This is completely unlike the private utilities which are controlled by distant boards of directors representing the large banks and institutions which are their major stockholders.

In a public power system, decisions on how to spend money and set rates are made by local referenda, or by local officials over whom citizens have direct influence and control. Any officials voting to spend funds or to raise rates unnecessarily would be forced to justify these actions to his or her constituents or face the threat of being voted out of office at the next election. The monthly municipal electric bill becomes a "report card" to rate elected officials.

**Q: Could a new municipal power system be established here on Long Island?**

**A:** Section 360 of the General Municipal Laws of New York State authorizes any municipality (village, town, city or county) to "construct, lease, purchase, own, acquire, use and/or operate any public utility service within or without its territorial limits, for the purpose of furnishing to itself or for compensation to its inhabitants, any service similar to that provided by any private utility company . . ." Thus, any municipality can decide to take back the franchise granted to the private utility and establish a municipal power system. The private utility *must* sell its equipment if a municipality follows section 360 and decides to establish a municipal power system.

**Q: Lilco's a big company. Can we really afford to purchase its assets?**

**A:** According to Suffolk County's study on the feasibility of creating a municipal electric system the answer is a resounding yes. Daverman and Associates' financial and engineering study concluded that "Suffolk County can . . . municipalize the electric facilities of Lilco and offer reliable electric service at rates below Lilco."

The cost of purchase would be financed by bonds floated by the new municipal system and paid for by ratepayers through their electric bills. Even with financing costs the rates would be substantially cheaper under municipal operation.

**Q: Would a new municipal system purchase Shoreham?**

**A:** Highly unlikely. As an electric facility Shoreham does not represent the type of reliable and cost-effective asset desirable in a municipal electric system.

Further, Suffolk County's government, representing 48% of Lilco's service territory, has determined that the Shoreham plant will not operate. Under Title 16 of the Public Service Law the public is not liable or responsible for the costs of a plant, unless it is "used and useful." The Public Service Commission then would not be permitted to pass Shoreham's cancellation costs onto the public. Corporate reorganization by Lilco's owners and creditors might then result.

**Q: To sum up, what are the main benefits of public power?**

**A:** Although there are many benefits for a community establishing a municipal power system, two are most important:

- The rates charged are much lower than those charged by private utilities like *Lilco*.
- Municipal power systems are under local, democratic control.

**What's the next step?**

**A:** In Suffolk: Suffolk County has completed the first step in preparing for a municipal system. Now the Daverman and Associates' study must be studied, and a particular plan agreed upon. Then, as called for under Municipal Law 360, the Suffolk County government must approve a resolution to place the issue before the voters through referendum.

In Nassau: Nassau County has not yet authorized a feasibility study. This is the first step required, and is a useful "fact-finding" step which government can undertake in carrying out the public's interest.

In both counties, we seek needed information and the public's right to decide the matter.

**What can I do?**

- Become involved in local Long Island Public Power Project (LIPPP) activities in your area.
- Ask for more information on public power.
- Invite friends over for an evening to listen to a presentation on public power by someone from the LIPPP. Or arrange for the presentation to be made at the meetings of the organizations to which you belong.
- Contact your town and county officials to urge their support for "the next step." Are they well-informed on this issue? If not, call on the LIPPP and we'll jointly set up a "lobbying" meeting.
- Contribute money to the LIPPP. Lilco has millions of our dollars to use to fight against public power. We need to develop resources to campaign for it.

For more information or to join the campaign, contact:

Long Island Public Power Project  
Box 467-W, North Station  
Baldwin, New York 11510

Box 114

Centerport, N.Y. 11721  
(516) 546-9868

Your local contact:

This literature is based on information from Lilco, the American Public Power Association, the People's Power Coalition, U.S. Dept. of Energy, and Daverman and Associates.



195 East Main Street  
Smithtown, New York 11787  
(516) 360-3987

## FACT SHEET

### CUOMO'S SHOREHAM TASK FORCE

According to NYS Governor Mario Cuomo, his Shoreham "fact-finding" group is an honest attempt to get to the bottom of the Shoreham Nuclear Plant controversy. The task force is supposed to study:

1. the safety risks of Shoreham;
2. emergency planning;
3. economic effects of opening or abandoning the plant;
4. the impact of abandonment on NYS' electrical supply.

#### Executive Committee

Pat Carr  
Matthew Chachere  
Scott Fowler  
Ted Goldfarb  
Sue Heller  
Richard Johnson  
Jeff Kluewer  
Warren Liebold  
Alan Polsky  
Lorna Salzman  
Mary Swet

#### Executive Coordinator

Nora Bredes

#### Of Counsel

James Dougherty

#### Member Groups

AMEND  
Concerned Citizens of Montauk  
East End Shoreham Opponents  
Friends of the Earth  
Friends of LI  
Group for the South Fork  
Hampton's Energy Alternatives  
Hudson River Sloop  
Clearwater, Inc.  
LI Friends of Clearwater  
Maine Environmental  
Council of LI  
North Fork  
Environmental Council  
North Fork Opponents of  
Nuclear Exposure  
North Shore  
Coalition for Safe Energy  
Nuclear Resource Center  
Peacesmith House  
Peconic Environmental  
Resource Center  
Safe and Sound  
Safe Energy Alternatives  
Science for the People  
Seawantaka  
Social Workers Against Nukes  
Suffolk for Safe Energy  
Women's Health Alliance  
Women Opposed to  
Nuclear Technology

The task force is supposed to discover why there are differences of opinion about Shoreham (!), present Cuomo with various options and scenarios, but not propose a course of action itself. This redundant effort to state the obvious seems designed to buy Cuomo time, at least until August 31st when a report is due. The task force will hold public hearings, one in Nassau and one in Suffolk.

Ten task force members have been appointed. At least half of them are permanent government types, those "aides", "advisors", "directors", and chairmen who shuttle from position to position, seldom elected but seldom far from the centers of power.

Here are some task force "highlights":

Alfred Kahn was chairman of the NYS Public Service Commission from 1974-77 (appointed by Gov. Malcolm Wilson) during which time LILCO received \$140 million in rate hikes, Shoreham was delayed three of its many times, and its price doubled to the one billion dollar mark. He must be held partly responsible for the regulatory failure that brought us the plant in the first place. He has already tacitly approved of it. His 2-volume Economics of Regulation is a classic textbook which holds that utilities form a special sector of the economy and need regulatory protection to assure their financial well-being. This stand is in direct contrast to the free market principles he espoused as head of Pres. Carter's Council on Wage and Price Stability. There he blamed inflation on overregulation. He has been advisor (1974-77) to the utility-funded Electric Power Research Institute and a consultant (1960-74, 1980-present) to the Natl. Economic Research Assoc., a group which has done work for LILCO. Kahn will head the task force's subcommittee on the economic impacts of abandoning Shoreham.

Paul Alan Marks, president of Memorial Sloan-Kettering Cancer Center, was the only physician on the President's Commission on the Accident at Three Mile Island. The Commission report, while critical of NRC management, declined to find much wrong

with nuclear power in general. On emergency planning, the report minimized the need for evacuation, preferring "sheltering" and thyroid-blocking drugs (which would reduce the body's intake of radioactive iodine, only one of the 200 radioactive isotopes present in a reactor's inventory). He has also worked closely with the NRC, serving as chairman of a joint Natl. Academy of Sciences-NRC medical sciences committee.

John Marburger, head of Cuomo's task force, has been president of SUNY at Stony Brook since 1980. Cuomo has made much of Marburger's "objectivity" because he is a physicist. Stony Brook is one of the premier physics schools in the country, Marburger is its third physicist-president. He is connected to scientists at Brookhaven National Lab, most openly by R.C. Anderson, assistant director of BNL, head of Stony Brooks local board of trustees, and, incidentally, a pro-nuclear speaker. LILCO's "Charlie" Pierce is a member of the Stony Brook Foundation which raises money for the university. Marburger's professional associations seem to be with those who favor Shoreham. He is on the board of the Action Committee for LI, a business/industry outfit whose mission is to lead LI into a high-tech future fueled by "safe nuclear power". Marburger was also chair of the NYS Energy Office Review Committee when the NYS Energy Master Plan was approved with Shoreham included. He too has already in some way approved the plant.

Another task force member with previous pro-nuclear and pro-utility stands is David Axelrod, NYS Health Commissioner and head of the NYS Disaster Preparedness Commission. The DPC tried last year to help LILCO win its fight with Suffolk over emergency planning.

William Ronan, designee of Nassau County executive Francis Purcell, is a long-time Rockefeller aide, former MTA head, and a trustee of PASNY, the state-run utility which operates most of NYS's nuclear plants. He is a member of the pro-LILCO economic task force formed by Lou Howard (the lone County legislator to vote with LILCO on emergency planning). Ronan has already suggested that Cuomo's task force use the Howard group to prepare its economic assessment. Thankfully, the task force hasn't gone that far yet.

Other members include Hugh Wilson, director of Adelphi's Institute for Suburban Studies and William Dircks, the NRC's executive director for operations; he did not attend the task force's first meeting.

Perhaps more favorably, Karen Burstein, current head of the NYS Consumer Protection Board and past PSC commissioner, is also a member. She has worked to stop the construction of Nine Mile Point 2, a nuclear plant in upstate New York in which LILCO has an 18% share. However, she has always seemed to accept the inevitability of Shoreham and has spoken against its abandonment.

Solidly in our corner are Marge Harrison, a long-time LILCO foe from the LI Progressive Coalition, and, Suffolk Life publisher, Dave Willmott, a champion of the stop Shoreham cause who has written many editorials against Shoreham and LILCO.

Noticeably missing from the task force is a representative from the ten-mile radius surrounding Shoreham. In fact, only two of the ten (Marburger and Willmott) are even residents of Suffolk County.

All in all, it can't be said that this "force" is with us. But that doesn't have to be the final word. Now you are aware of just who the governor thinks has the "facts", let him know you disagree.

WRITE THE GOVERNOR:

ALSO -  
L. CAMPO - MT. SINAI  
D. WILMOTT - BKHVN. LAB.

Governor Mario Cuomo  
Executive Chamber  
State Capitol  
Albany, New York 12224

MARCE HARRISON (SUPT. DR. DAVID SPRIETEN)  
MASSAU  
DAVE WILMOTT (SUPT. LOU GRASSO)  
SUFFOLK  
ALSO FEMA REP. & CUOMO'S AIDE

## Get Involved!

The following is a list of groups in the STOP SHOREHAM CAMPAIGN, which have helped organize the June 4 and 5 events. We call upon you to get involved with them.

Please remember that the Long Island Lighting Company is planning to start up the plant sometime in late 1983 or early 1984. At that time — and as a last resort — many groups in the STOP SHOREHAM CAMPAIGN will organize a blockade. We believe that the plant opening will be defeated before then, but we are prepared to organize once again if it is not.

### THE STOP SHOREHAM CAMPAIGN

(516) 360-0045 STAY IN TOUCH

#### SUFFOLK:

- Suffolk Nuclear Study Group, 54 Robinwood St.,  
Mastic 11950, 281-6946
- Northshore Comm. Against Thermal Pollution, P.O.  
Box 231, Wading River 11792
- People's Action Coalition, P.O. Box 27, Shirley  
11967, 399-1795
- Long Island Progressive Coalition, 558 Meadow Road,  
Kings Park 11754, 269-6924
- Paumanok Peoples Organization, 18 Marlon Lane,  
Hauppauge 11788, 724-8730
- Long Island Catholic Peace Fellowship, 34 Jamaica  
Avenue, Wyandanch 11798, 643-7568
- Long Island Shad, 333 Terry Road, Smithtown  
11787, 360-0045
- Women Opposed to Nuclear Technology, c/o Koons,  
81 Locust Drive, Eatons Neck 11768, 261-8590
- Shoreham Opponents Coalition, 195 East Main Street,  
Smithtown 11787, 360-3987
- Bay Community School, Bellport 11705, 286-8026
- Community Energy Network & Friends, East Quogue  
728-2492
- Ratepayers Rights Campaign, 195 East Main Street,  
Smithtown 11787

#### MASSAU:

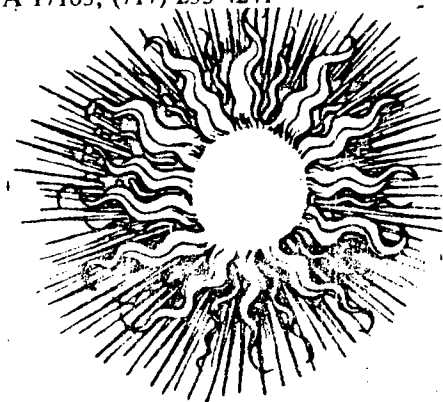
- Friends of Long Island, P.O. Box 55, Seaford 11783  
798-3139
- Mothers and Others Against the Draft, 26 Valley View  
Road, Great Neck 11021, 466-6146
- Long Island Citizens in Action, 1845 Vishage, Baldwin  
11560, 546-9868
- Peacesmith House, 90 Pennsylvania Avenue,  
Massapequa 11758, 798-0778
- Long Island Friends of Clearwater, 401 Railroad  
Avenue, Westbury 11590
- New York Public Interest Research Group, 222-0086
- North Shore Coalition, 8 Park Drive East, Old  
Westbury 11568, 484-4445
- Nuclear Resource Center, P.O. Box 341, Huntington  
11743, 265-5199

#### NEW YORK CITY:

- War Resisters League, 339 Lafayette Street, 10012  
(212) 228-0450
- New York Mobilization for Survival, 135 West 4th  
Street, 10014, (212) 673-1808
- New York Anti-Nuclear Group, 339 Lafayette Street,  
10012, (212) 505-6590
- Brooklyn Anti-Nuclear Group, Box 2666, Brooklyn  
11202
- Brooklyn Mobilization for Survival, 36 Plaza Street,  
Brooklyn 11258, (212) 622-1289

#### NATIONAL AND OTHER GROUPS:

- Boston Mobilization for Survival, 13 Sellers Street,  
Cambridge, MA 02139
- Keystone Alliance, 3700 Chestnut Street, Philadelphia,  
PA 19104 (215) 387-5254
- Science for the People, 897 Main Street, Cambridge,  
MA 02139, (617) 547-0370
- Nuclear Information and Resource Center, 1346 Conn.  
Ave., N.W., Washington D.C. 20036 (202) 296-7552
- WIN Magazine, 326 Livingston Street, Brooklyn NY  
(212) 624-8337
- Seacoast Clamshell Alliance, P.O. Box 1415, Ports-  
mouth NH 03801, (603) 431-8337
- Sea Alliance of New Jersey (201) 538-6676
- WESPAC, 255 Grove Street, White Plains, N.Y.  
10601, (914) 682-0488
- Public Interest Resource Center, 1037 McClay Street,  
Harrisburg, PA 17103, (717) 233-4241



Groups Around the Nation Are Watching and Are In Touch

THERE IS A BETTER WAY

# SHOREHAM

## \$3.2 BILLION OF DANGEROUS OBSOLESCENCE

The Shoreham Nuclear Power Station stands on Long Island's North Shore 70 miles east of New York City. Once a burial site for Native Americans, the Shoreham site consists of 499 acres of beach front, wetlands and forest. The Long Island Lighting Company (LILCO), Shoreham's owner, also purchased approximately 300 adjoining acres with the original intention of building a second nuclear plant at Shoreham.

Shoreham



The Shoreham Station is now 99% complete. One hundred twelve tons of uranium fuel was delivered to the site in July 1982, and LILCO is waiting for permission to load the fuel and "test start" the reactor. The utility claims Shoreham will be ready for commercial operation by the end of the year if the Nuclear Regulatory Commission (NRC) grants them permission. The Shoreham reactor is designed to generate 820 megawatts (mw) of electricity.

The Shoreham Station contains a boiling water reactor designed and constructed by General Electric. Its total fuel load is 278,000 pounds of processed uranium. The plant uses an "off-shore diffuser," drawing water from Long Island Sound as a coolant. The operating staff will be between 100-200 people.

### THE HISTORY OF SHOREHAM

LILCO purchased the land and announced its intention to build a nuclear generating facility at Shoreham in 1965. The next year LILCO also announced plans for another nuclear site at Lloyd Harbor in western Suffolk County. LILCO subsequently planned five other nuclear plants (including 4 in the town of Jamesport and the second Shoreham reactor). The company never began construction of any of the other nuclear sites as citizen opposition and falling electrical demand forced them to cancel the unstarted plants. We are now left with only Shoreham to stop.

The Shoreham Station was first planned as a 500 mw reactor, but LILCO received a cut-rate deal on an 820 mw reactor from GE after another utility cancelled plans for a nuclear plant in upstate New York. At the time of the purchase, the reactor's Mark II containment system was already out of production—considered technologically obsolete by the industry.

### COST

When Shoreham was first proposed it was projected to cost \$271 million. Based on this figure, LILCO announced that Shoreham's

operation would cut energy costs and save electric company customers thousands of dollars during Shoreham's operating life. Today the present estimate for the plant's final price tag is \$3.2 billion! LILCO's rates have tripled since 1970 and the company admits today that Shoreham's costs will drive electric bills up at least 45 percent more.

The main reason for this outrageous increase is a series of design modifications that have been necessary throughout the reactor's construction. Many of the safety requirements mandated for nuclear plants today were not included in Shoreham's original plans. This, coupled with general poor management by LILCO, has resulted in Shoreham's becoming the most expensive nuclear plant ever built. At this point LILCO's customers will be paying approximately \$2000 each for Shoreham if the plant goes into operation.

There are a number of unanswered questions about the safety of nuclear power plants overall, including Shoreham. Most revolve around the possibility of major accidents and the long-term release of low level radiation. In the case of Shoreham, there are also a disturbing number of concerns about the reactor's construction and specific safety systems.

All nuclear reactors emit low level radiation during normal operations. Government officials and utility executives argue that this radiation is "safe." A growing number of doctors, scientists and physicists question this. While such radiation is not intense enough to immediately kill or disable anyone, studies indicate it can contribute to rising cancer rates and the onset of other mortal diseases. Since full-scale nuclear experimentation began in the 1940s, the U.S. government has lowered what it considered the "safe" level of radiation exposure to one-tenth of the original. With over 70 nuclear plants operating in the United States, and another 33 supposedly nearing completion, most people are at a loss to explain how these vital questions of public safety remained unresolved.

Everyone agrees that each nuclear plant contains the potential for a catastrophic accident. While a nuclear power reactor cannot explode like an atomic bomb, a less severe steam explosion or other breach of containment can occur and cause a radioactive release of dangerous fission materials over hundreds of square miles. Such a "worst-case" accident would immediately kill or injure hundreds, possibly thousands, of people and cause future outbreaks of cancer in thousands more. Long-term contamination could leave large parts of Long Island, metropolitan New York and Connecticut

uninhabitable for generations.

Less serious calamities can also occur that would still create widespread disruption and severe financial losses for Shoreham's neighbors. The spectre of such events has led the Suffolk County Legislature to declare it would be impossible to safely evacuate the Shoreham area.

LILCO and supporters of the nuclear industry like to say that the likelihood of a major accident is extremely small. They fail to point out that accident probability studies fail to take into account human error factors and contain underlying assumptions that all safety-related equipment would function perfectly and according to plan. Inasmuch as the accident at Three Mile Island was considered "impossible" in nuclear industry probability studies, these arguments are highly suspect.

It is the as-yet unanswered questions about nuclear waste disposal that may pose the greatest long-term threat to our health and safety. The normal operation of a nuclear power plant creates hundreds of tons of highly radioactive materials that must be isolated from the environment for literally hundreds of thousands of years. Parts of the reactor building itself become so "hot" after its years of operation that the whole plant must be entombed for a period of years and then cut into smaller pieces for longer-term storage.

At temporary storage pools at reactor sites around the country nuclear waste continues to pile up while scientists search for a permanent solution. On Long Island, spent nuclear materials are presently piling up in the storage pools at the Brookhaven National Laboratories, just a few miles down the road from Shoreham. The Shoreham Station itself has "temporary" storage pools where spent fuel will be stored during the reactor's operation. Where it will go after that remains a matter of speculation. Nuclear industry supporters have been predicting a solution for over thirty years, but have yet to produce one. In addition to the present danger and expense of nuclear power, the real crisis may lay ahead of us if nuclear facilities continue to proliferate.

When nuclear power was first being touted as an energy source, industry and utility public relations promised it would be "safe, clean and cheap." Forty years later, after billions of dollars of cost overruns, skyrocketing electric rates and numerous unresolved safety questions, not to mention accidents of all scales reported and unreported, these rosy predictions for nuclear power's future ring very hollow.

(over please)

## THE HISTORY OF NUCLEAR OPPOSITION ON LONG ISLAND

People from the North Shore community of Lloyd Harbor were the first to organize legal opposition to nuclear power on Long Island. After LILCO announced its intention to build a nuclear reactor at Lloyd Harbor in western Suffolk County, local residents formed the Lloyd Harbor Study Group to enter the Atomic Energy Commission (AEC; precursor to the NRC) licensing process as intervenors. After a three year battle, in which the Lloyd Harbor group managed to help foster a growing public awareness of the dangers of nuclear power, they were successful insofar as LILCO abandoned the idea of a Lloyd Harbor reactor. By that time, however, LILCO was pushing ahead on Shoreham and proposed sites in Jamesport.

Jamesport is in the heart of Suffolk County's agricultural district (In fact, Suffolk is New York State's most prosperous farming community) and, in addition to other problems, the Jamesport site's location created additional burdens by interfering with local irrigation systems. By the middle 1970s, when the Jamesport sites were still on the drawing board and Shoreham was in initial construction, rising energy rates cut electrical use on Long Island drastically. From an annual growth rate of between 8-11%, demand plummeted to a near zero increase. LILCO continued to justify the need for Shoreham and other plants on projected growths in electric use that have never happened.

This falling demand, coupled with increased construction costs and the vigorous opposition of eastern Long Island's farming community, forced LILCO to cancel plans for the Jamesport plants in 1979. However, they have continued to push on at Shoreham.

The Long Island Safe Energy Coalition (LISEC) was founded in 1976 and set to work organizing local groups to promote conservation and safe energy alternatives and oppose nuclear power through grassroots education campaigns, legislative lobbying, public meetings and demonstrations. In subsequent years, LISEC organized balloon releases at the Shoreham site, held conferences, and published a regular newsletter to keep activists on Long Island in touch with each other.

During the 1970s a number of groups started up and joined the ever-increasing tide of voices raised against nuclear power on Long Island. These organizations included: Suffolk for Safe Energy, the North Shore Coalition Against Thermal and Nuclear Pollution, North Fork Opponents of Nuclear Exposure, Community Energy Network & Friends, and others. Long-time and multi-issue activist groups like PeaceSmith House in Massapequa and SANE chapters around the Island took notice of nuclear power and became centers of anti-nuclear activity.

Several dozen Long Islanders traveled to New Hampshire in 1977 to join the occupation of the Seabrook nuclear power plant. Many more returned to the Seabrook site in 1978 to attend a large legal demonstration. Upon returning from that event, several affinity groups got together with other Long Island energy activists and organized Long Island's first large civil disobedience at

Shoreham. Forty people were arrested for climbing the fence at Shoreham to demand an end to construction there. Shortly after that action, the SHAD (Sound/Hudson against Atomic Development) Alliance formed to promote safe energy and oppose nuclear technology through nonviolent direct action.

On June 3, 1979, SHAD organized the largest demonstration in the history of Long Island (helped, perhaps, by the Three Mile Island nuclear plant accident in March) and one of the largest mass acts of civil disobedience anywhere. In a pouring rain, twenty thousand people marched and rallied on the Shoreham town beach while 617 people were arrested after climbing the fences at the reactor site. The subsequent trial of the trespassers spread important information about construction defects at Shoreham.

SHAD also put on a rally directly in front of the Suffolk County Office Buildings in October 1979 that drew about 3,000. In September 1980 a SHAD-organized "Citizens' Strike" ended with a sit-in at the reactor gates where over 150 were arrested.

In late 1979 a cross section of groups working against Shoreham came together to form the Shoreham Opponents Coalition (SOC) to enter the NRC intervention process against the plant's completion. While most of SOC's contentions were thrown out by the "regulatory" agency, SOC's efforts pulled together a coherent, community-based legislative lobbying effort that laid the foundations for Suffolk County's present strong opposition to the Shoreham reactor's operation.

The most recent group to join the struggle against Shoreham is the government of Suffolk County. Although the county has been a legal intervenor since the plant was announced, their role was basically neutral. In the 1960s and 1970s the County Executive and Legislature largely adopted the attitude that what was good for LILCO was good for Suffolk. As public opinion, once strongly pro-Shoreham, changed, the complexion of the County Legislature changed. In the past four years pro-Shoreham representatives found themselves defeated by candidates who were avowedly against the reactor or, at least, more open-minded about the opposing point of view.

After a protracted battle during 1981 and 1982 with LILCO over whether outside groups, including the County, could conduct an independent inspection of the Shoreham facility (LILCO refused to allow it), the Suffolk government, at all levels, began a serious study of Shoreham's danger to the community. In response to LILCO's ten-mile-radius emergency plan, the County commissioned a \$600,000 twenty-mile radius plan in an attempt to get an accurate picture of the impact of a major accident at Shoreham.

The results of the County's study were soberingly drastic. It raised such questions about anyone's ability to cope with such an accident at Shoreham that in February 1983 the County Legislature voted 15-1 to accept a resolution which acknowledged that evacuation would be impossible and required the County Executive to take all steps to halt activity at Shoreham. Under the guidance of the County Executive, the County withdrew

from the planning process and petitioned the Federal Emergency Management Administration (FEMA) to rule out emergency planning for Shoreham. The County has also taken its case to the NRC, demanding that Shoreham not be opened because without the County's cooperation a workable emergency plan is impossible. New York governor Mario Cuomo is attempting to mediate between LILCO and Suffolk, but he has said he will not force an outside emergency plan on the County.

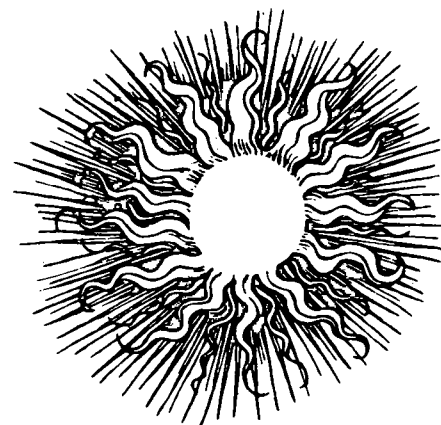
However, the final decision rests with the NRC. This federal agency has almost complete power to license nuclear facilities to operate and LILCO has continued to press for permission to turn Shoreham on.

While recent Supreme Court rulings, giving local authorities some vetoes over nuclear plants, and regulatory hearings have delayed Shoreham's opening, the reactor's demise is still not a forgone conclusion. The need to keep up the pressure and show everyone that opposition to Shoreham is alive and growing led to the formation of the Stop Shoreham Campaign (SSC) in January 1983. The SSC is an umbrella organization of virtually all groups on Long Island and in the metropolitan New York area working against Shoreham.

Since February 26, 1983, the Campaign has maintained a continuous vigil outside the gates of the Shoreham Station with volunteers staffing literature tables and maintaining a constantly burning "Flame of Life" lantern to symbolize our ongoing opposition to nuclear power. The Campaign's present activities will culminate in a public rally at Shoreham on Saturday, June 4 and a non-violent civil disobedience at the reactor site gates on Sunday, June 5.

It is important to show that citizen opposition to nuclear power on Long Island continues to grow. People from all over the region can help by taking a shift at the vigil and volunteering for one of the many chores necessary to build successful actions on June 4 and 5. Join with thousands of your friends and neighbors to stop this danger in our midst. Contact the Stop Shoreham Campaign and help build a future free from the perils of nuclear proliferation.

**The Stop Shoreham Campaign, 333 Terry Rd., Hauppauge, NY 11788; (516) 360-0045  
NYC Stop Shoreham Campaign, 339 Lafayette St., NY, NY 10012; (212) 505-6590.**



**THERE IS A BETTER WAY**

SB

Arthur McComb 30 Kirby Lane  
Lake Ronkonkoma, N. Y. 11779 Aug 5th, 1983.

Governor's Shoreham Fact-finding Commission RE: Safety Risks at Shoreham  
Sitting at Mineola, N. Y.  
Legislative Board Room Center.

Emergency Planning  
Economic Effects Open or Close.  
Impact Close on NYS Elect. Supy.

In fine print, the volumes written on hazards of operation of fission nuclear power supply might stretch for three miles - a reminder of Three Mile Island. In today's state of the science of fission nuclear, we can never be sure of safety. The fact that our federal government demands that safe evacuation plans be in place is our keynote that assurance of safety is impossible. Examples we have plenty.

If the scenario of emergency planning is so addressed, Then why in the cause of human sanity is anyone even thinking of it, let alone debating it. Waste of time. We have wasted too much already on Long Island - not to mention tax and rate bucks.

The above should answer the first two charges to you, our state commission. The third charge to you above, is eloquently answered by two letters to the editor of Newsday, today's date, page 73, by Marilyn LaCapria of Port Washington, and Clifford Bateman of Baldwin. I agree almost 100% with both of them, and read them into your record. The first is entitled "BANKRUPTCY FOR LILCO?" and the second "SICK AND TIRED OF LILCO".

**Bankruptcy for LILCO?**  
With all the scrambling around to find a solution to the problems of the Long Island Lighting Co. and its customers relative to incredible rate increases, I have yet to see the most obvious one proposed. Let LILCO file for reorganization under the appropriate chapter of the bankruptcy code. They are in fact bankrupt.

This would place the burden directly where it belongs, on the stockholders, the lending institutions, contractors and LILCO's management. Yes, they would be hurt, but all businesses take risks every day and the welfare of each business is determined by management's evaluation of those risks and its decision as to risk/reward.

The people involved in this disaster will suffer a lesser loss than the ratepayers in general, many of whom have no bank accounts, stocks or businesses. There are certainly more widows and orphans who are ratepayers than there are those who own stock. In addition, widows and orphans who own stock probably do not have all their eggs in one basket anyway.

Under a reorganization, prudent management can be brought in to keep the company going so as not to affect the paychecks of the employees.

Well, I'm off the subject, as anyone ever utilized the total cost of debt to LILCO, including amortization of debt for Shoreham, matching it against the current rate charged ratepayers? I am fearful that a 57 per cent increase is only the tip of the iceberg.  
MARILYN LACAPRIA, Port Washington.

**Sick and Tired of LILCO**

I fully agree with Neil Nolan and Henry Hong (Letters, July 28 and 29). The incorporated village next door to us charges the consumer a little better than one-third of what we pay for our electricity. We can't believe the enormous difference.

Someone in our home is seriously ill and we must use air conditioning to make life a little more bearable for that person. When the hot season is over, I will not know how I'll pay that bill. Maybe we'll have to remortgage the house or sell it. Who knows?

I know this much: I don't have a big brother to raise everyone's rates to pay for my problems. If the shareholders and the Long Island Lighting Co. go under, too bad; they won't be the first investors who lost out on a gamble.

I'm not gambling; I'm just trying to live. If the villages can get electricity for next to nothing, so should I. I don't care about LILCO's problems. If I were going bankrupt and losing everything, they wouldn't care a bit about me; they would still want that big bill paid.

Yes, Henry, enough is enough, and, yes, Neil, let's get it the cheapest way. I'm sick of paying LILCO's doctors' bills every time they are hurting.

Clifford Bateman  
Baldwin.

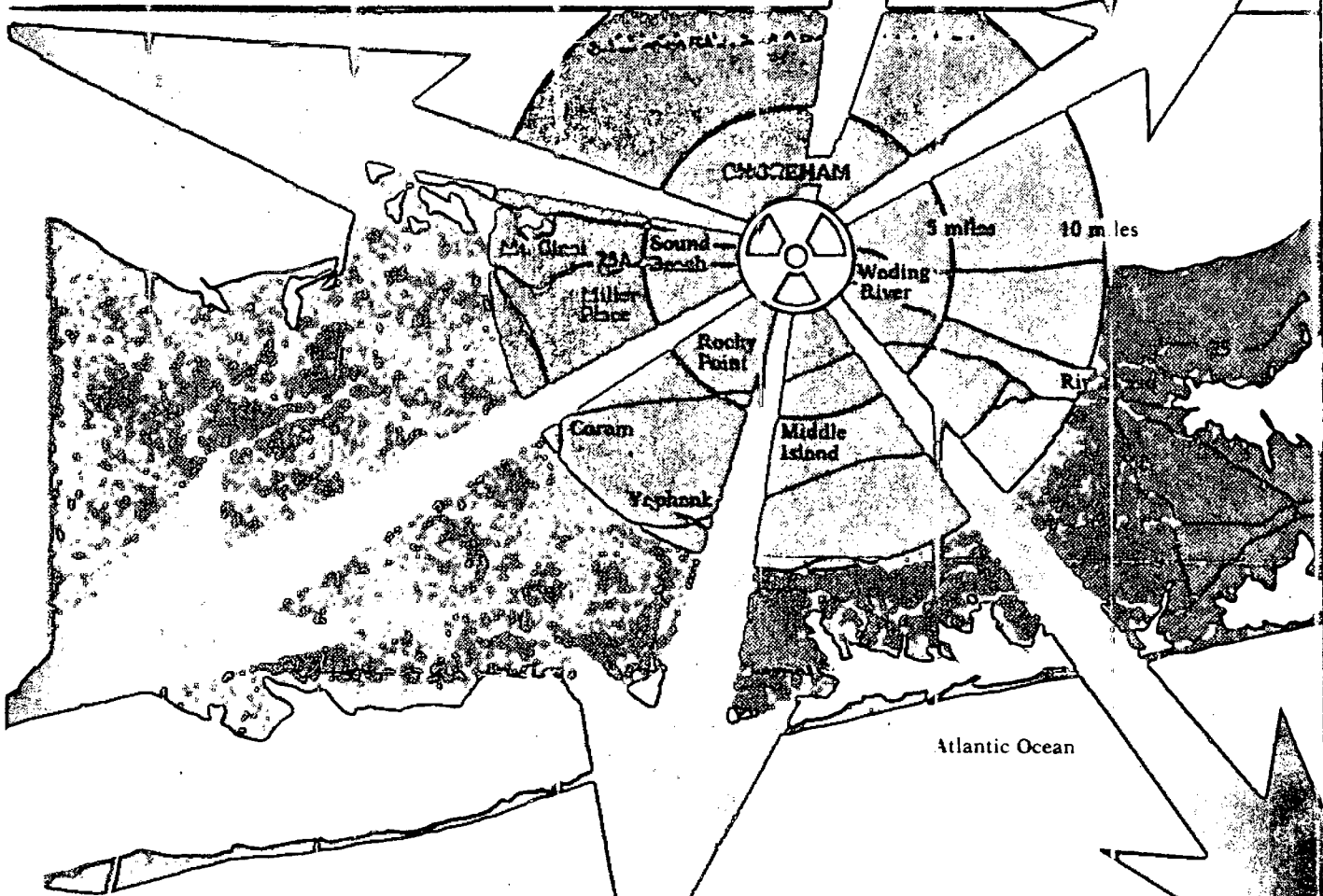
I answered your last charge above, on May 17th, 1971 in my address which was supposed to close the AEC -LILCO building permit hearings after 54 day-long sessions. The third from last paragraph in the kit submitted to each member is as follows:

"Each year will be cumulatively worse than the preceding one as we 'gloriously' pay homage to that great, elusive god called 'progress'. Shall we say, 'live it up and to hell with generations yet unborn? lets run air conditioners in high-rise mausoleums day and night with all streets lit up all night everywhere, and to hell with the generations yet unborn - lets have one hell of a binge! or shall we come to our senses?' Mankind survived untold centuries without electric nose-wipers - why do we suddenly, in a 30 year span, find that we cannot live without some of it?"  
YES, INDEED - THIS WENT ON RECORD OVER TWELVE YEARS AGO!  
(and I will add that was over 3 billion bucks ago)

I missed very few of those day-long hearings - to be allowed three minutes talk.

(516-588-2020) *Arthur McComb* 55

# LILCO WANTS TO TELL YOU WHERE TO GO



LILCO says they have a way to evacuate neighbors—away from a dangerous accident Plant. In four to six hours. They say 1300 of from meter readers to "Charlie" Pierce—can substitute for our police force, public workers, and elected officials. They say that if Shoreham goes, we can evacuate Long Island. No traffic jams, no panic, no injuries, no cancers, no deaths. What do you say?

you—and thousands of your at the Shoreham Nuclear LILCO's corporate personnel—guide you to safety and

## Tell it to the NRC.

On Aug. 10th, the NRC's licensing judges have called for public comment on LILCO's "plan." Don't miss this chance. These three men sit in judgment on Long Island's future. Come with your Families and Neighbors and Speak Out to Stop Shoreham.



FROM PAGE 56 - CONT'D

# NRC PUBLIC HEARING

## AUGUST 10, WEDNESDAY

### 9 AM-12 NOON; 6 PM-9 PM

#### RIVERHEAD COUNTY CENTER

#### RIVERHEAD

For more information call: Shoreham Opponents Coalition: 360-3987

30 Kirby Lane, Lake Ronkonkoma, N.Y.  
August 10, 1983. 11779

Limited appearance before  
Atomic Safety and Licensing Board of the U. S. N. R. C.  
For Shoreham Nuclear Fission Plant of LILCO.

*CHAIRMAN LAURENTSON DENIED RIGHT TO READ - DUE TO MY ADDRESS AT HAITHAVES 7/13/83*

We are unable to attend the hearing for physical reasons, but want our views delivered to your board.

Being residents of Suffolk for many years, up to more than fifty years, we would like to look forward to any remaining years we may have to live, in some kind of security from any unnecessary imposed dread, such as nuclear fission power plants represent. The inherent danger lying in its operation has been documented over and over, and the very fact that our government is insisting on a workable evacuation plan, is evidence that such danger exists.

There are more than a half-dozen alternatives, admittedly dependant upon sets of circumstances and locations, but not out of the question. If fact, the dire need for such a large supply being produced on Long Island does not exist, and the motivation must be with the objective to sell it to the megalopolis up the coast to Boston, and southward through New York City, possibly to Philadelphia. Using coal fired plants, but insisting on better smoke-cleaning equipment than we have is safer than nuclear fission by far. Why should Long Island provide for other places and be saddled with such a horrible threat to life.

We do not, under any combination of scenarios at this point in time, and in this stage of the science, want even a low-level license for a warm up stage. This would irradiate as badly as a full power permission from your board.

We are afraid that these public hearings, as have been held to date in the progress of this nuclear unit, and indeed for others we have heard of, have been too often like whistling into the wind. We do not seem to be heard. Please start to listen to us before we are locked into the irreversible. Please think of the coming generations, and of our down side of the years of our lives. Let us go out gracefully, not evacuating like the "lemmings" do in Norway and Sweden -- in a headlong scramble into the sea as LILCO's Mr. Wofford suggested in the records of the AEC construction hearings in the early 70's. His words were; "They could swim away if they wished," speaking as LILCO's Shoreham project manager.

Hopefully,

**ALL ARE OVER 70 YEARS OLD**

Clarisa McComb (above address) 588-2020  
Anne Harrison 35 Kirby Lane, Lake Ronkonkoma 11879.  
Alfred Harrison (same). 588-1564

*Clarisa McComb*  
*Anne Harrison*  
*Alfred Harrison*

LILY BEDELL 24 Crotty Ct. Lake Ronkonkoma 11779 588-3679

I subscribe to my mother's letter above, at under 35 yrs. Lily Bedell  
**NOT PERMITTED TO BE READ - BUT PUT INTO RECORD BY [Signature]**

Arthur McComb, 30 Kirby Lane,  
Lake Ronkonkoma, N. Y. 11779 8/15/83.

Honorable Mario Cuomo, Governor,  
Executive Chambers, 1350 Avenue of the Americas,  
New York, N.Y. 10019.

RE: "Public" Hearings held by  
NRC Licensing Board, and my  
objections to the procedure.

(three enclosures)

The three-judge board held only two sessions, July 13th in Hauppauge, and August 10th in Riverhead. I heard of none in Nassau, such as your commission did. I responded to both, as I did to all calls for public voice since the 1966 Brookhaven zone change hearing for the Shorham plant site. I missed very few. The media reported Riverhead's as 9 to 12 AM and 6 to 9 PM, for August 10th, Wed.

I reported public hearings in my term as Town Clerk, as N. Y. State law requires, and hold each step in high importance. It alone, in my opinion, guards the flow of the public's needs and desires from the "one man, one vote" doctrine, to their electives, the judiciary, and administrative authorities. This one was voided. I have, in the past, searched for definition of "public hearing", and only found in decisions that judicial agreement holds that provision must be made for adequate notice throughout the area concerned, which seemed to be lacking, and that all who respond, and the body which calls it, must experience orderly communion. Also, I am sure it is as important to hear all, as to be heard. I talk and listen.

Each of those present who had not spoken at Hauppauge, had five minutes, in the evening session. I and two others were denied because we had. However, Stephen Kvit spoke for a Washington group, permitted even though he had his say in the first July 13th segment. I asked to speak for three in their seventies who were physically unable to stand the 60 mile to and from Riverhead trip, and to sit and wait - I was denied. The discrimination was unexplained.

After all but us three were heard, the chairman declared the hearing over, at 8:13 PM, and at 8:25 a man came in to speak. He was denied. We still had 35 minutes of the announced hearing time, when the three judges left. About 14 of us stayed until 9 PM, and read our addresses to the group who had come to hear each other. Three sheriffs stayed with interest in our orderly rump session, I think on duty.

I told the board their manner and actions were arrogant, which, of course, means supercilious disdain, contempt or scorn for others. This was the worst of about 1000 hours since I started to follow the Shoreham matter, very patiently. A public hearing should deny no one, or it becomes a void process. Judge Laurentson gave no reasons, and it seemed arbitrary. I asked him to wait for latecomers who had to work and who knew it was scheduled for 9 PM closing. One came while he was there with 35 minutes left. He was told to mail it in.

I had announced that I now felt angry after 17 years of rebuff from federal units but it is no longer so. I am incensed, and am not alone. Read the minutes of the PSC, and the licensing board. Many voiced it much before me. Now, with our backs to the wall, we must choose a way to defend our families. Everything said this year echoed the public in 1970, 1971, 1972, 1973, and on. Washington chose not to hear. Now, we hope our State of New York hears. By all rights, the licensing board should be New York Staters, not outsiders deciding our safety and welfare, not to forget our health. I lived 65 years in Suffolk, and want more, without the LILCO dread over our heads. Our north shore earthquake fault also seems ignored. The public is lulled by calling it "earthquake proof", in construction.

I sense a defeatism in Suffolk and Nassau--a feeling of rankest prejudgements. We feel pushed around trying to be citizens. One said rebellion in 1776 had less cause.

COPIES TO:

All media.

County Executive Peter Cohalan, and Legislators.

Brookhaven Town Supervisor Henrietta Acampora.

Irving Like, Esq., formerly LHSB Atty.



# Cuomo: U.S. Considering Shoreham Evacuation Role

R3 — 8/18/83 — THU. — NEWSDAY

By Robert Fresco  
and Patrick Brasley

Gov. Mario Cuomo said yesterday that "encouraging discussions" have been held with federal officials on a proposal to have federal teams — backed by the National Guard — play a major role in any evacuation due to an accident at the Shoreham nuclear plant.

During a four-hour visit to Long Island, Cuomo also attacked Long Island Lighting Co.'s proposed rate increases. The 56 per cent the company is seeking if the plant opens is "too high," Cuomo said, and the 76 per cent if the plant does not go on line, he said, is "an absurdity." Cuomo said that a 56 per cent increase would "devastate Long Island," and he said that LILCO's shareholders must

"make sacrifices" if the rate hikes are to be averted.

Cuomo has repeatedly called for the federal government to take a greater role in emergency planning for nuclear plants, but his statement yesterday was the first indication that discussions have been held involving Shoreham.

LILCO needs an approved evacuation plan to get an operating license for the \$3.4-billion plant. The county, which normally would approve such a plan, has refused, contending that evacuation is not feasible. Cuomo has refused to impose a plan on Suffolk, and LILCO has submitted its own plan, using its own employees to substitute for county workers.

Yesterday, however, Cuomo said the "encouraging discussions" centered on a plan involving federal nuclear response

teams with officials of the Nuclear Regulatory Commission and with U.S. Sens. Daniel P. Moynihan (D-N.Y.) and Alfonso M. D'Amato (R-N.Y.). Cuomo said the state National Guard and Civil Defense Office would cooperate with the federal team in implementing the plan.

But he said the federal activity was crucial. "Suffolk County has said it won't draw an evacuation plan and the state doesn't have the capacity or wherewithal to come up with a plan," he said. "If the federal government fails to come up with a plan . . . well, then no Shoreham."

Gary Lewi, a spokesman for D'Amato, confirmed that discussions are taking place but could not say how far they had progressed. He said D'Amato has been "in favor of creating a special rapid deployment force for evacuation or ear-

marking funds for the national guard to deal with that kind of emergency."

Both LILCO and NRC officials were noncommittal last night. Charles Salit, a LILCO spokesman, said, "We are happy that he is giving these issues prime attention and any proposal he has to offer we will certainly study." Joseph Fouchard, an NRC spokesman, said, "We just have to take a look at what the governor has to say and consider it in light of the licensing process . . ."

Cuomo said any plan to combat the proposed rate increase, in addition to stockholders absorbing some of the costs, would involve discussions which he said he already has begun with the State Power Authority in connection with pooling cheaper power to LILCO; phasing

—Continued on Page 23

UPDATE TO OCT. 1983: A REAL TRAGEDY WOULD BE OUR OWN U.S. ARMY LIVING HERE IN FORCE, READY TO INFLECT MILITARY DOMINANCE IN A LOCALIZED DISASTER. IF LOCAL ARMY PERSONS WERE USED, THEY WOULD CARE FOR THEIR FAMILIES—IF OUTSIDERS, THEY WOULD BE DIS-ORIENTED. IT WOULD BE COSTLY. COHALAN'S "ABANDONMENT COUNCIL" OF RATEPAYERS, BONDHOLDERS AND SHAREHOLDERS MAKES SENSE.

*Richard Malcolm*

## U.S. Role in Evacuation Weighed

—Continued from Page 3

in the costs of any rate increase over several years; and creating an agency of businessmen, financial leaders and energy experts, along the lines of the Municipal Assistance Corp. that bailed out New York City, to come up with solutions to the rate problem.

Meanwhile, Suffolk County Executive Peter F. Cohalan, speaking before Cuomo's commission on Shoreham now looking at various options for the plant, called for the formation of an "abandonment council" made up of ratepayers, bondholders and shareholders to plan economic strategies for terminating the project. John Marburger, president of State University at Stony Brook and chairman of the commission, said afterward that Cohalan's suggestion could be one issue recommended for greater study.

Jim Higgins, the NRC's senior resident inspector at Shoreham, told the commission that the length of the delay due to Friday's generator break might be known in about a week. He also said LILCO would not get a license to test the plant at low power until the generator is repaired and retested.

Also at the hearing, Joseph Novarro, special assistant to LILCO board chairman Charles Pierce, testified that a \$3 million LILCO-financed inspection of the plant last year by a California-based firm found no faults with the generator. But he said inspectors for the firm — Torrey Pines Technology — had not looked at the shaft that broke on Friday. To do that they would have had to take the generator apart, "and that wouldn't be reasonable," Novarro said.

NOTICE OF PUBLIC HEARING III

SHOREHAM COMMISSION

The Governor's Fact Finding Panel investigating the Shoreham Nuclear Power Plant announces its intention to hold a CONTINUATION OF PUBLIC HEARING III that was held at Riverhead on August 16, 1983.

This Continuation Hearing is being held to accommodate those registered on that date of August 16, 1983, who were not heard. Those not heard on that date are automatically pre-registered and will be heard at CONTINUATION HEARING III ON AUGUST 30, 1983, at the Legislative Board Room, Suffolk County Center, Riverhead, from 2:00 to 5:00 p.m. and 7:00 to 9:00 p.m.

Others wishing to testify may register at the Continuation Hearing on a first-come, first-serve basis and will not be heard until pre-registered speakers are accommodated. Others not able to attend the hearing may submit their written statement to:

Dr. John H. Marburger, Chairman  
SHOREHAM COMMISSION  
Office of the President  
State University of New York at Stony Brook  
Stony Brook, New York 11794

## Cold Comfort

### For Lilco Users

*P. 66 - NY Times - 8/16/83 - suff.*  
Suffolk County appeared to have won a significant round last week in its battle with the Long Island Lighting Company over the Shoreham nuclear power plant. The real losers, however, are likely to be Long Island's ratepayers.

A staff report for Governor Cuomo's commission on Shoreham determined that it would cost only 6 percent more to abandon the virtually completed reactor than to operate it for 30 years. The draft report, a copy of which was obtained by The New York Times, also concluded that electricity rates are likely to double within five years on Long Is-

land whether the \$3.5 billion plant operates or not.

The commission staff's estimates were the first independent calculations to be produced during the debate over Shoreham. Lilco has said it will require at least a 60 percent rate hike to pay for Shoreham. The company also estimated it would cost at least \$3 billion more to mothball the reactor than to operate it. And that, Lilco contended, would force rates up at least 18 percent more. (Most of the extra cost would be for new coal plants and the extended use of expensive oil-fired generators Lilco said it would need to compensate for the loss of Shoreham's 809 megawatts.)

Consultants for Suffolk — which contends the plant should not operate because nearby residents could not be safely evacuated in case of a seri-

ous accident — have estimated that rates would be only 2.2 percent higher if Shoreham does not operate than if it does. The commission staff basically agreed, saying that abandoning Shoreham would not be as costly as Lilco predicts, in part because the reactor would be more expensive to run than the company now estimates.

Whatever the outcome, a key question is how much of Shoreham's cost will be passed on to ratepayers. In New York, all utility construction costs are traditionally paid by consumers. However, the commission staff said that if Shoreham is abandoned, the Public Service Commission or the Legislature might be more likely to shift some costs from ratepayers to Lilco stockholders.

Arthur McComb 30 Kirby Lane  
Lake Ronkonkoma, N. Y. 11779  
August 30, 1983

Governor's Shoreham Fact-Finding Panel,  
Sitting at Riverhead County Center Boardroom,  
Riverhead, N. Y. 11901!

Public hearing in our unique government form was intended to be a vital link between citizens and their government, to translate their wishes into actions of their elected officials. It started in the dire necessity for survival in our old original New England town meetings, and as we say about the science of the nuclear-fusion form of producing electric energy, it seems to be still in stages of development, not perfected. Shoreham hearings leave much to be desired.

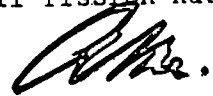
In a few short months, the public has had fired at them, a congressional hearing, (of special sort where seven panels of less than 20 speakers were on the agenda and the public could only present written address) two sessions of the NRC licensing board of three judges from out-of-state, three sessions of the PSC, and three, stretched to four, of this commission of Governor Cuomo's. None of these were adequately publicised, with too much reliance on the vagueries of the media. Even the meager New York State requirements for their own notifications were not done.

Each editor, using his or her own style or bent, added to the confusion.

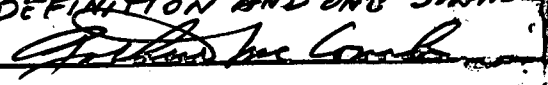
Government is far from perfect, but muddled through to this point. The large LILCO area of two counties and part of another, certainly deserved more. I have been as close to the Shoreham trail as probably anyone, and I missed the first of this body's session in Hauppauge, but none after that. I determined to correct what I could, and this past week I have given to over two thousand persons in my county, a typed notice with a page of some information on the subject, of past record. I talked to them, and found that about one in twenty-five even heard of the hearings. A small few were not interested, but most of them were glad to get the message. Some promised that they and friends would come, and most promised to tell others and try to make it. I covered fifteen shopping centers and other points from Lake Ronkonkoma to Riverhead, from the expressway to the Sound.

With adequate notice, all of these hearings would have been swamped. I lost my voice talking to a lot of people, but I got it back, just for you.

PS? Before issuance of a fission-plant license, NRC demands workable evacuation - which is prima-facie evidence of horrible inherent danger. Why don't we cease debating an escape, and just quickly abandon all fission nuclear energy?



PHONE (516) 588-2020

UPDATE TO OCT. 1983: PUBLIC HEARING IS THE HEART OF OUR HOME-RULE HOUSE-KEEPING. IT STARTED, AS WE KNOW IT, IN THE NEW ENGLAND TOWN MEETINGS, AND I CAN FIND NO SPECIFIC DEFINITION IN LAW. RULES ARE ERRATIC, FROM ONE POWER TO ANOTHER; FROM ONE LEVEL OF GOVERNMENT TO ANOTHER. ITS THRUST AND MEANING GETS LOST IN THE SHUFFLE, THE SHOREHAM SERIES THIS SUMMER WERE A TANGLED, POORLY UNDERSTOOD MESS, EXCEPT TO THE INSIDE FEW. MY SURVEY OF NEARLY 2000 PEOPLE IN SUFFOLK, TOLD ABOVE, TOLD ME WHAT I ALREADY SUSPECTED. THERE SHOULD BE ONE DEFINITION AND ONE STRAND AND UNIVERSAL PROCEDURE (SEE PAGE 62). 

# Never Turn Down A License

P.3 - SUFFOLK LISTS 8/31/83 - LIND (EDITORIAL)

Before anyone starts cheering that the events of the past couple of weeks might stop LILCO from receiving a license from the N.R.C. to operate Shoreham, they should remember that the N.R.C. has never turned down an applicant before.

That's right, never! Any utility, no matter how bad, how inadequate, how unconcerned about public service, health and welfare has been granted a license by the N.R.C. to operate an atomic reactor.

By their own admission, the N.R.C. does not inspect the quality of construction, nor simply give their stamp of approval on any utility

nuclear power plant. They rely on the integrity and credibility of the management of the utility.

The N.R.C.'s requirements are minimal for the operation of a nuclear power plant. You need only a high school education and have celebrated your 18th birthday to be eligible to be licensed as an operator.

Management of utilities has notoriously been drawn from the low end of executive capabilities. It doesn't take many brains or outstanding qualifications to run a company where your costs are guaranteed to be paid, and you are assured a profit for your

cont. on page 4

UPDATE TO OCT. 1983:

IF ONE PUBLIC HEARING SESSION ON ANY SUBJECT IS NOT HELD AS ANNOUNCED OR PUBLISHED, OR IS NOT POSTED IN RELIABLE PUBLIC PLACES WITHIN THE AREA AFFECTED, AND WITH ADEQUATE ADVANCE NOTICE, OR IF ONE CONCERNED CITIZEN IS DENIED TO BE HEARD IN THE ANNOUNCED TIME, OR IF ANYONE PRESENT, PROPER AND TIMELY, IS DENIED TO SPEAK HIS FULL MESSAGE IN AN ORDERLY MANNER, OR IF PROVISION IS NOT MAINTAINED FOR ALL PRESENT TO HEAR ALL SPEAKERS, OR IF MOST OF THE PANEL MEMBERS ARE ABSENT, WITH OR WITHOUT GOOD REASON, THEN IT CAN BE SAID THAT DUE PROCESS HAS BEEN ABORTED AND JUSTICE HAS BEEN THWARTED, AND THAT THE CHAIR, RESPONSIBLE FOR CONDUCT OF THAT PUBLIC HEARING, HAS CAUSED IT TO BE VOID.

I BELIEVE THAT ANYTHING LESS THAN THE ABOVE WOULD DESTROY THE INTENT AND THE PURPOSE WHEREVER ANY ORDINANCE OR LAW REQUIRES ONE TO BE HELD.

You can't blame the utility for a mess you made, rather than the management or the stockholders, or forced to absorb them.

There can be no question in anyone's mind the N.R.C. faulted LILCO to even start construction of Shoreham, a location on an island with a rapidly growing population base, limited roads and limited water. The N.R.C. faulted all along the way unrealistic cost projections and outrageous claims from the utilities.

The N.R.C. is a creation of the federal government. It is a premier agency in the country. A court of law. The N.R.C. is supervised and controlled by our Congressmen, and the President. We can't say whether it is responsible to any of them. It's a bureaucracy that is responsible for the health of billions of people.

On the other hand, Bill Clinton, in his income tax to do this

stituents to be placed in plain danger. We would be better off without him in Congress. But that's a story for another day.

Senator Patrick Moynihan and Senator Al D'Amato have been strangely quiet, too quiet for comfort in a situation that gravely concerns lives of over one million of their constituents. Where the N.R.C. will make the final decision, and its final decision has always been favorable to the utility, it is imperative that Moynihan and D'Amato stop straddling the fence, forget the utility company's contributions and come to the aid of their people. Make the N.R.C. be the regulators that they are intended to be. Make the N.R.C. consider safety before the needs of the utility or the atomic industry.

Let D'Amato and Moynihan come up with the imaginative proposals, the alternatives that are needed to keep Shoreham from going on the line and the area from being bankrupted.

If ever people needed good United States Senators, it is now. Do we have

UPDATE TO OCT. 1983: THE ABOVE EDITORIAL TELLS A SAD STORY OF WORSE THAN PREJUDGEMENT. THIS SUGGESTS THAT IT IS NO JUDGEMENT AT ALL, JUST COMPLIANCE TO AND WITH DICTATION FROM SOME INNER OFFICE. IT SAYS THAT THE AMERICAN VENERATED "TALK IT OUT AND HEAR IT OUT" PRECEPT HAS HAD A TICK IN THE GROIN.

*Johnnie Williams*

*Johnnie Williams*

# A way out for Shoreham?

By LOU GRASO  
PHOTOGRAPH BY J. J. W. - 8/24/80

The Shoreham controversy has raged for far too long. It has become extremely clear that Shoreham is not only an extreme threat to the future safety of Long Island, but an economic disaster for LILCO, and for the ratepayers as well.

For months we have warned time and again that Long Island faces an increase of at least 70 per cent in electricity rates, and it now appears that figure is low, very low! The recent increase in the estimated cost of the plant - from \$3.2 to \$3.4 billion - will require an additional 6 per cent hike at least, on top of the 56.5 per cent already requested, and the flaws found in the diesel generators in recent times will add still more to the rate hike requests. And who it stops, no one really knows.

Suddenly there's a possible solution that offers a bit of hope. But it must be approved by the ratepayers of LILCO,

the rate-making powers that have nurtured the Shoreham facility into the current state of disaster.

A former Shoreham worker, Jack McCrystal, has suggested using the Shoreham plant as a research facility to determine the best methods of dismantling nuclear plants around the world when their useful lives are over. Nuclear proponents here and abroad have been so busy getting their plants, and building them around the world, that they have not yet come to grips with the problems of dismantling a radioactively hot facility. Some are now just sitting there, waiting for answers, filled with radioactive materials.

Think about it! A research lab, utilizing a full scale nuclear plant, would be of tremendous value to the nuclear industry. A plant that is not "hot" and therefore not a potential threat to the researchers or the public could be the source of information that could save billions of

dollars around the world. A research lab which would permit hands-on experience, not only for developing the very best dismantling techniques, but also for test purposes in the event of an accident somewhere. With an alternate form of energy, instead of nuclear power, nuclear experts could run the experiments that will be needed somewhere, some day, to resolve that "one in five million" chance of an accident.

The federal government, which has been fostering the growth of nuclear energy without any real thought of the consequences - such as Three Mile Island - has a responsibility to establish a research facility so that sufficient knowledge can be gained about dismantling, accident prevention, and solutions to accidents. Therefore, the federal government could well - and indeed should - provide the necessary funding to create such a facility. And what better place than Shoreham?

The creation of a

facility at Shoreham could be set up as an annex to the Brookhaven National Laboratory, where nuclear scientists are already on the payroll. These same scientists have been strongly advocating nuclear energy, their views based not on actual reactor construction procedures. They would learn a valuable lesson about how theory strays from reality in the inner workings of a reactor when profit is the sole criteria.

The federal government owes Brookhaven Lab some consideration, considering the fact that the millions of dollars already spent on the Laballe project have produced nothing but a huge tunnel, and the project has now been scrapped. All of the lab people now worrying about their own employment futures could be used in the creation of the Shoreham research facility, and two birds would be killed with one investment of federal bucks.

And the lab scientists who are now so very concerned that the death of Shoreham could have a

major impact on the utility, which is what they are really worried about, will be able to agree that using Shoreham this way would be far better than permitting it to go on long to threaten the lives of their own families and the rest of the public.

The lab folks might also, with a full scale, cold, reactor to explore and experiment with, be able to come up with an alternative source of energy with which to power the many built-but-abandoned reactors throughout the country. Now that's an accomplishment that everyone could understand, and which would bring instant fame to the lab and the people. Certainly the lab knows the need for low cost power, since they have been taking advantage of PASNY power instead of high priced LILCO juice.

All utility companies who have a stake in the nuclear industry should also be partners in such a venture. The money invested in the Shoreham Nuclear Research Laboratory would be an investment in their own futures, on in-

vestment that would be divided in some way among their own plants.

In such a partnership future plans for the utility and the government should come up with the necessary bucks to eliminate the financial threat to LILCO and the ratepayers of Long Island. And with Shoreham turning a new leaf toward a less risky life without the threat to the public's health from the reactors, the ratepayers could be assured that the business of coming up with ways to bring to the PASNY power to Long Island, eliminating the threat of economic disaster from the skyrocketing electricity rates needed by LILCO to pay for its white elephant.

Unfortunately, however, the idea has not even started. Consider that it has not been one of the ingredients in the disaster which has been discussed with government approval in the midst of a growing suburban area proved that.



SHOREHAM UPDATE  
SEPTEMBER, 1983

195 East Main Street  
Smithtown, New York 11787  
(516) 360-3987

**Executive Committee**

Pat Carr  
Matthew Chachere  
Scott Fowler  
Ted Goldfarb  
Sue Heller  
Richard Johnson  
Jeff Klunwer  
Warren Liebold  
Alan Polsky  
Lorna Salzman  
Mary Swet

**Executive Coordinator**

Nora Paredes

**Of Counsel**

James Dougherty

**Member Groups**

AMEND  
Concerned Citizens of Montauk  
East End Shoreham Opponents  
Friends of the Earth  
Friends of LI  
Group for the South Fork  
Hampton's Energy Alternatives  
Hudson River Sloop  
Clearwater, Inc.  
LI Friends of Clearwater  
Marine Environmental  
Council of LI  
North Fork  
Environmental Council  
North Fork Opponents of  
Nuclear Exposure  
North Shore  
Coalition for Safe Energy  
Nuclear Resource Center  
Peacesmith House  
Peconic Environmental  
Resource Center  
Safe and Sound  
Safe Energy Alternatives  
Science for the People  
Seawanhaka  
Social Workers Against Nukes  
Suffolk for Safe Energy  
Women's Health Alliance  
Women Opposed to  
Nuclear Technology

Diesels Crack, Cuomo Slips: Time to Rally  
GOOD NEWS

August began with remarkable news about Shoreham: in spite of LILCO's past claims to the NRC that the plant's diesel generators were trouble-free, serious cracks were discovered in all three of the generators' crank shafts. The news has forced delays in the plant's fueling (8 months to more than a year), delays in the licensing hearings, and, re-evaluation of LILCO's cost estimates for the plant. Shoreham is up to \$3.4 billion and climbing towards \$4 billion. The company's 56.5% rate hike request has been postponed, pending a more 'final' guess on the plant's cost.

Doesn't it seem like LILCO is its own most dedicated Shoreham opponent?

BAD NEWS

Unfortunately, the bad news is that this good news has another side. A year's delay in Shoreham's completion will give the utility's friends in Congress (Sens. Moynihan, D'Amato, and Simpson; Reps. Carney, Lent, and Bevill) and in NYS time enough to rescue LILCO from its emergency planning dilemma.

Though the lighting company has concocted its own emergency plan, now being litigated before the NRC's licensing board, everyone involved realizes LILCO would have a far easier time getting a plan approved if only some government entity would back up or command LILCO in its effort. Pro-LILCO political forces could cook-up a "send in the federal troops" scheme, and, with the extra time, push legislation through congress.

GOVERNOR CUOMO IS SLIPPING

Federal involvement is clearly the wish of our 'friend' in Albany. Remember when Cuomo said he would not "impose a state plan on Suffolk County?" He chose his words carefully.

The governor's recent statements suggest he does not consider federal emergency planning involvement - at the state's insistence - an imposition on the people of Suffolk County.

Though his Shoreham Task Force won't formally report until early October, his recent comments suggest he's already decided that an emergency plan can work on LI, if only the state's national guard are trained and stationed close by.

Here's what the LI Association of Industry and Commerce newsletter reported about the governor's visit for lunch with business leaders on August 17th:



"On the question of whether the plant will, in fact, open - he (Gov. Cuomo) said that much depends upon the federal government's willingness to provide a Federal Emergency Response Team to train the State's National Guard. Such a team, he said, could be permanently assigned to a facility such as Floyd Bennet in Brooklyn, resolving the evacuation issue for both Shoreham and Indian Point."

- LIA ACTION, Vol. 6, No. 7, 9/83, p.6

It's certainly frightening to realize Cuomo believes a plan like that would "resolve" the issue.

The governor may insist that he's kept his promise to LIders - ~~after all, he can say, the state~~ hasn't come up with a plan - but the action is clearly a breach of the true meaning of his word.

### TIME TO ACT

We've written, called, and telegraphed Governor Cuomo. Some of us have visited him. In June we picketed during his visit to Nassau Democrats. (There he re-iterated his "no state-imposed plan pledge.")

Now it's time to make him hear, once and for all, that LIders will not allow his ill-conceived, dangerous actions to threaten the well-being of our families and communities.

Though LILCO's problems with the diesel generators are serious, they are a financial headache. If the PSC continues to throw LILCO our money, the company will be able to replace the generators and complete the project.

Our most critical fight is over the workability of an emergency plan. We've convinced our local government that even the best plan can't protect us. NOW WE MUST CONVINCe THE GOVERNOR.

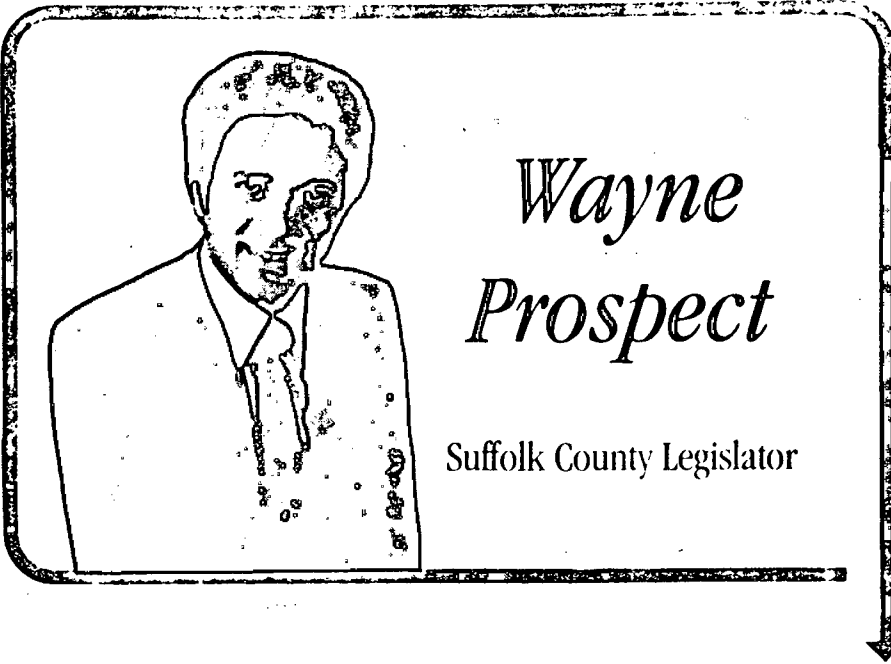
On October 5th, Cuomo will attend a fundraiser for Suffolk Democrats at Colonie Hill in Hauppauge. WE MUST BRING HUNDREDS OF SUPPORTERS TO THAT SITE TO MAKE THE GOV. REALIZE HOW MUCH HE - AND WE STAND TO LOSE IF HE CONTINUES TO PAVE THE WAY FOR SHOREHAM'S OPERATION.

\*\*\* \*\* RALLY TO TELL CUOMO NO SHOREHAM \*\*\* \*\* \*\*

WEDNESDAY, OCTOBER 5TH, 6:30 pm - 8:30 pm  
Colonie Hill, Motor Parkway, Hauppauge, New York

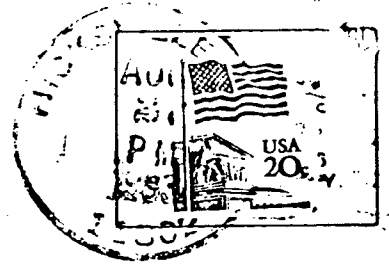
BRING NEIGHBORS, FRIENDS, & FAMILY! BRING POSTERS AND BANNERS!

If you would like to help us organize this get-together by distributing leaflets or making phone calls, please call our office - 360-3987.



*Wayne  
Prospect*

Suffolk County Legislator



## *The Lilco, Shoreham story*

Fifteen years ago, Lilco wrote a press release stating that they wanted to reduce electric rates by building a \$65 million dollar nuclear power plant.

Today, the Shoreham Nuclear Power Plant is still not completed and the cost will soon be approaching \$4 billion dollars. If the Shoreham plant is ever allowed to operate, it will increase your electric bill by approximately 65 per cent.

### *Background*

The Atomic Energy Commission (AEC), later replaced by the Nuclear Regulatory Commission (NRC) conducted construction permit hearings for Lilco's Shoreham facility in 1971. The AEC, at the time, told citizen groups that all questions relative to evacuation planning could not be raised during the hearings. The appropriate time, they said, to discuss those issues, would be when the Shoreham plant is completed and Lilco applies for an operating license. If this appears to you to be a backwards way of approaching a problem, then you are right. But this is the federal regulation the people of Suffolk County have been forced to live with.

Now, 12 years later, Lilco is applying to the NRC for an operating license for the Shoreham plant. However, the NRC's own regulations require that a locality have an evacuation plan in place before a license can be given to operate a nuclear power plant.

**PI**

***During the past two years, in overwhelming numbers, the people of Suffolk County demanded that the County Legislature and the County Executive objectively examine the feasibility of evacuation planning for the county, and not simply yield to Lilco's appeal to the county to develop an emergency plan for Shoreham.***

Since a serious radiological accident at Shoreham could kill and injure thousands of people, the citizens of the county were making a simple request to their government; represent the public interest on Shoreham, and not the private interests of Lilco. The elected government of Suffolk County responded.

## ***The Decision***

Beginning in the spring of 1982, Suffolk County began one of the most comprehensive evacuation planning studies ever undertaken by a municipality. The county spent \$600,000 dollars to hire the best planning consultants in the nation to examine the feasibility of evacuation planning in Suffolk. In January 1983, three volumes of material were submitted to the county government, and this was followed by 8 days of public hearings by the County Legislature.

***On February 17, 1983, the government of Suffolk County adopted a resolution stating that as a result of our unique island geography and limited road capacity, it would be impossible to devise and implement an evacuation plan which would protect the public health and safety in the event of a radiological accident at Shoreham. On the same day, Governor Cuomo released a statement supporting Suffolk County's position.***

Since there is no way to protect the public from a radiological accident at Shoreham, Suffolk County has petitioned the NRC not to grant Lilco an operating license for Shoreham.

Two months ago, 3 of the 5 NRC Commissioners publicly stated that they do not believe a nuclear power plant could be licensed if the local government could not devise an evacuation plan. If the NRC respects their own regulation, the Shoreham plant will be abandoned. If the NRC violates those regulations, Suffolk County will go to court to prevent the Shoreham plant from being licensed.

## ***Shoreham: Economic Impact***

The abandonment of the Shoreham Nuclear Power Plant would mean, of course, that Suffolk residents would not have to live with the consequences of a radiological accident at Shoreham. In addition, Shoreham's abandonment would be an economic blessing to every ratepayer on Long Island.

As previously stated, an operating Shoreham plant would mean a crippling 65 per cent electric rate increase for every family on Long Island. Such an increase would make Long Island an unfavorable place to locate and sustain businesses, as well as making it difficult to buy and sell homes. Thus, a 65 per cent rate increase would result in the loss of thousands of jobs and would reduce the market value of your home.

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***The state Public Service Commission guarantees the Lilco monopoly about a 15 per cent rate of return on all capital investments. Therefore, Lilco will reap an enormous profit from their \$4 billion dollar investment at Shoreham. In order for Lilco to pay interest payments to its creditors and dividends to stockholders, who happen to be the major banks and investment houses in New York, Lilco will have to extract from Long Island ratepayers an extra \$1 billion dollars a year during Shoreham's first 10 years of operation, and an extra \$600 million dollars a year during Shoreham's second ten years of operation.***

---

When the cost of operating Shoreham on a daily basis is added to Lilco's financial obligation to its creditors and stockholders, the total cost to ratepayers for the Shoreham plant over its presumed 30 year life will be approximately \$30 billion dollars—if the plant is put on line.

## ***Shoreham: Do We Need The Power?***

Lilco is presently engaged in an all out one million dollar fear mongering campaign that attempts to paint a picture of economic gloom and doom if Shoreham does not open. They have gone as far as to threaten "brown outs" if the Shoreham plant does not go on line. In the absence of power from Shoreham, Lilco claims, ratepayers would have to finance the construction of two coal plants costing \$3 billion dollars. However, according to Attorney General Robert Abrams, Lilco's electrical supply system has 42 per cent excess capacity. In addition, Lilco is a member of the New York State power pool, which also has significant amounts of excess capacity.

In the unlikely event that additional sources of power are needed for Long Island in the future, we will have every opportunity to purchase cheap hydro power from the Canadian Province of Quebec. In fact, Con Edison currently receives 800 megawatts a day from Quebec. Hydro-Quebec has a surplus of 4000-5000 megawatts of hydroelectric power which it is prepared to sell to New York State and New England over the next five years. The cost of this power is pegged to the prevailing price of oil at a discount of 80 per cent. Let's not be deceived by Lilco, additional inexpensive power is available—if we really need it.

## *Shoreham: Cheaper Than Foreign Oil?*

Lilco is fond of saying that in the long run Shoreham will save us money because it will reduce our dependence on foreign oil. First, the Shoreham plant, at best, will be able to displace only 15 per cent of the foreign oil Lilco imports. Secondly, for the Shoreham plant to be less expensive in generating power than oil fired plants, the price of a barrel of oil, which Lilco gets from Venezuela, would have to rise to several hundred dollars a barrel. The current price is about \$25 dollars a barrel.

## *Shoreham's Abandonment: Who Pays?*

If the Shoreham plant is abandoned, Lilco will use its extensive political network to make you, the ratepayer foot the bill. We must not let Lilco get away with it. Lilco and its creditors must assume liability for the Shoreham Nuclear Plant. As in any business venture, the investor takes the risks and assumes the responsibilities. The Shoreham plant was the creation of Lilco and its creditors; they must be the ones to bear its economic burden.

Let's not be under any illusion, Lilco has declared war against the public. In this war, the public has a powerful ally—the New York State Public Service Law, which states that citizens are not required to pay for a power plant that is not "used and useful" to the public. In other words, according to the laws of the State of New York, it would be illegal to make ratepayers pay for the Shoreham Nuclear Power Plant if it did not go on line.

## *Conclusion*

If the New York State Public Service Commission, usually not an ally of ratepayers, renders a decision on Shoreham that ignores the "used and useful" principle, Suffolk County must immediately appeal such a ruling to the courts to make sure this principle is strictly enforced with respect to Shoreham. I am pleased to have drafted and sponsored a resolution, adopted by the County Government, requiring that Suffolk County intervene before the PSC and, if necessary, go to court to make sure that the "used and useful" principle is enforced and the cost of an inoperative Shoreham plant is not passed on to ratepayers.

***Suffolk County is currently involved in a titanic struggle with Lilco over the Shoreham plant. For the most part, this fight has been waged on the grounds of protecting the public's health and safety. Success on this front should not distract us from our further obligation to ensure that the ratepayers of Suffolk County are not called upon to bail out Lilco and their creditors from financial problems resulting from their imprudent investment at Shoreham.***

P IV

County Legislator Wayne Prospect

TELEPHONE (516) 499-5886

*ds*  
Pennsaver News Editor Charles Adams is on vacation. Pennsaver News invited Nora Bredes of the Shoreham Opponents Coalition to use the editorial page of Pennsaver News to tell why the Shoreham nuclear power plant should not open. Warren Liebold of the Coalition made the following submission which appears just as he wrote it.

**The Case  
P.S. FULL-PENNSAVER 9/13/83-SAF  
Against Shoreham  
EDITORIAL**

LILCO'S arguments that Shoreham should operate center around the company's claims that a reactor accident is very unlikely but evacuation is very possible and that Long Island's economy depends upon Shoreham's operation and LILCO'S profitability. We would like to briefly examine each of these claims. LILCO (and Newsday) claim that a reactor accident will occur only once in 500,000 years. Since this assertion of very low probability for a reactor accident is so critical to the nuclear debate, the way that LILCO arrived at this miniscule risk factor deserves close attention. The quantification of reactor risk falls under a field known as "Probabilistic Risk Assessment" or PRA. This discipline tries to identify all of the ways in which a reactor accident could occur and assigns a probability to each series of mistakes or failures which could lead to a melting of the reactor's core and then to a radioactive release. The first major attempt at placing a number on the probability of a reactor accident was the so-called "Rasmusen's Report" or Reactor Safety Study (RSS), published in 1975. I should mention that the RSS was not considered to be simply an academic exercise but a major public relations effort as well. Back in 1957 the Atomic Energy Commission scientists at Brookhaven National Lab had estimated that a really major reactor accident could kill thousands of people outright, cause many cancers over the years and billions of dollars in property damage. That study was based on relatively small reactors. In the mid 1960's the AEC updated the 1957 work, concluding that with the larger reactors the potential damage could be even greater. From this the AEC and the nuclear industry concluded that there was a real need for a study that would show that the likelihood of such a calamity was exceedingly small.

The multivolume RSS concluded that serious reac-

tor accidents were so unprobable as to be virtually irrelevant. Release of the study was met with joy by electric utilities which began using choice bits of its executive summary in their public relations efforts. Some of these compared the likelihood of a major reactor accident with that of a large meteor striking New York City, being bitten by a cobra on the streets of Washington, D. C., and other colorful, but misleading comparisons.

### **Is Probabilistic Risk Assessment Misleading?**

Misleading, because utilities, the NRC (successor to the old AEC), reactor vendors and the newspaper reporters who forwarded the studies executive summary, failed to mention the uncertainties involved with the RSS. First, off, the actual failure rates of much of the equipment used in nuclear plants is not all that well known. Secondly, the methodology which the Rasmusen study employed was itself controversial, having been used and then discarded by NASA in the 1960's. Finally, and most importantly, the RSS did not consider a number of factors to be significant initiators of accidents, factors such as fires, earthquakes, human error, sabotage and poor quality construction work. These flaws are carried over into current "risk assessment" studies including Shoreham's.

And so, the bounds of uncertainty for the RSS risk estimates were really much greater than what was being suggested in the Rosy proclamations issued in the mid 1970's. In early 1978, the NRC finally disavowed the studies executive summary and owned up to the wider uncertainty bounds.

### **A Grain Of Salt**

These uncertainties became more important as time went on. In 1975, before the RSS had even been released, a large fire occurred at the Browns Ferry Plant in Alabama, disabling virtually all of the plant's emergency cooling systems in what was then nuclear power's most serious accident. A pump not normally used for safety purposes was used to prevent the core from being uncovered. Recall, that the RSS was not very keen on fires as accident initiators.

The RSS's predicted values for the Three Mile Island (TMI) accident was very mixed. TMI occurred after only 500 reactor years of operating experience but since the RSS was classed on human error issues, its prediction for the sequence of events of TMI comes to well over 1 in 333,000 reactor years. Likewise, the failure of the automatic shut down systems at the Salem Plant (1980) and at Browns Ferry (1980) were expected to occur only once every several thousand reactor years. The significance of TMI and some of these other accidents, then, is not just one of public health issues but as a test of our predictive models for reactor accidents and for the

new and unexpected accident sequences which have turned up. Both the U. S. Congress's General Accounting Office and the NRC's Advisory Committee on Reactor Safeguards have noted that so called probabilistic risk assessment is a useful tool for comparing accident sequences but not for determining the actual probability of accident occurrences.

So when LILCO and Newsday claim that a reactor accident has a probability of 1 in 500,000 of occurring, we have to remember that that number must be taken with quite a bit of salt.

LILCO's recent misadventures with the emergency diesel generators provides further food for thought about what confidence we can have in LILCO's ability to run an accident free nuclear plant. These generators were supposedly built under the highest of standards. After 11 years of construction work and NRC inspections, one would think that LILCO would have learned the ropes by now. But instead, we find that the generators manufacturer has quality assurance problems and LILCO's testing of the generators was in violation of NRC procedures, leading to a \$40,000.00 fine.

Did the so called "independent" design and quality reviews performed for LILCO turn up these problems? No. What else was not uncovered by the LILCO-administered inspections? Why did LILCO oppose equal involvement in these supposedly independent inspections by Suffolk's consultants, who are former General Electric nuclear engineers? Shoreham, after all, is a General Electric design.

### **Accidents Only Theoretically Possible?**

Of course, if you actually believe, as LILCO does, that a reactor accident is only a theoretical possibility instead of a very real one, you need not be very concerned with effective emergency planning. If an accident will happen only "once every five hundred thousand years", why be concerned with whether or not a good portion of Suffolk can be evacuated or about the East End being cut off? LILCO's emergency plan clearly reflects their attitude. It appears to be a plan not seriously meant to be realistic but developed simply to get the plant licensed - in full knowledge that the NRC will probably approve almost any plan, leaving implementation problems to be worked out sometime in the future. Legislation currently pending in Washington would allow Shoreham and other plants to operate without an evacuation drill and without an emergency plan reviewed by the Federal Emergency Management Agency, loosening the rules still further.

On the one hand, LILCO claims to have a realistic plan to have hundreds of their employees substituting for County officials in the event of an accident. At the same time LILCO note that their volunteers will not have legal standing. As utility PR

people have noted, drivers would have to make their own decision whether or not to listen to LILCO "traffic cops". Then how is the plan workable if the emergency stamp has no legal stamping and power of enforcement?

### Convincing The County Government

Many people suggest that the county government is the real culprit, that an evacuation plan would not present serious problems if only the county would cooperate. Yet, it was clear to the county and most of its citizens long ago that evacuation of a ten mile, much less than 20 mile zone, was not practical, particularly in inclement weather or in the midst of thousands of summer tourists. Even LILCO'S studies show that, in the event of an accident, thousands of people outside of the current evacuation zone will flee, so that the real evacuation zone will almost certainly be greater than LILCO'S ten mile radius.

As one legislator put it, what citizen groups have gotten the county to do after years of educating the public and lobbying is truly radical, the county has been telling the truth about evacuation from Long Island. The people whose business it is to deal with traffic control and natural disasters are not running away from the reality that a workable evacuation is impossible. This has occurred only because citizens have held the politicians feet to the fire.

### Disastrous

Faced with a lack of confidence in their abilities to safely run a nuclear plant or evacuate much of Long Island, LILCO resorts to its last argument. We need Shoreham to prevent blackouts and cancellation would be disastrous to Long Island's economy.

Remember that in 1972 LILCO was pleading with the AEC to hurry the construction permit hearings to prevent brownouts by 1975. Then the line became that Shoreham was absolutely necessary by 1977, then 1979. In 1979, LILCO President Wilfred Uhl held a press conference to announce that if LILCO was not permitted to build two 1150 megawatt nuclear plants at Jamesport, there would be rotating brownouts by the mid 1980's. How long will we stand for inaccurate forecasts?

In the 1979 LILCO rate case, the Shoreham opponents coalition (SOC) presented a detailed conservation alternative to Shoreham, developed by the Energy Systems Research Group (ESRG) of Boston. Without the use of any "exotic" technologies, ESRG demonstrated how Long Island could do without Shoreham.

In 1983, before a hearing held by the State Assembly's Energy Committee on the Economic Impact of Shoreham on Long Island's economy, LILCO tried to support its need-for-Shoreham argument by presenting a study that concluded that even with

substantial conservation, brownouts will be inevitable if Shoreham does not operate.

### Conservation Could Make Shoreham Unnecessary

But a close look at LILCO'S study reveals some interesting facts. LILCO assumes only "cost effective" conservation, and LILCO does not find most conservation to be cost effective! Cogeneration is not cost effective, according to LILCO. Air conditioners of higher than standard efficiency are not cost effective according to LILCO - even by 1955!

Of course, this should not be too surprising coming from a company which is using a state-mandated home energy audit program to sell electric heat, and whose energy audits carefully ignore conservation of electricity; company which in 1978 placed a nuclear engineer in charge of evaluating a wind-powered alternative to Jamesport instead of searching out a wind power expert; company whose solar systems all have electric backup heaters even when oil or gas may be more cost effective.

The bottom line of Shoreham's economics is that if the plant operates well, we will see a 60 per cent increase in rates and the plant will probably never save more than it costs us. If the plant operates poorly, then we are really in trouble.

The questions which we should really be asking our elected officials are:

Why do we pay for LILCO'S mistakes? Why do we have an energy policy that emphasizes the technology which displaces oil at a cost of \$2.25 a gallon (Shoreham) when oil only costs LILCO \$.75 a gallon? Why do we allow LILCO to say it is in favor on conservation and alternate sources publicly, but which places all of its resources into Shoreham?

And, finally, why do we need LILCO?

Warren Liebold, Executive Committee of Shoreham Opponents Coalition:

UPDATE TO OCT. 1983: THE ABOVE EDITORIAL IS LONG, BUT EASY TO READ. UNTIL EVERYONE IS EDUCATED, OR EDUCATES HIMSELF (OR HERSELF) ON THE WHY OF THE UNIQUE DANGER OF NUCLEAR-FISSION, WE WILL DRIFT DOWN THE PATH OF LILCO "PROBABILITIES" AND LIVE A FANTASY. READ AND QUESTION. DON'T FOLLOW BLINDLY.

## While ribbons signify Shoreham opposition

P.24 SUFFOLK LIFE 8/31/83 WED.  
Mount Sinai - Dozens of trees and a number of street signs on Salisbury Row here sport white ribbons - not as part of an effort to control insects, but as a symbolic protest against the controversial nuclear plant just five miles away at Shoreham. The group which conceived the idea, the newly-organized Parents Against Shoreham, is confident the ribbon-tying will become widespread, according to spokesperson Ann Pearlstein. "It has already spread to areas in Coram, and we just kicked it off on Wednesday," she told

Suffolk Life. "It has been snowballing."  
Pearlstein said the symbolic project is seen by the group as a form of "simplistic communication" between people who have concerns about Shoreham but have reservations or too little time to become active in combatting the reactor. "This is for parents and working people to express their views openly," said Pearlstein. "They don't have to speak out, and they don't have to go to a meeting. It is all very simple." -Peter Scully

UPDATE OCT. 1983: A WHITE RIBBON IS NOT A BAD IDEA. I TRIED IT. THE WHITE BAND SPEAKS LOUDER THAN WORDS, ADVERTISING WHAT YOU KNOW AND BELIEVE. IT DOESN'T REPLACE READING, WRITING AND TALKING, BUT OFTEN COVERS MORE GROUND A LOT QUICKER. TRY IT.

*Arthur McComb*

# People sue LILCO and PASNY for \$25 billion

DE SUFFOLK LIFE 9/7/83 WED

Suffolk Life Editor and Publisher David Willmott, on behalf of himself and all other residential ratepayers of the Long Island Lighting Company, has filed a \$25 billion law suit against John Dyson, chairman of the New York Power Authority, LILCO, and Grumman Corporation, charging discrimination in the distribution of low-cost PASNY power which has caused monetary damage to the plaintiffs.

The filing of the suit's papers, accomplished early this week, is a product of the Power for the People campaign launched by Suffolk Life seeking to secure low cost PASNY power for the public.

The Power for the People effort began because of efforts to secure low cost power for business, without mention of the public's plight and need for low cost power as well. The drive to help business started shortly after LILCO announced its request for a 56.5 per cent rate increase to recoup costs for the Shoreham nuclear power plant.

Shortly after that announcement, Grumman indicated it would not expand as planned here on Long Island because of the skyrocketing electricity rates, and had been holding discussions with officials of Georgia who were attempting to entice Grumman to move its

operations to that state. Governor Cuomo stepped in and arranged for Grumman to receive PASNY power in return for a promise of expanded facilities here.

That action prompted a wave of suits by other business operations, metal working firms and restaurants, and the likelihood of others to follow, all seeking a piece of the PASNY pie. And Dyson announced a "Juice for Jobs" effort which would provide PASNY power for new and expanding Long Island firms. But no public official at that time spoke out for the need of the public, which faces a future with electricity rates likely to double and the burden of increased taxes needed to pay higher LILCO rates in school districts and all levels of government.

Since Suffolk Life announced its intent to file a class action suit on behalf of the public, several state officials jumped on the bandwagon, as did county officials, and announced they too would file suits on behalf of the public. To avoid a duplication of effort, Suffolk Life's class action suit took a new turn, seeking actual monetary damages because of the discrimination by PASNY in offering low cost power to upstate residents and local businesses without a thought for the public here.

The Power for the People suit lists five causes of

action, each seeking damages in the sum of \$5 billion, and a sixth cause of action which seeks to prevent higher costs for the public to make up for the loss of income to LILCO dues to the sale of PASNY power to Grumman and any other business. It is this sixth cause of action that causes Grumman to be made a part of the legal action.

"It is our intent to prevent Grumman from having the availability of low cost power. We fully realize the financial impact the proposed LILCO rates would have on them and upon other businesses as well. But the public will also suffer the impact, and much more with the need for higher taxes and increased prices that will surely follow. We cannot sit by and permit the PASNY power to be doled out to business without consideration being given to the public," Willmott said.

Any monetary gains that may be realized as a result of this action would be returned to the ratepayers in the form of credits and/or lower rates, Willmott said. "We've been robbed here on Long Island because of PASNY's discrimination against us, selling low cost power to upstate residents but making none available to Long Island residents." Willmott declared. "It's time we strike back. It's time for retribution."

The Power for the People

class action alleges that in failing to make lower cost power available to Long Island, PASNY has violated its purpose and policies established at the time of the creation of the Power Authority of the State of New York.

"Pursuant to Article 5 of Title I of the Public Utility Authorities Law, the purpose and policy of PASNY is and was for the creation and development of hydroelectric power in the interest of the people of the State of New York, and furthermore it was recognized and declared that a shortage of dependable power capacity

exists in the southeastern part of the State of New York and the public interest requires that PASNY assist in alleviating such shortage by providing such generating facilities as may be necessary or desirable to contribute to the maintenance of an adequate and dependable supply of electricity for public corporations and electric companies within the metropolitan area of the state..." the action alleges in part.

LILCO, in failing to seek low cost PASNY power to ease the burden of high rates upon its ratepayers

has caused financial damage to the plaintiffs, the suit charges.

With the filing of the papers upon the defendants

this week, action has begun to protect the public's interest in regard to low cost PASNY power. "We've just started to fight," Willmott said. "This is just the beginning. We will continue this battle through every courtroom of the land, if need be, to secure for the people of Long Island the relief they need from LILCO rates if we are to survive and protect our future here on Long Island."

9/7/83 WED "I am a lawyer"  
Dear David Willmott: SUFFOLK LIFE

In response to your editorial "Losers must pay" I am obliged to take a very opposite position. Yes, I am a lawyer but every citizen must take exception on a variety of grounds to the content of your editorial.

Firstly, the defendant's or plaintiff's actual out of pocket expenses are in fact paid for under the New York State Civil Practice Law and Rules — depending on who wins.

Second, if the suit is purely spurious a motion to dismiss the case very early on will be granted by the courts and costs will be imposed against the losing party.

Third, if a jury or judge feels someone has been injured by someone else's wrongdoing shouldn't that person have a right to redress in our courts? The alternative is probably trial by combat which plunges us back to the dark ages.

Our court system dates back almost 1,000 years and was restated by no less luminous document than the United States Constitution. It is the one place where citizens can ask fellow citizens (juries) to resolve problems and juries are comprised of responsible citizens from every walk of life — not bureaucrats or lawyers. My years of experience have led me to believe that if a party deserves to win, be he defendant or plaintiff, he will.

Silly lawsuits will rarely be handled by

competent attorneys and if an attorney decides to take on such a case he soon will find out that it is a waste of his time (his only saleable commodity) and an expense which neither he nor his client can afford. He also might be, along with his client, on the receiving end of a variety of retaliatory lawsuits for damages.

As to "what's good for lawyers is rarely good for the public" may I remind you that lawyers merely avail their clients of laws and laws are that which keep society from chaos.

If someone through their own lack of care for another human being causes that human being to sustain injuries, they should be answerable. If you ponder this premise surely your answer must be — And Why Not?

Very truly yours,  
Jess Marchese, Sr. Farmingville  
Editor's Note:

1: Only in rare cases. Most judges are reluctant to automatically order restitution.

2: How many parties have you sued as a lawyer who you know would never end up in court, who then had to retain counsel but were never reimbursed for this expense?

3: Let them put up bonds covering all expenses then sue. If they are right they will be reimbursed, if they are wrong there will be funds to cover expenses they have caused.

Jess, as we have discussed before there are too many laws, too many lawyers and too few people who are willing to fight the system. The system is drowning all of us and the legal system is leading the way.



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September 8, 1983

FILE NO.

DIRECT DIAL NO. 804 788-

Lawrence Brenner, Esq.  
Administrative Judge  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Dr. George A. Ferguson  
Administrative Judge  
School of Engineering  
Howard University  
2300 5th Street, N.W.  
Washington, D.C. 20059

Dr. Peter A. Morris  
Administrative Judge  
Atomic Safety and Licensing  
Board Panel  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

In the Matter of  
LONG ISLAND LIGHTING COMPANY  
(Shoreham Nuclear Power Station Unit 1)  
Docket No. 50-322

Gentlemen:

In light of the diesel generator situation, LILCO believes that, at best, fuel load can occur during the late first quarter or early second quarter of 1984.

Very truly yours,

  
W. Taylor Reveley, III

cc: All Parties  
EP ASLB

UPDATE TO OCT. 1983: THIS DOESN'T MEAN WE CAN LET UP OR SIT ON OUR HAUNCHES. THE ODDS ARE STILL AGAINST US. THE ONLY CONSOLATION IS THAT NOBODY LIT THE FIRE IN THE SHOREHAM PLANT-YET. WE STILL WANT THE COPY OF A LETTER TO LILCO SAYING "REQUEST DENIED".

Arthur McComb, 30 Kirby Lane  
Lake Ronkonkoma, N. Y. 11779 9/6/83.

Honorable Mario Cuomo, Governor,  
Executive Chambers, 1350 Avenue of the Americas,  
New York, N. Y. 10019.

RE: Your Shoreham Fact-Finding  
"Blue Ribbon" Panel and their  
Ensuing Counsel on Shoreham.

OPEN LETTER TO ALL MEDIA.

The only reason we in Suffolk, Nassau and Queens LILCO area can see for further "fact-finding" on fission-nuclear is to dull the overwhelming opposition of "provincial" residents, with a strong "pro-fission" report from a "blue-ribbon" panel. Federal, and the rest of our state, seem set on this. Referendum is the answer.

If I were naive, I might hope for your "blues" to counsel you to scrap Shoreham. But how could they? The stage is set for an OK scenario. Of 11 voting seats, 8 have history of pro-fission links, some strong ones, and only 3 oppose Shoreham. A vote or two may switch. Influence of 2 NRC non-voting seats need no comment. Of the 8 pro-fission, 2 live locally, as do the 3 anti's, in the voting seats. Likely, advisors to King George III felt they did what was best for us colonials, too. I can't help but wonder how King George, if here, would handle your problem.

The "blue-ribbon" tool relieves electives of decision-pressure by providing a whipping boy. They still decide, but the pressure is off. Suffolk's legislature, in its finest hour, justified true representative rule speaking for it's people, as the first product of one man, one vote doctrine at local level. They showed guts.

Your Shoreham panel, as does your PSC, has a miserable hearing-attendance record, mostly those who lived elsewhere. Marks, Axelrod and Kahn did not listen at all. Ronan sat in half of Nassau's hearing. Burstein made less than  $\frac{1}{2}$  of each of 2. Wilson sat 2 of 4 sessions. Kouts and Chairman Marburger, as well as the 3 voting anti-seats, listened four full meetings, and heard us all the way.

To pen a panel position paper for you, Governor, 11 may vote. Somehow, it should match the time spent listening to us, in the public hearing our New England towns started. Reading minutes is not like listening. Much is lost. We all knew the bent of each one before appointed, and you added a Suffolk person, anti-shoreham, after a flood of demands to balance it some. Then came screams from pro, and you added one -- tie score -- unbalanced again. Marks, Kahn, Axelrod and Ronan, should not vote. Wilson with 2 sittings and Burstein with less than  $\frac{1}{2}$  of each of 2, a vote weighted at maybe  $\frac{1}{2}$ . The 9 LILCO conferences should not count, only hearings. In any event, there should be a minority report, unless the panel is unanimous.

PSC, NRC Licensing, Congressional Oversight and your panel met 10 times in less than 4 months -- 9 in July and August, and 9 executive meets where public only listened. The public was thoroughly confounded. Only masterful attention could sort it all out. Poorly publicized, people were confused. The public saw some indifference such as the Licensing Board did in Riverhead, by adjourning nearly an hour early, and refusing to hear some. It appeared to me to be arrogance.

Your panel set 3 hearings, but a public deluge in the last of 10 hearings, August 16, when people finally got a handle on it, swamped it so another had to be set for the 30th, but most of the damage had been done. Time ran out. People flooded the last one too. The choice, to abandon or license, is too horribly serious to trifle with.

Two executive sessions should close it all -- September 7th and 14th, at 9 AM each. I hope every resident writes to you, Governor, as I have.

PHONE: (516) 588-2020 *Arthur McComb*

9/30/83

OPEN LETTER TO GOVERNOR MARIO CUOMO, NEW YORK STATE. Re: Unanswered SHOREHAM letters.

My three "open letter" appeals to you, 7/19, 8/15 and 9/6, with copies sent to all of our elected officials, are unanswered to date. I have no one else to appeal to, short of revolution. I called you 3 times in NYC and Albany and got only secretaries of your secretaries, and vague promises. We are miserable pawns of NRC, LILCO, PSC, and vested interests. Electives and politicians are switching course with blazing rhetoric to weasel out of past positions on Shoreham. Thank God some hold fast. We who want Shoreham abandonment before radiation is started, know we must not surrender to those who want us to get their coals out of the fire, their bad investment in the "fission-nuclear" losing cause.

Home rule due process has been ignominiously massacred by our own federal bureaucracy, by non-resident, non-elective judges, in a licensing board appointed by appointees, in turn appointed by federal electives. The hearing should be void. This three-judge licensing board of the NRC has made a farce of home rule due process. This mockery made fools of the New York State public. We attended in good faith and were treated in arrogant disrespect. I ask you, Governor Cuomo, to defend us. Two hearings only were held in Suffolk, none in LILCO'S Nassau-Queens area. Previous letters told of the 1983 tangled hearing mess.

Suffolk, my home for 65 years, faces a documented, horrible, gruesome man-made menace, promoted by my own government (not Russia). I survived free enterprise, age 8 to 70, and with my wife for 40 years. Now at the end of our earning years, as are many of our contemporaries, we wonder where the hell to turn - what to do next! We won't let apathy drown us, nor let insanity of the human gamble go unchecked. Crippling dependence of sick, blind, deaf, very young or old, amputees etc, need us. Stupidity of evacuation rule (to where?) is damning evidence of a grim danger facing us, and its source must be removed by abandonment of all fission-nuclear plants. Evacuation "sine qua non" is admission of guilt. Evacuation and Shoreham must be dumped before radiation. Back us against U. S. government,

We are also sure, from years of documentation, known to our government and to their appointed NRC "caretakers", that the emergency core cooling system (ECCS) cannot work safely. It has never been test-proven against failure of regular cooling. Simply put, nuclear-fission energy comes from 30 to 40 thousand pencil-thin (zircaloy metal) hollow rods, bundled into a "core"; rods about 12 feet long in upright bundles, with pellets of uranium dioxide fuel in them, typically 12 to 15 feet in core diameter. All that this core does is produce heat, which must be safely limited by cooling, to make steam to turn turbo-generators for energy.

Continuous flow of cooling water MUST COOL the activated rods of the core, or we get incredible disaster in MELT DOWN! If regular flow stops, and it has, temperature quickly tops 2000 degrees; ductile zircaloy metal rods swell, then crystalize. The ECCS, supposed to cool with emergency water, cannot flow upward between the tubes because, closely packed and now swollen by heat (called blistering), they block the flow of water. Heat rises so rapidly that in even seconds we are in irreversible trouble. If a plumbing break causes loss of regular pressure, emergency water escapes in the rupture, leaving the core to runaway temperature, whether or not it is blocked by swollen tubes. We still have disaster.

I tell you nothing new. I have read it and heard experts expound it under oath. For this reason the federal government's NRC demands an evacuation plan. It is a pure, bad gamble, with our lives and all else we have (up to melt down). We have been stripped of our defenses when the paid, appointed "caretakers" of our lives, liberties and pursuits of happiness, when the three judges, the licensing board, not even New York Staters, and not necessarily physicists, dictatorially have the final say in licensing to start radioactivity, after violating our due process of law, and their own trust.

TO ALL MEDIA EDITORS  
TO ALL ELECTED AND APPOINTED OFFICIALS

516 588 2020



At task force meeting

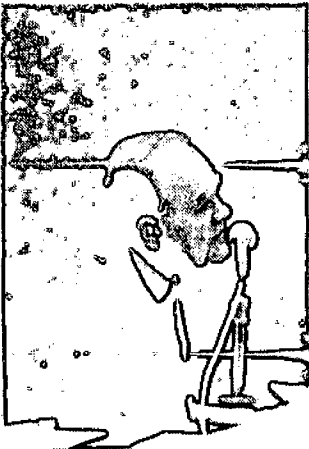
# Scientists debate S'ham safety

P. 1 - SUFFOLK LIFE - 9/21/83 - WED

By PETER SCULLY

**Hauppauge** - A skeptic among the many optimists who have appeared. Michio Kaku stands alone as the sole physicist to question current nuclear technology, and Shoreham specifically, in testimony before Governor Mario Cuomo's fact finding panel.

Literally dozens of scientists and engineers have appeared before the



H. Kouts

Shoreham Commission speaking in confident terms of the benefits of nuclear energy, and insisting its potential dangers have been greatly exaggerated.

Kaku, a professor of physics at City College of New York, was somewhat different. His presentation explored what can be considered the doubter's history of nuclear power. Utilizing a slide presentation, Kaku outlined some of the major failures of nuclear technology and displayed graphic evidence of the potential - if rarely seen - dangers of uncontrolled radiation:

The January, 1961, explosion and "total core destruction" of an Idaho

research reactor which killed three Americans, one of whom was impaled to the reactor ceiling by a control rod turned missile.

Photographs of the decomposing hands of an early nuclear scientist who accidentally exposed himself to lethal doses of radiation by combining piles of enriched uranium on a table top.

Chairman John Marburger questioned whether much of the material could actually be considered related to the Shoreham issue, and panel member Herbert Kouts - himself a nuclear physicist and recognized expert on reactor safety - said he would have told a much different story using the

same materials. "Let's get back to the real world," said Kouts.

"Everything I have to say is related to Shoreham," said Kaku. "I take exception to what you say."

And so he continued to poke away at what he sees as flaws in modern reasoning on the issue and questioned accepted

Cont. on Page 4



M. Kaku

cont. from cover studies of nuclear-related topics.

Damage from a nuclear accident, Kaku claims, could affect areas far outside the 10-mile emergency planning zone required by the federal government.

"Quite frankly, the wind does not stop at 10 miles and the laws of physics do not heed Nuclear Regulatory Commission regulations," he said.

"In a real reactor accident, medical teams will not be prepared to handle victims," said Kaku. "Many victims simply will not show symptoms immediately and those who do will be treated but will die anyway."

The physicist also faulted the federal government for failing to perform a "crash test" of a nuclear reactor, and described how the funds for the project had, instead, been funneled into other programs. The nuclear industry has drastically increased the size of the original small reactors without performing proper analyses, Kaku said.

He charged that the computer codes used to predict the likelihood of a nuclear misnap are overly simplistic and thus unrealistic.

"Very little of what you said has been very correct," responded Kouts, spurring an ensuing argument which ended when Kouts declared it impossible to debate effectively during the panel meeting. "A little knowledge can do a lot of damage," he said, looking at Kaku.

"It certainly can," retorted Kaku, returning a glare.

Shoreham, Kaku charged, "will operate illegally, if at all," because it does not meet federal codes established after construction began. Long Island Lighting Company spokesmen denied the charge, pointing out the plant is nearly licensed, and has been under federal regulatory control.

"That reactor, at best, will be a lemon," Kaku concluded. "At worst, it will be a clear health danger to 10 million people."

## Con Ed Can Burn Coal If Air 'Scrubbers' Used

R. 24 NEWS 9/15/83 - THU

New York - In a victory for the city's conservationists, the state has granted Consolidated Edison's longstanding request for permission to burn coal at the Ravenswood and Arthur Kill generators, but only if expensive pollution-control devices known as scrubbers are installed at both sites.

Con Ed said it might drop its plans to convert the two oil-fueled generators, one in Astoria and

the other on Staten Island, to coal. The decision, by Environmental Commissioner Henry G. Williams, was hailed by the environmentalists who have been battling the conversion plan. "This decision is a great victory for clean air in Queens," said Rep. Geraldine Ferraro (D-Queens). "The commissioner's ruling is a firm statement that the first priority is protecting the health of the people of New York City."

Shortly after Williams announced his agency's conditional approval, Con Ed spokesman Martin Gitten called the decision disappointing. Gitten said that the utility considers scrubbers to be not only

costly but unnecessary, and said the requirement, "certainly has raised a serious question" about whether Con Ed will pursue the conversion.

The city's air code now forbids the burning of coal, and would have to be amended before any sort of conversion could take effect.

City Council President Carol Bellamy said yesterday that before the council passes such an amendment, Con Ed would have to present an acceptable design plan for installation of the scrubbers, as well as plans providing for disposal of the solid waste that results from burning coal. —Caryn Eve Wiener

'Mouthballing' cheaper

# Hockbrueckner offers Shoreham alternative

P. 44 - SUFFOLK LIFE - 9/21/83 - WED

By PETER SCULLY

**Hauppauge** - His lack of confidence in prior estimates apparent, Assemblyman George Hochbrueckner (D-Coram) testified last week that it would cost less to abandon the Shoreham nuclear plant than to let it operate, and offered a four-point plan he said would offset the loss of its generating capacity.

"I felt LILCO was waving a red flag, saying it would cost more to abandon Shoreham, when it was clear to me that the difference was not that great," said Hochbrueckner.

Speaking before Governor Mario Cuomo's Shoreham Commission, Hochbrueckner said Long Island Lighting Company's conclusion that abandonment of the controversial reactor would raise electric rates by 76 per cent "must be attacked."

Recent problems with the \$3.4 billion reactor's emergency diesel generators threaten to raise plant costs higher, causing Shoreham-related rate increases to leap as well, Hochbrueckner said.

"There comes a point when it is no longer reasonable to throw good money after bad," said Hochbrueckner. "If we learn from past LILCO-Shoreham history... we can conclude that opening the Shoreham plant will most likely result in an ultimate increase to the ratepayers of 60 to 80 per cent."

LILCO had requested rate increases totaling 56.5 per cent over three years to

pay for Shoreham, based on the most recent plant price tag of \$3.4 billion. That cost estimate was based on Shoreham's commercial operation by May 1984. The diesel problems have set the projected fuel load date back to early 1984, and could add almost \$400 million to the cost of the reactor. About \$1.5 million is added to the price tag each day.

Hochbrueckner maintains that two 400-megawatt coal plants LILCO says would be necessary to replace Shoreham are not needed, cutting the cost of abandonment by 40 per cent. Scrapping the reactor, he said, would raise electric rates by between zero and 40 per cent, as opposed to the higher Shoreham-related rate increases now in the offing.

The actual amount of a rate hike related to abandonment could vary, he noted, depending upon Public Service Commission findings in an ongoing Shoreham prudence investigation, and Suffolk County's forcing of the "used and useful" principle, which says no plant charges can be shifted to ratepayers unless a plant is "used and useful" in the production of electricity.

The principle, contained in a section of Public Service Law, has never been tried in such a large abandonment case, and is a subject of legal debate. Suffolk has vowed to go to court to attempt to have it enforced if necessary, and Hochbrueckner predicted that the battle will end there.

"The alternatives are very clear," Hochbrueckner told the members of the panel. "To open Shoreham and subject the people of Long Island to the potential of a nuclear accident at the expense of a 60 per cent to 80 per cent rate hike or greater, or abandon Shoreham, resulting in no potential for a nuclear accident at the expense of a zero to 40 per cent rate increase. Surely logic and economics demand that the Shoreham plant should not open."

The New York State Power Pool's capacity is now 32,000 megawatts, while peak demand is only 21,000 MW, Hochbrueckner said, and some of the 11,000 MW excess could be used to offset the loss of Shoreham's 840 MW.

"The electrical power needs of Long Island for the remainder of this century can be met through off-the-shelf, tried and true alternatives," said Hochbrueckner.

Among his suggestions, were:

- o Transmission of additional low-cost hydropower from Canada and upstate New York. By expanding the capacity of its existing transmission links across the Long Island Sound rather than constructing a new one, LILCO could obtain between 840 MW and 1,400 MW for Long Island at lesser cost by 1987.

- o Reduction of LILCO voltage to the user. LILCO could conserve three per cent of its load or 60 to 75 MW by providing 117 volts to its customers rather than 121 volts, Hochbrueckner said.

"By consistently providing higher than needed voltage to the wall sockets of Long Island, LILCO is causing additional, unnecessary power consumption," said Hochbrueckner. Other utilities have successfully applied this technique, he said, while LILCO's current "policy is to maximize consumption by maximizing voltage."

- o Conservation and load management, according to Hochbrueckner, could reduce LILCO's peak demand by 200 MW by 1999. A program of incentives to customers seeking to shift electricity demand from peak periods would reduce the need for peak generating capacity. Public education, reduced usage of electrical heating and increased use of energy efficient appliances would also reduce demand, he said.

- o Incineration of garbage to energize plants, seen as the solution to Long Island's future garbage problems, would also provide replacement electricity, according to Hochbrueckner. By 1999, Long Island will generate 158 MW by resource recovery, according to the state Energy Master Plan. Co-generation, wind and solar power could also provide usable amounts of energy in the 1990's, according to the report.

Hochbrueckner is the sole elected official to offer alternatives to Shoreham as part of testimony before the Shoreham Commission. He urged the panel to consider the report in its recommendation to the governor.

UPDATE TO OCT. 1983: ASSEMBLYMAN HOCHBRUECKNER DID HIS HOMEWORK. RHETORIC AND FANCY FOOTWORK WONT DO THIS JOB. WE ARE BETWEEN A ROCK AND A HARD PLACE AND NEED PROFESSIONAL AND NON-POLITICAL DEDICATION - A LAST RESORT, ALWAYS.

# For LILCO, Joy at Last

P. 5 NEWSDAY 9/21/83 WED.  
By Rick Brand

Mineola — Standing to the side behind a podium, LILCO's chairman, Charles Pierce, smiled broadly through the press conference yesterday as his top staff took questions and spoke of joy, relief and, finally, vindication.

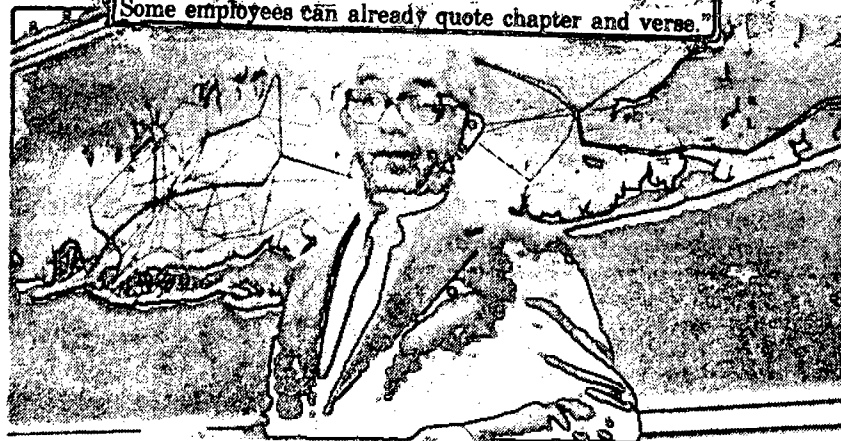
After months of headlines about new delays, higher costs, and every single crack found on the crankshafts of the emergency generators at the Shoreham nuclear plant, an Atomic Safety Licensing Board had provided a salve for company officials by resolving the bulk of the safety issues at the plant in LILCO's favor.

It ruled that Shoreham meets all federal requirements and should be allowed to operate at low power once the diesel-generator problem is solved.

In a quiet moment later, the normally flinty Pierce, who has been under stress for months and who has even offered LILCO's directors his resignation if it would help the company, volunteered, "I guess you could say there is joy in Mudville."

Company officials say the decision is the biggest single decision to date toward obtaining an operating license, and it leaves only the diesels to be corrected before fuel-loading to test the plant at low power can begin.

Hickman said, "The grapevine is actively at work. Some employees can already quote chapter and verse."



Newsday / Bill Davis

LILCO chairman Charles Pierce at press conference

"There's a lot of psychological popping of champagne corks around here," said Jan Hickman, LILCO spokeswoman, alluding to the company rule forbidding alcohol on its grounds. She called the decision a "major psychological boost" to the company's buffeted morale.

Originally, the licensing board's decision was to be much more. It was originally expected to put LILCO within weeks of fuel-load and low-power operation. But now,

—Continued on Page 25

the generator problems have put off fuel-loading for at least six months, added \$250 million to the price of the plant. It will be another several months before LILCO officials can tell whether the problems will cause even greater cost and delay.

Because of those delays, Suffolk County and other opponents downplayed the decision. "We're not overly excited," said Deputy County Executive Frank Jones. "The NRC is in the business of licensing plants, not regulating them. It has never turned one down."

Even some LILCO supporters, while pleased by the NRC's findings, see the decision's impact was diminished by the generator problem. Vance Scallion, treasurer of Citizens for an Orderly Energy Policy, said, "It was as if they fumbled the ball on the one-yard line."

But no one was going to put a damper on LILCO officials hungry for good news. "It's a very, very happy day for the company," said Wilfred Uhl, LILCO's president.

"I've seen a lot of licensing decisions, but I've never seen one so clean as this one," said Donald Irwin, one of the attorneys involved in the hearings. "And it's not as if we weren't put under the lens." More than 30,000 pages of testimony and 119 witnesses were called in the highly technical hearings.

"There's a personal sweetness to it," said Brian McCaffrey, who is responsible for managing the Shoreham application through the federal agencies. For McCaffrey and 20 to 30 others whose personal lives have been disrupted for the past year during safety hearings, it has meant being away from home 70 per cent of the time, working weekends, making frequent trips out of town, and days ending at 11 PM or midnight.

The news of the decision was picked up late Monday by a LILCO employee in Washington and brought back by plane to Long Island during the night. A handful of LILCO workers were called in at 4 AM to start copying the decision, and some key officials were awakened with the news. McCaffrey, for example, was called at 6:30 AM at his hotel suite in New Orleans where he is attending a conference.

At 8 AM, a quick summary of the decision was on the desks of top LILCO executives, and Pierce said he had his secretary call each of the company's directors. By 4 PM, the news was transmitted to company service representatives over their computer terminals. Although only a handful of copies were available by late afternoon,

## Study Calls Shoreham Threat to Home Values

By Robert Fresco P. 25-NEWSDAY-9/21/83-WED.

Hauppauge — An average home within 10 miles of Shoreham would lose 7.4 per cent of its value if Long Island Lighting Co.'s nuclear plant opens, according to a report prepared for Suffolk County and released yesterday.

The report, which was prepared by Union Associates, a Brooklyn consulting firm, and Social Data Analysts Inc. of Stony Brook, "points out the fallacy in LILCO's argument that when Shoreham goes on line, it will bring a tax bonanza to the public," Deputy Suffolk County Executive Frank Jones said. "It turns out for many John Q. Citizens there is an equity loss. We don't think people have understood that."

But LILCO spokeswoman Judith Brabham disputed the report's findings, noting that the area around Shoreham had continued to grow at a pace outstripping Suffolk and Brookhaven Town, even though "everyone knew as of 1967 that a nuclear power plant was going to be built in that area."

The report was based on a poll of 550 Nassau and Suffolk residents taken in May and on a computer analysis of property values in communities surrounding three operating nuclear-plant sites in New York State, including Indian Point in Westchester County. The study cost Suffolk, which opposes the opening of the plant, \$15,000.

The poll found that in terms of having an effect on property values, fear of a nearby nuclear plant ranked above unhappiness over a noisy airport or poor local schools but below worry caused by a high neighborhood crime rate.

The computer study concluded that the selling price of the average home within the 10 miles of Shoreham would drop 7.4 per cent from \$55,936 to about \$51,787 and that the total value of the 173,000 homes within 20 miles of the plant would decline by \$410 million, reducing taxes collected by school districts and municipalities by nearly \$12 million a year.

At present, the nuclear plant pays almost 90 per cent of local taxes in the Shoreham-Wading River school district.

The computer study said that said prices are depressed by 16 per cent in a 10-mile radius around Indian Point, compared with comparable communities far from the plant.

# WPPSS Panel Chief Is Optimistic

P. 49 NEWS DAY 10/19/83 - WED.

Seattle (AP) — The head of a special commission looking for a solution to the financial problems of the Washington Public Power Supply System said yesterday that he was optimistic that an out-of-court settlement could be negotiated that would be fair to both ratepayers and bondholders.

"The risk of not doing anything is far greater than the risk of any compromise we may find," Charles Luce told the Pacific Northwest Utility Conference Committee. "We have to be optimistic. If the region pulls together, we can do it."

Luce, a former chief executive officer of Consolidated Edison of New York and administrator of the Bonneville Power Administration, heads a three-member "blue-ribbon" commission appointed by Northwest governors this summer.

The commission is expected to issue its report on WPPSS in mid-November.

Luce refused to discuss any recommendations the committee is working on specifically, but said that any solution would have to be "comprehensive, looking at all five plants and all of their problems."

Luce said a settlement "may not represent perfect justice, but it could be fair."

In the largest bond default in history, the supply system admitted in July that it could no longer pay the \$2.25 billion debt on its two terminated nuclear plants. The default followed court rulings freeing the 88 utilities sponsoring the plants of their obligations to pay.

Two other WPPSS plants have been mothballed and Luce said there may be no way to secure the financing needed to

finish them as long as the supply system is in default.

A fifth plant is due to start producing power next spring.

A number of court suits have been filed by bondholders and Chemical Bank of New York, trustee for the bonds sold to finance construction of the two terminated plants. Luce said it may take five to 10 years to resolve those suits, cost millions of dollars and distract Northwest utilities from the planning necessary to ensure future electric demand will be met.

Luce said in an interview after his speech that the utilities of the Northwest need to realize that "they aren't off the legal hook yet" and eventually could be ordered by a court to pay the bondholders.

"The litigation hasn't stopped; it's just

moved from state court to federal court," he said.

Luce said he has talked with representatives of Chemical Bank about the prospects of a settlement and was encouraged by comments of investors at a recent WPPSS bondholders meeting.

"Chemical Bank said they don't have the authority [to reach a settlement], but the bondholders' advisory committees would have the political authority to recommend a settlement," Luce said.

Any settlement would have to be approved by the courts and would probably require action by state legislatures or Congress.

"Congress will help, provided the rights of the bondholders are protected and the taxpayers don't have to pick up the tab," he said.

# LILCO Survey Downplays Rate Hikes

P. 43 NEWS DAY 10/19/83 - WED.

Alan J. Wax

Farmingdale — A new survey of Nassau-Suffolk's largest businesses, conducted for the Long Island Lighting Co., indicates that more than half of the top officials at 100 of the largest companies in the bicounty region do not expect the cost of electricity to rise significantly over the next three years relative to their other costs. But when asked to cite weaknesses in the Long Island economy, the largest number of the LILCO survey's respondents, 39 per cent, pointed to electricity rates.

The survey results were disclosed yesterday by Robert Duffy, LILCO vice president for regional affairs and development, at a meeting of Republic Airport Action, a business group, at the Pine Crest Manor Restaurant.

The survey, conducted by Decision Research Corp., Lexington, Mass., and was based on interviews done Aug. 10-17 — after the company announced plans for a phased-in rate increase of 56.5 per cent.

Fifty six of the officials surveyed said they expected electricity costs to remain at 5 per cent of their total operating budgets over the next five years, according to the survey. Officials at six companies, including four manufacturers, said they expected their outlays for electricity to exceed 5 per cent of

their operating budgets over the next three years.

The survey also found that no more businesses are seriously considering leaving Nassau-Suffolk this year than in prior years. It found that 12 per cent considered reducing their operations in the region or relocating all or part of their businesses this year.

"Where are they going to go?" Duffy asked, noting that other booming regions of the country do not have the large labor force that is available in Nassau-Suffolk. Duffy also said that electricity supply in these regions may not be guaranteed in future years.

But when informed of the survey's results, others were not so confident. "Is there something unique about the Island that makes it more profitable to operate here . . . to offset increases in the cost of electricity. These are imponderables," said Peter Knickerbocker, industrial development representative at the Jericho Office of the New York State Department of Commerce. Knickerbocker said that if electric costs are increased, any decision by a company to move out of the region also will depend on other things, such as profit margins.

Noting the preponderance of light manufacturers in the region, Knickerbocker said, "If, as and when LILCO's power becomes a great deal more expensive, we will find ourselves losing those kinds of industry

and gaining those which are not power intensive."

Findings of the LILCO survey appear to contradict statements by many business executives who previously have said that they might be forced to move their firms off Long Island if LILCO rates rise significantly.

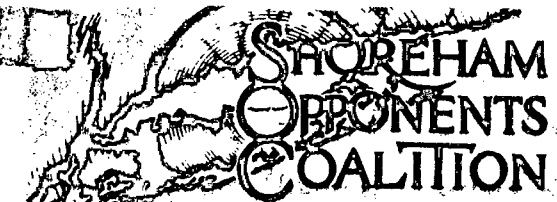
"There have been many expressions of concern about the increased costs of power," said George Fey, spokesman for the Long Island Association.

While 39 per cent of the respondents named electricity rates as the chief weakness in Long Island's economy, 32 per cent cited transportation. Twenty five per cent of the respondents cited taxes.

Results of the survey were described by Decision Research as "highly projective" due to the size of the sample.

Decision Research interviewed corporate treasurers and vice presidents for finance, administration, sales and marketing at 100 of the 500 largest companies in the bicounty region as determined by Wards Directory.

Duffy, whose job is to help lure business to Nassau-Suffolk, said that businesses from outside the region do not view electricity costs as a drawback in view of other regional cost benefits, such as lower rents. "When you put together the mix, we [Nassau-Suffolk] come out extremely strong line item for line item," he said.



UPDATE: OCTOBER, 1983

NRC Shoreham Ruling: Is Shoreham Really A-OK?

195 East Main Street  
Smithtown, New York 11787  
(516) 360-3937

In mid-September, the NRC's Atomic Safety and Licensing Board (ASLB) for Shoreham ruled that the plant meets nearly all NRC safety standards and can - once the diesel generators are fixed - be licensed for fuel load and low power (to 5%) testing.

- Executive Committee**  
 Pat Carr  
 Matthew Chachere  
 Scott Fowler  
 Ted Goldfarb  
 Sue Heller  
 Richard Johnson  
 Jeff Kluewer  
 Warren Liebold  
 Alan Poley  
 Lorna Salzman  
 Mary Swet

LILCO trumpeted the ASLB's decision as a major victory, declaring that Suffolk County and SOC, the intervenors, had failed to convince the board of major flaws in plant safety systems.

**Executive Coordinator**  
Nora Bredeis

But what does the ruling really mean? Can we sit back now, breathe a sigh of relief, and trust that Shoreham is a 'safe' plant? Does the board's action mean that Shoreham's full power operation is 'inevitable'?

**Of Counsel**  
James Dougherty

The ruling is neither proof of safety nor the end of the fight. The NRC did as expected: it carried out its mission to license - not regulate - nuclear power plants.

- Member Groups**  
 AMEND  
 Concerned Citizens of Montauk  
 East End Shoreham Opponents  
 Friends of the Earth  
 Friends of LI  
 Group for the South Fork  
 Hampton's Energy Alternatives  
 Hudson River Sloop  
 Clearwater, Inc.  
 LI Friends of Clearwater  
 Marine Environmental  
 Council of LI  
 North Fork  
 Environmental Council  
 North Fork Opponents of  
 Nuclear Exposure  
 North Shore  
 Coalition for Safe Energy  
 Nuclear Resource Center  
 Peacesmith House  
 Peconic Environmental  
 Resource Center  
 Safe and Sound  
 Safe Energy Alternatives  
 Science for the People  
 Seawanhaka  
 Social Workers Against Nukes  
 Suffolk for Safe Energy  
 Women's Health Alliance  
 Women Opposed to  
 Nuclear Technology

The NRC's licensing process has been criticised again and again for its narrowness, bias, and absence of justice. In 1979, the NRC's own Special Inquiry Group on the TMI accident concluded:

"In so far as the licensing process is supposed to provide a publicly accessible forum for the resolution of all safety issues relevant to the construction and operation if a nuclear plan, it is a sham."

In fact, many major safety issues are out of intervenors' reach. The NRC has declared long-standing problems to be "generic", meaning they can be settled on a wholesale basis only, not litigated in individual plant hearings. One of the more serious, ATWS (Anticipated Transient Without Scram, or, failure to shutdown which could lead to ruptures of the reactor vessel or piping) has been meandering through the NRC's back rooms since 1973. Each time an ATWS Task Force is formed and comes up with a solution, the industry cries hardship and the proposed regulation fades from view. The latest effort at resolution was prompted by the Salem, N.J. plant accident this February - an ATWS event. Yet now, in October - nine months later - the new ATWS Task Force has yet to suggest improvements; Shoreham is free from yet another critical safety requirement but - amazingly - 'safe' enough to operate.

The ASLB's decision must be kept in perspective. The ludicrous safety flaws at the Diablo Canyon and Zimmer nuclear plants surfaced only after those boards certified the plants



'safe' for low power testing. And, just three months after TMI Unit 2 was licensed at full power, the Accident occurred.

Contrary to proponents claims, Shoreham's operation is far from inevitable. Consider these roadblocks: 1. Intervenors will appeal the ASLB's ruling, beyond the NRC if necessary; 2. The diesel generators must be repaired or replaced - if possible; 3. An acceptable, workable emergency plan must be approved and withstand court appeals before a full power license can be granted.

So hold on. Reserve your strength. The real fight hasn't begun.

SOC's Cohalan Endorsement

Though the Shoreham Opponents Coalition has always recognized the value of political and lobbying efforts, we have also taken a middle road in election campaigns. We've figured it's enough to let members know how candidates stand on Shoreham.

This year, however, we couldn't afford to remain diplomatically neutral. On September 26, we endorsed County Executive Peter Cohalan for a second term. We believe his leadership is essential in the fight to stop Shoreham.

Patrick Halpin, the Democratic candidate for County Executive, has made this election a referendum on Shoreham. He has said the plant's operation is "inevitable", and, in spite of his doubts about its safety, that we should give up the fight.

This position is not only based on false assumptions, it's chillingly irresponsible. Citizens don't have many rights when it comes to nuclear power, but those we do have we must use to the fullest. Suffolk County's emergency planning fight is no idle argument: if we can win a court ruling that supports local government's right to approve emergency plans, then communities around the country will have won some greater control over nuclear power.

We've worked closely with Suffolk County's legal team for the last year and a half. We're confident they are doing - and will continue to do - the best possible against LILCO and the NRC.

Use the enclosed bumper sticker as you choose; we're ready to stand - and vote - by the slogan.

\* \* \* \* \*

Candidates for County Legislature

We have polled all 36 legislative candidates on their support of Shoreham, County emergency planning efforts, and public power. So far, of the dozen returns we've received, not a single candidate - Republican or Democrat - has agreed with Pat Halpin or supported Shoreham. If you would like to know how the candidate in your district responded, call our office - 360-3987.

Our October 5th Citizens Rally at the Colonie Hill attracted 300 supporters (before the rains) and Governor Cuomo. He spent at least an hour trying to explain and justify his endorsement of Halpin and his call for federal troop involvement for NYS nuclear plants. The Governor maintains: federal involvement does not mean he's forsaken his "no NYS imposition" promise; that some communities may "feel safer" with federal troops around; that federal troops are already stationed at "nuclear facilities" around the country - nuclear weapons facilities; and, he doesn't know yet if an emergency plan on LI is workable, even with the Green Berets.

WRITE CUOMO.

Representative Tom Downey, once a halfhearted ally, now seems to be playing politics with this most critical issue. He endorsed his old friend Pat Halpin for County Executive and called his Shoreham position "responsible" and "courageous" (!). CALL DOWNEY - 661-6777.

\* \* \* Your support and contributions keep us going. \* \* \*  
THANK YOU!

## Illinois Power Cancels Nuclear Unit, Plans To Take Write-Off

WALL STREET JNL. P. 12 10/18/83. TUES.

By G WALL STREET JOURNAL Staff Reporter

DECATUR, Ill. - Illinois Power Co. officially canceled its nuclear-generating unit No. 2 at Clinton, Ill., where construction has been halted since 1977.

The utility said it will write off its investment in the plant over an undetermined period of years. The amount, between \$16 million and \$22 million after taxes, includes charges for canceling fuel-supply and equipment-purchase contracts, a spokesman said.

Illinois Power suspended construction of unit No. 2 in 1977, after laying the foundation. The company decided that the need for electricity "wasn't occurring the way we anticipated it would," the spokesman said.

Work continues on Clinton unit No. 1, which is 81% complete and scheduled to start operating in 1986.

THIS IS REAL GOOD NEWS.  
IT COULD BE A TREND.

*Pat Halpin*

## Suffolk Supervisors Back Utility Plans

P. 31 - NEWS DAY - 10/21/83 - P. 1.  
Patchogue - Suffolk County's town supervisors agreed yesterday to support the New York Power Authority's plans to build two 345-kilovolt power transmission lines across the center of the state, and also voted to support an application of the telephone company to make phone calls from western Suffolk to New York City local rather than long distance.

The power authority is seeking support for a plan, now before the State Public Service Commission, to transmit Canadian hydropower downstate via a 200-mile-long transmission line. The twin transmission line is expected to cost \$473 million when completed in 1986.

An authority spokesman told the supervisors that the line could save the state's electric customers \$186 million a year for the next 10 years. He said the authority is negotiating with the Long Island Lighting Company to build a second submarine cable across Long Island Sound, to help bring some of the hydropower here directly, rather than routing it through New York City.

County Executive Peter F. Cohalan also asked for the supervisors' support in his efforts to lobby before the State Public Service Commission for a telephone company proposal to expand downstate local call areas and expand the "bands" where customers can now make local calls.

Cohalan's spokeswoman at the meeting said the changes would save Suffolk residents an estimated \$60 million a year.

- Mitchell Freedman

WHY, WHY, WHY  
DO WE CONTINUE  
TO LOOK AT MONEY  
AS IF IT BREATHES  
AND PAINS AND  
BLEEDS AND EATS  
AND LOVES AND  
SNORES. PAPER  
IS DEAD-INANI-  
MATE. OUR ONLY  
CONCERN SHOULD  
BE AFTER HUMAN  
LIFE IS NOT EX-  
POSED TO DEADLY  
PERIL OF OUR OWN  
DEVICE—A PLANT  
OF FISSION-NUCLEAR  
TYPE. WE KNOW  
WHAT IT CAN DO.  
NO ONE DENYS  
THAT. WE ALSO  
KNOW NOW THAT  
TO RUN IT, OR ABAN-  
DON, MAKES VERY  
LITTLE ECONOMIC  
DIFFERENCE. CON-  
VEAT WHILE WE STILL  
CAN.

## New study finds Shoreham impact almost the same open or closed

P.I.-SUFFOLK LIFE 10/19/83-WED.

By PETER SCULLY  
Even if Long Island Lighting Company customers were forced to bear its full cost - now estimated at \$3.6 billion - abandonment of the Shoreham nuclear plant would raise electric rates only six per cent more than its operation, according to a draft report by the staff of Governor Mario Cuomo's Shoreham Commission.

But the report, the subject of widespread media attention last week, was written before an assistant State Attorney General told the commission that LILCO customers could be held harmless from financial responsibility if the reactor were to be abandoned.

An ongoing state Public Service Commission investigation of LILCO's management of the project could result in utility investors being held liable for a portion of Shoreham costs. If the ratepayers were forced to pay for the reactor, such a finding would reduce the financial obligation of the customers. One financial expert told the commission LILCO could absorb up to \$1 billion of the price tag

and remain solvent.

Members of the Shoreham Commission cautioned that the report is only a draft, and is not an endorsed conclusion by any of the 13 members of the panel created by Cuomo to separate fact from fiction in the ongoing struggle over Shoreham. The draft report predicted LILCO's rates will double by 1988, regardless of what happens to the troubled Shoreham project.

Many of the conclusions in the draft report are based on predictions - such as the future growth of electrical demand and the price of oil - which are said to be impossible to verify.

Proponents of the decade-long nuclear project have argued it would cost the region as much as \$25 billion not to use the controversial reactor. The draft report, however, found the rate penalty would be only \$780 million - the amount of savings Shoreham is expected to generate through displacement of oil burned at other plants. That number decreases by \$1 million each day the plant does not operate.

Since the report was

cont. on page 5

written prior to the commission's last meeting, it does not take into account the testimony of Assistant Attorney General Jerrold Oppenheim and Assemblyman George Hochbrueckner (D-Port Jefferson Station) who spoke at that meeting.

Oppenheim said that under state Public Service Law, the PSC could force LILCO investors to absorb all of the plant costs unless it becomes "used and useful" in the generation of electricity.

Hochbrueckner argued that Shoreham could be scrapped without adding two new, 400 megawatt coal plants to replace its power, because existing transmission lines could be modified to carry twice the energy they do now. Those modifications, he said, would make more upstate hydropower available than the commission has assumed.

Reached Friday, Hochbrueckner said he plans to write the commission to "take out those replacement plants," which would add \$1.5 billion to the abandonment scenario. "I suspect the six per cent differential would be substantially reduced," said Hochbrueckner.

Both LILCO and Suffolk County, which says the controversial reactor should never operate because it would not be possible to protect the public in the event of a serious accident, claimed the report's findings as a victory.

Suffolk's Deputy County Executive Frank Jones

pointed out that the draft commission report was developed using Shoreham related rate hikes totaling 56.5 per cent, while delays resulting from diesel generator problems will raise that number to over 60 per cent.

"The bottom line is, there is no economic justification for putting Shoreham on line," said Jones. "To do so would be to foster higher taxes, higher rates, and depressed economic activity on Long Island." LILCO has insisted abandonment would mean economic disaster, an argument that is now wiped out. Suffolk has argued that electric rates would not rise above expected Shoreham related plant costs, and that ratepayers should pay no part of Shoreham's price tag if the plant does not operate.

LILCO officials, who predicted rates would rise 18 per cent higher with Shoreham off line than with it in operation, nevertheless saw the commission staff's six per cent projection as supportive of their position.

"We are gratified the staff did find abandonment would be more costly than operation," said utility spokesman Charles Salit. "We still feel the differential would be closer to 18 per cent." Without Shoreham in operation, Salit noted, LILCO would remain 100 per cent dependent on foreign oil for the generation of elec-

tricity. LILCO disagrees with many of the assumptions used by the state Energy Office, Public Service and Consumer Protection board staffs in compiling the report, Salit said.

The report, Salit noted, does not project tax increases which would result from lost Shoreham revenues in the event of abandonment. But it did not project tax increases related to Shoreham operation, either. In addition to footing increased energy costs at home, LILCO ratepayers would pay increased taxes due to increased electric costs in schools and all other publicly owned buildings and streetlights.

While Assemblyman Hochbrueckner believes coal plants would not be needed to replace Shoreham's power, and the commission staff said they would be needed by 1998, Salit said LILCO thinks one coal plant would be needed

by 1993. LILCO also disagrees with the report's future projections of the cost of oil, said Salit.

A full report by the Shoreham Commission is expected within a matter of weeks. The panel is expected to offer findings, but no recommendations to Cuomo on the safety and financial aspects of the Shoreham situation.

# Suffolk Panel OKs A Shoreham Study

Hauppauge — The Suffolk County Legislature's finance committee yesterday approved spending \$250,000 for a study on how to pay for the Shoreham nuclear plant without causing serious economic disruption on Long Island.

The study, to take about eight weeks, will determine how to spread the costs of Shoreham among ratepayers, stockholders and government to lessen the fiscal impact of the \$3.4-billion plant. It will attempt to determine how to pay for the plant if it is abandoned, as the county advocates, or if it opens.

The measure, which was approved by a 5-0 vote yesterday, is scheduled to go before the full legislature in Riverhead next Tuesday. The study was first announced by County Executive Peter Cohalan on Oct. 6.

Finance committee chairman John Rosso (R-Mastic Beach) said the study, to be done by the Manhattan accounting firm of Touche, Ross & Co., is important because, unless the cost of Shoreham is spread out, the plant could "bankrupt the entire county."

LILCO has requested a 56.5 per cent rate hike over three years, most of which would pay for Shoreham.

The Suffolk study is not connected with a state study commissioned by Gov. Mario Cuomo. A working draft of the economic reaction of that report said the cost of abandoning the plant would be about 6 per cent higher than letting it go on line.

"We feel that spending additional taxpayers' money for yet another [financial] study on Shoreham when at least 10 or 11 have been done in the past six months is outrageous," LILCO spokeswoman Judith Brabham said yesterday. "The sudden flurry of activity by the county shortly before elections points to the political nature of their [county officials'] concern," she added.

# Governor, hear our plea!

By LOU GRASSO

"Governor Cuomo, let us plan an orderly meeting where we can hear each other talk! ... We have waited for months hoping you would attend a public hearing of your Shoreham Commission! ... Governor, do not force us to lay in wait for you in this desperate kind of confrontation! ... Please let us meet to discuss the issues fully and understand each other!"

Those pleas were voiced recently by a group of Suffolk residents opposed to the opening of the Shoreham nuclear plant. They were expressed while standing in the rain outside the Colonie Hill catering hall in Hauppauge, where the governor was slated to appear at a Democratic fund-raising dinner. To his credit, the governor did stop and talk to the protestors who awaited his arrival, discussing with these very concerned individuals this most important issue. To his credit,

he spent more than an hour with those out in the rain, while the members of the Democratic Party and their supporters waited for the governor inside.

"In our extemporaneous, rain-soaked discussion with you out on the road, the crowd could barely touch upon and express their many concerns, let alone go into any depth, and but few were even able to hear the discussion itself. That is why people in the crowd repeatedly called out to you," Fred Adler, chairman of the North Fork Opponents of Nuclear Exposure (NONE) said in a recent letter to the governor.

Adler added: "Because of the gravity of our situation, the people of Suffolk County do not regard your Shoreham Task Force as a substitute for your personal presence. Time is running out and we urge that without further delay you and our county government meet in a public forum on L.I. for a full discussion of the

Shoreham problem and of how N.Y. State and Suffolk County can best cooperate to serve the people."

Governor Cuomo has found the time to come to Long Island on several occasions in recent months, but outside of the brief stops to chat with protestors at Democratic affairs, he hasn't found time to listen to the public. He attended no public hearings held by his own Shoreham Commission, but did find time to speak with the leaders of the Long Island Association, who are strong proponents of LILCO and the Shoreham plant. He found the time to speak to daily newspaper publishers at Montauk, and time to visit Long Island to participate in political functions. But, unfortunately, no time for the very public whose lives will be most impacted by his ultimate decision on Shoreham.

Why not a public forum, as Mr. Adler has suggested? Now! Before the governor makes his

mind up about the future of Shoreham and his stance on the issue, why doesn't he take the time to come to Long Island to listen to the pleas of the public regarding an issue that threatens their future, and the future of our county?

Governor Cuomo has it within his grasp to become known as a man who responded to the pleas of the public to be heard, or he can become known as a governor who listened only to the voices of big business, casting aside the views of the people. He can become pro-people, a defender of their welfare. Or he can be the voice of big bucks.

He strikes us as a man who is honest, decent, and caring. One who will surely take a little time, as he did with the business leaders, to hear firsthand the very real concerns of all the people, the men, women and children, of Suffolk County.

If he is what we hope he is, he will surely hear our plea.

PAGE 86; "NRC FAILS TO RESPOND TO GOV. CUOMO'S LETTER", OF OCTOBER 5TH, THE DAY I GAVE MY 9/30 LETTER TO THE GOVERNOR IN THE RAIN AT COLONIE HILL. IT ASKED (PAGE 75) FOR ANSWERS TO 7/19, 8/15 AND 9/6 (PAGES 40, 58 & 74). AS OF 10/27, NO REPLY YET. I CONSIDER THAT TODAY'S MAIL IS SLOWER THAN THE PONY EXPRESS. WE EXPECT THE SHAFIT (THE SPLIT ONE) FROM LILCO, BUT NOT FROM CUOMO. WE IN THE SUFFOLK, NASSAU AND QUEENS LILCO AREA GOT THE "PUBLIC" HEARING SHAFIT FROM NRC LICENSING, N.Y. STATE PSC AND THE ABSENTEE CUOMO FACT-FINDERS.



Newsday / Karen Wiles

Gov. Mario Cuomo at "town meeting" held at C.W. Post in Greenvale

# Cuomo Says LILCO Won't Get 56.5% Hike

P. 9 - NEWSDAY - 10/24/83 - MONDAY  
By Michael D'Antonio

Greenvale — Declaring the Long Island Lighting Co.'s proposed 56.5 per cent rate hike request intolerable, Gov. Mario Cuomo promised yesterday that state action would hold the increase, mostly to pay for the Shoreham nuclear power plant, "to a lot less than 50 per cent."

Cuomo, appearing at a "town meeting" at Long Island University's C. W. Post Center yesterday, repeated his concerns about the nuclear plant, reaffirmed his pledge to close a state prison facility at Pilgrim Psychiatric Center and promoted his \$1.25-billion bond issue for repairing New York's transportation networks.

While the questions from the press and an audience of more than 200 covered a wide range of issues, Shoreham dominated the 90-minute forum. The governor refused to outline his plan for the controversial plant, whose opening Suffolk County officials oppose, insisting that he should wait for the findings of a com-

mission now studying the facility. The panel's report is due by Nov. 1, he said.

However, Cuomo did oppose the three-year, 56.5 per cent rate increase Long Island Lighting Co. says it needs to pay for the nearly completed plant, whose cost was most recently estimated at \$3.4 billion. He suggested that company shareholders might pay for a portion of the plant, that less-expensive power from other regions be brought to Long Island and that, if the state Public Service Commission finds mismanagement to blame for the plant's escalating cost, the utility bear more of the burden.

While the PSC is still investigating whether there was mismanagement, Cuomo said, "I would have to blink at reality not to see there is a serious question of how the [LILCO] management has behaved." And, Cuomo told the public forum, which was sponsored by the university and Newsday, "A 50 per cent

—Continued on Page 15

## Shoreham Dominates LI 'Town Meeting'

—Continued from Page 9  
increase is just out of the question. It is utterly intolerable."

"This is nothing new," LILCO spokeswoman Jan Hickman said last night, reacting to Cuomo's statement. "No audit has, thus far, turned up evidence of an imprudent investment. Mario has sort of said that before. We don't want to see Long Island ratepayers pay a 56 per

cent increase either. That's why it's divided into three years. But this is happening anywhere there is a major plant under construction."

The governor also said he would resist any efforts to obtain a temporary, low-power operating license for the plant, which a federal panel has said LILCO is entitled to once it clears up problems with its emergency diesel generators.

Cuomo heard the only boos of the afternoon when he addressed the issue of the Brentwood prison. He said, as his aides have said before, that court-ordered increases in the prison population, and opposition to his prison construction program, mean he won't meet the June, 1984, deadline he set earlier for closing the facility. While several citizens pressed the governor on the issue, he said he is confounded by a 117 per cent

occupancy rate for all state prisons and court orders to use the Pilgrim site.

On other issues, the governor opposed a Board of Regents proposal to lengthen school days and the school year. He said the idea is too costly and prefers "that we try to use the time in school we have better." Cuomo called for more federal aid to education and he promised increased state funding for college loans.

# 98 N-Plant Diesels Stir New Probe

P. 9 - NEWSDAY - 10/25/83 - TUESDAY  
By Stuart Diamond  
Newsday Environment Writer

Federal auditors have sent to U.S. nuclear investigators evidence of potential criminal wrongdoing or other willful violations of federal codes by the maker of the Shoreham nuclear plant's diesel generators, top Nuclear Regulatory Commission officials said yesterday.

The officials declined to detail the evidence against Transamerica Delaval, the manufacturer. But Uldis Potapovs, the NRC's chief auditor of reactor equipment vendors, said the potential violations include "inconsistencies in documentation" in manufacturing and quality control at Delaval's Oakland, Calif., plant.

"If we find knowing and willful violations . . . or something indicating potential criminal misconduct, we refer it to the Office of Investigations," Potapovs said. The investigations office can suggest that the company be fined or that the case be referred to the Justice Department for prosecution.

Officials of Delaval yesterday declined to comment, as they have since the main engine shafts of Long Island Lighting Co.'s three back-up diesel generators at Shoreham were found cracked in August. LILCO is extensively investigating the failures, which will delay the opening of the practically completed, \$3.4-billion reactor at least six months and add at least \$250 million in interest charges to the plant's cost.

LILCO was unsure yesterday how the new investi-

gation will affect its diesels. "From our perspective, it's getting more and more into a national arena," said Jan Hickman, a LILCO spokeswoman. The utility has ordered three new diesels from another manufacturer, Colt Industries, but those units are not scheduled to arrive for nearly 10 months.

The utility has been commended by NRC officials for finding and reporting its many diesel problems.

The NRC's licensing branch, meanwhile, has informed the five NRC commissioners of the many problems with Delaval diesels at U.S. reactors over the past few years. Those problems have "reduced the staff's level of confidence in the reliability of all [Delaval] diesels," NRC licensing director Darrell G. Eichenhut said in a memo dated Oct. 21.

Delaval has made about 30 diesels — needed to safely shut reactors when offsite power is lost — for U.S. nuclear plants. Only two have been installed in operable plants — Southern California Edison's San Onofre 1, currently shut for other repairs, and Mississippi Power & Light's Grand Gulf 1, which started up last month and is now in low-power testing. Both have had various minor problems similar to Shoreham's, but not failures of the engine crankshafts.

A Grand Gulf spokesman yesterday said that the utility has "reasonable confidence" the Delaval diesels will work correctly. But Thomas Novak, the NRC's assistant director for licensing, said in a separate inter-

view that "it's still an open question" whether the units can operate adequately.

The problems with Delaval diesels at Shoreham or other nuclear plants include broken water pumps and oil lines, excessive vibration, cracked cylinder heads, oil leaks, and washer and bearing problems.

A top Delaval official has admitted that improper manufacture caused some of the problems. As of June, Delaval had been cited 59 times for violations of federal codes, more than twice as many as the second-highest violator, Fairbanks Morse, which has supplied diesels to slightly more U.S. reactors.

Potapovs said the evidence given investigators was found during three inspections at Delaval's Oakland plant since July. The first, from July 13-15, found another 12 violations, although most were minor. They included failure to document that incoming parts met requirements and to notify the NRC of problems at Shoreham and elsewhere. The inspection report, obtained by Newsday yesterday, also criticized Delaval for apparently failing to correct engineering and assembly problems on three water pumps that failed on the Shoreham diesels.

"While there is no single thing we have found that would lead us to seriously question the equipment," Potapovs said, "when you have a cumulative set of many problems, it points to ineffective quality control; you then have a generic concern about the product."

## NRC fails to respond to Gov. Cuomo's letter

PLC SUFFOLK LIFE - 10/26/83 - WEDNESDAY

By PETER SCULLY  
The Nuclear Regulatory Commission has not yet replied to Governor Mario Cuomo's October 5 letter asking the federal agency to reject outright Long Island Lighting Company's emergency plan for Shoreham, a Cuomo aide said Friday.

The governor, in his first public statement on the issue, had called upon the NRC to discard LILCO's plan to have 1,300 employees implement a utility controlled effort,

which he termed "unrealistic" and absurd. He vowed to fight to prevent federal approval of the plan for Shoreham.

NRC spokesperson Claire Miles said the Cuomo letter "will be responded to, in time."

The Federal Emergency Management Agency (FEMA), meanwhile, continues its full-scale review of the LILCO plan, having been directed to do so by the NRC.

An earlier, less stringent review of the plan

questioned the legality of a utility-controlled and implemented plan and cited 34 defects, including the fact that the Long Island Expressway - a key evacuation route - bisects the emergency planning zone.

Cuomo has called for the establishment of a Federal Radiological Emergency Team to implement emergency plans at all of the state's nuclear plants.

Anti-Shoreham groups are watching for the NRC response to Cuomo's latest

letter eagerly. In July, the governor wrote to the agency urging that consideration of a low-power license for Shoreham be suspended until emergency planning issues were resolved. He garnered considerable media attention.

But the NRC wrote back that a letter to the agency was not the proper forum for Cuomo to express his concerns and urged him to send a representative to Shoreham's licensing hearings. But Cuomo never-

followed up on the matter, and his views never became part of the record, despite the media play they received.

"The governor has indicated he has very strong views with respect to not wanting to see fuel loaded at Shoreham until the emergency planning issues

is resolved," said Leon Campo of Mount Sinai, a member of Cuomo's Shoreham Commission. "He now owes the people of Long Island some action to make his strong words

mean something. We are hopeful he will not disappoint us, that there will be action to follow those words."

Suffolk officials, who are also fighting the LILCO plan, have vowed to get the state involved in upcoming hearings on the plan, now slated for December 5.

Cuomo spokesperson Betsy Weiss said any future action by the state in the matter will depend on the NRC response to Cuomo's letter, which is expected sometime in November.

# Suffolk claims NRC 'misstated' key facts

P. 7C - SUFFOLK LIFE - 10/26/83 - WEDNESDAY

By PETER SCULLY

With the filing of an 89-page brief, attorneys for Suffolk County last week initiated an appeal of a Nuclear Regulatory Commission licensing board's partial decision in favor of licensing the Shoreham nuclear plant.

In the brief - basically a list of faults the county alleges are contained in the decision - attorneys for Suffolk charge the licensing board ignored portions of the record misstated facts, and made multiple errors in reaching their decision.

NRC spokesman John Kopeck said the document will be reviewed by the federal agency's licensing appeals board, which will decide on a response.

"We think the licensing board repeatedly bent over backward to achieve a finding in LILCO's favor, despite the existence of a record full of questions on safety which have not been answered," said Lawrence

Coe Langner, an attorney representing Suffolk in the Shoreham case.

LILCO's Charles Salt said he had not read the county charges, but based on input from utility attorneys, termed the filing "rubbish."

Among other points in the papers, Suffolk's attorneys noted the NRC panel had ruled LILCO's lack of consensus with NRC staff on the use of the term "important to safety" should not stand in the way of licensing, despite one staff member's testimony that the utility "does not understand what is required minimally for safety."

staff members joined Conran, who criticized the NRC as well for failing to resolve safety issues contained in a post-Three Mile Island action plan.

LILCO witnesses argued they did not understand the term, but insisted the plant could be run safely without the list.

The Suffolk papers also faulted the NRC for "failing to order ... a detailed, objective cost benefit balancing" of the economic impact of allowing Shoreham to operate at low power and then abandoning the reactor.

Suffolk officials and Governor Mario Cuomo have opposed low-power operation of the plant until emergency planning problems are resolved, arguing that radioactive contamination of the plant would needlessly add \$250 million to its cost if it were abandoned.

Citing repeated findings of poor housekeeping and general sloppiness by the NRC, the county papers charge that the licensing panel "erred in failing to find" that the problems "constituted a pattern of ... violations and were indicative of poor

management attitude by LILCO with respect to Quality Assurance."

In another of the 150 charges, Suffolk attorneys charged the panel "erred in failing to find that there needs to be a full physical inspection and design review of the Shoreham plant."

Recently, many elected officials have renewed the call for an independent inspection of the reactor.

In 1982, LILCO paid for a \$2 million "independent verification" of the plant which gave it "a clean bill of health," despite the finding of about \$1 million

in needed changes. Suffolk officials, armed with letters from the company which performed the work for LILCO, charged the utility had been assured of a positive finding.

Two months after the report was released, an NRC inspection team cited the utility for numerous instances of "construction code violations and general sloppiness at the job site. The inspection also found an abundance of items had been rejected at the time of final inspection, even though they had previously been accepted as proper by LILCO inspectors.

The staff member, James Conran, shocked all parties in the licensing hearings last April when he urged Shoreham not be licensed until a list of the "important to safety" items had been compiled. On the day before the end of the hearings, other NRC

# Halpin Objects to Debate Teammate

P. 23 - NEWSDAY - 10/26/83 - WEDNESDAY

The Democratic candidate for Suffolk County executive chose not to attend a panel debate taped for television yesterday on the Shoreham nuclear power plant, rather than sit on the same side with a high-ranking Long Island Lighting Co. official.

Assemb. Patrick G. Halpin (D-Lindenhurst), who is running against incumbent Republican Peter F. Cohalan, said he turned down the invitation from Channel 21 when he discovered the format would have him on a panel

with LILCO President Wilfred Uhl and a pro-nuclear scientist, Vance Sailor. Joseph Navarro, assistant to LILCO Chairman Charles Pierce, stood in for Uhl, and he and Sailor faced the anti-Shoreham team: Cohalan; Herb Brown, the attorney representing Suffolk in its legal battle to keep Shoreham closed; and Nora Bredes, executive director of the Shoreham Opponents Coalition.

Halpin said he decided not to attend because he did not want to sit on the side

of a man whose resignation he has demanded.

Cohalan has said Shoreham cannot open safely and should be mothballed. Halpin says it is inevitable that the plant will open and the county should stop fighting it. But he also criticized LILCO management and says the plant should be run by the State Power Authority.

The Channel 21 program will not be broadcast until after the election.

-Miriam Pawel

UPDATE TO OCTOBER 1984:

WE STILL AIM OUR TOP EFFORTS AT ANY RUSE TO ANY LOW, INTER-MEDIATE, OR REGULAR POWER LICENSE. WE MUST NOT LOSE SIGHT OF THE FACT THAT ONCE RADIANT, WE HAVE A STICKY TAR-BABY IN OUR HANDS.

Arthur McGinnis

UPDATE TO OCTOBER 1984: HALPIN ONCE WAS ONE OF US. I NOW OBSERVE THAT HIS DIRE PREDICTION HAS NOT YET COME TO PASS. AS FOR ME, IT SHALL NOT PASS!

# Senate Sinks Clinch River Breeder Reactor

P. 10 - NEWSBAY - 10/27/83 - THURSDAY

Washington (AP) — The Senate scuttled the Clinch River Breeder Reactor yesterday, voting 56-40 against spending \$1.5 billion to complete the nuclear power project that proponents claimed held the promise of an inexhaustible supply of energy.

The project, on the Clinch River near Oak Ridge, Tenn., has already cost \$1.7 billion in tax dollars. Critics have charged for years that the reactor, which would "breed" more nuclear fuel than it consumes, is dangerous, a waste of money and obsolete.

After the vote, Senate Majority Leader Howard H. Baker Jr. (R-Tenn.) one of the project's most ardent supporters, admitted defeat. "I sincerely regret the loss of this amendment, but it is lost," he told the Senate. "One of these days, I think we will regret not having an entry in this field. But the Senate has spoken. I will not prolong this debate."

Sen. Daniel Patrick Moynihan (D-N.Y.) voted to

kill the reactor; Sen. Alfonse D'Amato (R-N.Y.) voted against killing it.

Supporters took the \$1.5 billion spending proposal to the floor as a gamble to complete the project in seven years. Congress had refused to provide a smaller, one-year appropriation in a routine 1984 spending bill. The overall price tag for the breeder reactor, including private money, was put at \$4.2 billion. President Reagan also supported the project.

Sens. Gordon Humphrey (R-N.H.) and Dale Bumpers (D-Ark.) led the fight against the measure. The critical vote came on a motion to table, the committee recommendation to include the money.

The vote apparently ends a battle that has raged more than a decade. President Jimmy Carter tried to scuttle Clinch River with his first veto, but succeeded only in mothballing it temporarily. Opponents in Con-

gress have gained strength each year. It received money last year only when Baker mustered a one-vote margin in the Senate.

Supporters claim that breeder reactors, already in operation in France and the Soviet Union and under construction in Japan and West Germany, promise a limitless supply of energy. They produce more fuel than they consume, using nuclear waste to produce plutonium 239. That keeps the reactor going and it can also be used to make nuclear weapons.

As the project's estimated cost rose from \$800 million in 1970 to \$4.2 billion, the industry's share remained frozen at about \$300 million. Congress voted earlier this year to cut off funding unless private industry picked up more of the tab, but industry wanted guarantees of continued financing, leading to yesterday's bill.

## Supervisors back plan to transmit hydropower

P. 13 - SUFFOLK LIFE - 10/26/83 - WEDNESDAY

By PETER SCULLY

Patchogue - As part of a widespread effort to garner support for the project, New York Power Authority representatives last week briefed the Suffolk Supervisors Association on the proposed 345-kilovolt Marcy South transmission line, touted as a means of obtaining increased amounts of cheap and abundant Canadian hydropower for Long Island.

Following a five-minute slide show and after asking a few questions, the supervisors agreed to actively support the plan, as have the Long Island Association and the Riverhead and Islip town boards.

The \$374 million transmission line project could save New York consumers \$186 million a year by

displacing oil-fired electricity with hydropower, said Michael Fiumarelli, a PASNY spokesman. "Canada is a far more reliable partner than supervisors.

The Marcy South line, termed "the Canadian connection" in PASNY's campaign for support, would stretch 199 miles, connecting lower New York State with northern areas and Canada. The line would allow for increased distribution of some 111 billion kilowatt hours of electricity PASNY is to receive from Hydro-Quebec between 1984 and 1997.

The state Public Service Commission has been hearing testimony from both supporters and opponents of the plan and is expected to render a

decision on the application by the fall of 1984. Construction could be completed by 1986, Fiumarelli said.

On the other hand, the PASNY spokesman said, modifications to an existing line beneath the Long Island Sound, which would make larger amounts of upstate power available to the Nassau-Suffolk region, could not be completed until 1990. "I don't think they could be completed concurrently," he said.

Assemblyman George Hochbrueckner (D-Coram) has called for the upgrading of the existing cross-Sound cable, which he says could provide Long Island with an additional 840 megawatts by 1987, eliminating the need for replacement coal plants if

Shoreham is abandoned. Fiumarelli said PASNY has offered to undertake the cross-Sound upgrading - estimated at \$174 million - as well, but he disagreed with Hochbrueckner's projection that the work could be completed before 1990.

But even a 1990 completion date would alleviate the need for replacement coal plants, making a Shoreham abandonment more attractive, Hochbrueckner said.

Hochbrueckner, too, endorsed the Marcy South project as "a necessary ingredient" in Long Island's energy future.

As part of the effort to get permission for the Marcy South line from the PSC,

the power authority must show statewide public need for the project.

Support from downstate and Long Island officials could be seen as a counterweight to objections from upstate farmers and environmentalists who oppose the project on environmental grounds.

The new line would require the creation of 42 miles of new rights-of-way, while using a total of 160 miles of existing rights-of-way.

In an effort to mitigate objections to the plan, PASNY has offered to buy any condemned land from

property owners and pay all future taxes while allowing the owners to retain use of the property.

The slide presentation viewed by the Supervisors Association showed children playing and farmers farming beneath existing lines and assured viewers no adverse health effects or decreases in real estate values would result from the line.

The line, Fiumarelli said, would displace 11 million barrels of oil a year, and would "buy us time to decide where we want to build new generating plants."



Arthur McComb, 30 Kirby Lane,  
Lake Ronkonkoma, N. Y. 11779 12/12/83.

OPEN LETTER TO ALL MEDIA EDITORS

RE: ABANDONMENT, SHOREHAM NUKE.

Honorable Mario Cuomo, Governor, State of New York,  
Executive Chambers, 1350 Avenue of the Americas,  
New York, New York 10019.

My letters 7/19, 8/15, 9/6,  
9/30, 10/11 unanswered and  
not acknowledged, either.

Truth may be boring, repetitious over eternity, but to avoid rehash is to avoid truth.

Fission-nuclear power plants are inherently dangerous. Radio-nuclides in the order of 10 billion may release from one plant in one entirely possible accident. They kill. They maim. They are incident to cancer et al, over many years. They render all construction, buildings, homes, roads, to all stages of danger from forever useless to maybe retrievable. Most plant and insect life could die, as well as wild and tame animals and birds, and the human race, no matter how helpless or vigorous one may be. Innocent youth, the aged and other helpless adults is the most horrible slaughter.

I am not a physicist nor any other lettered person, just high school physics and chemistry, but in my highly active 65 years in Suffolk (Brookhaven Town) as a family man in civics and politics, I gleaned the above from a plethora of articles and literatures and thousands of hours listening at sessions, hearings of all kinds, over ninety on the Shoreham subject, where experts, some worldwide, spoke under oath, and are now on record as I am. Why must we continue this charade when our libraries are now choked with truth? I have dedicated myself to the Shoreham nuclear plant subject for the past fifteen years. THE STRONGEST PRIMA FACIE EVIDENCE OF THE ABOVE TRUTH IS THE INSISTANCE BY THE NRC THAT A WORKABLE EVACUATION PLAN BE IN PLACE BEFORE LICENSING! WE MUST ABANDON SHOREHAM!

Fearinos we have had too many. Facts we have enough - more than enough. I cannot bring myself to believe that fellow humans can let our peoples government inflict such horrible risk on those who live near to the plant site. NRC knows! Hence, evacuation insistence.

I am an active voluntary fireman, and have been for forty years. I have three granddaughters and a legally blind wife. I have a daughter, son in law and many relatives. Knowing what I know of the intrinsic terror within nuclear fission power production, I would quickly try to take care of my own before running around on a LILCO wild goose chase. I truly believe fission proponents are blinded by some self interest. Governor, bring the people to their senses. POWER IS NOT WORTH THE PRICE WE MUST PAY!

This story needs much more space. An accident, as Milton Levenson said in the November Science Digest, must be expected. "We've had hundreds of accidents" and "I'm not saying that accidents wont happen, or that they wont destroy power plants". He is the president of the American Nuclear Society. While admitting the above, he leans to optimism. But, Robert Bernero, an NRC engineer directing reevaluation of NRC source terms, believes he understates; "I agree that the risks have been exaggerated. But not the 1000 times, only 10". I took this from Page 44, "Meltdowns Acknowledged", November 1983 Science Digest.

PLEASE, GOVERNOR, ANSWER MY LETTERS. I HAVE CHARGED THAT WE IN NEW YORK STATE, ESPECIALLY ON LONG ISLAND, HAVE BEEN SNOOKERED BY DENIAL OF DUE PROCESS, RANK PREJUDGEMENT, AND A CONFUSION OF MOSTLY UNNECESSARY SO-CALLED "HEARINGS", POOR ATTENDANCE OF PANELISTS, POOR REPRESENTATION OF SUFFOLK AND NASSAU HEAVILY WEIGHTED "PRO" SHOREHAM: LAST BUT NOT LEAST, A BARRAGE OF HEAVILY SLANTED NEWS REPORTING, NEWSDAY, NEWS AND TIMES. GIVE US A BREAK!

Copies to Elected Officials.

  
Arthur McComb.

UPDATE TO OCTOBER 1984: SEE PAGE 104 - LETTER AGAIN ASKING THE GOVERNOR TO RESPOND. I RAISE THE SERIOUS QUESTION OF GOVERNMENTAL DISRECARD FOR VIOLATED DUE PROCESS OF PUBLIC HEARINGS.

ARTHUR MCOMB, 30 KIRBY LANE  
LAKE RONKONKOMA, N.Y. 11779

Dec. 15th, 1983.

Public Hearing, Islip Arts Bldg.  
Suffolk County Community College.  
RE: Abandonment Shoreham Plant.

**OPEN LETTER TO ALL MEDIA EDITORS.**

Honorable Mario Cuomo, Governor, State of New York,

Dear Governor Cuomo,

From listening all this week to daily sessions of LILCO - Suffolk County cross examining each other's witnesses, it seems that the proposed advisories of LERO, the LILCO motley nuclear-fission disaster crew, now only on paper, in an incident seems to assume that, in every case, they are smarter than all residents. In other words, that everyone else knows less. That no one else knows what to do, better than LILCO'S LERO. I don't buy it!

This is what they tell the three-judge NRC Licensing Board. Certainly we cannot give to LERO, a commercial squad, police power constitutionally in Town and County hands, to prevent residents from preserving and protecting their own families, homes, land values and belongings. This big-brother rule usurping constituted authority looks to me as the way Russia or other dictatorship would take over. Certainly not every resident can be characterized as stupid, ~~which is the undercurrent of LILCO expert witness testimony~~, and that LILCO'S LERO must restrain their actions by unconstitutional police power.

We now need executive action of elective officials. I talk of a happening so terrible and so possible that NRC demands a workable evacuation plan in place for licensing. Yesterday, Dr. D. S. Moleti, a LILCO expert witness said, under oath, "---- hard to convince people who are old that something terrible is happening", on warning the public.

What a terrible thing we in EPZ must do, and for what? To have a nuclear-fission plant, not needed and not wanted? To gather what we can find of our families and run, leaving our homes and belongings, our lifetime earnings, to the mercy of pillagers, and upset government, to a police riddled with the same disunity of homes and families as we are, to leave homes at the mercy of no fire protection with firemen also upset as we and police are? To leave and go to another area just as upset, unless we are convinced to so-called "take shelter" by a business firm squad? What of warehouse and store merchandise?

To ignore freezing, raining, snowing, sleet, ice storms, windstorms, earthquake, floods, night or daytime? We are asked to take this Russian Roulette risk with babies, elderly, infirm, ill, halt, blind, deaf, pregnant, or on life sustaining apparatus. What if 10 or more inches of snow is on the ground? (or less?) We are asked to sacrifice also other life than human, wild and tame, animal and vegetable and fish and birds and insects and other in the food chain. We are asked to destroy our values, real estate etc, for indefinite periods, or forever -- all of which can happen, depending on the chamber of the Russian Roulette pistol which ~~comes up~~. No expert will say that such disaster cannot follow a nuclear incident. None can escape that monster cutely called "the agent" in professional discourses, but which is, in lay terms, "the plume". It can happen.

COPIES TO ALL ELECTED OFFICIALS.

*Arthur McComb*

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UPDATED TO OCTOBER 1984: THIS LETTER WAS READ TO THE GOVERNOR BEFORE MORE THAN 300 PEOPLE, MOST OF WHOM DID NOT WANT SHOREHAM ACTIVATED. I COMPLAINED TO HIM THAT MY LETTERS, A SERIES OF THEM IN 1983, REMAIN UNANSWERED, AND STILL DO TO DATE. HE TOLD ME BEFORE EVERYONE THAT HE WOULD PERSONALLY ANSWER THEM.

# AS I SEE IT

## It's Still Wrong to Open Shoreham

P. 46 NY - 6/4/84 - MON.

By Irving Like ←

Newsday's recent editorials recommending against the scrapping of Shoreham are based on serious misconceptions regarding:

- utility and bankruptcy law,
- the financial and economic costs of opening or abandoning Shoreham, and
- the options which would be foreclosed or preserved if Shoreham is abandoned.

First, Newsday is wrong in declaring that New York precedent entitles LILCO to full recovery of its Shoreham investment plus a return on that investment if the plant was considered reasonable and prudent at the time it was conceived and constructed.

The "used and useful" principle, which is recognized by most public utility commissions and is consistent with Supreme Court precedent, allows shareholders to recoup their investments in a plant and earn a specified return *only if it is operated*. It is sheer speculation to assume that New York would depart from the "used and useful" principle and allow LILCO to recover all or even part of Shoreham's \$4.1-billion cost plus a return if the plant is abandoned.

Second, Newsday errs in stating that Shoreham was constructed with the state's blessing and encouragement and was granted all the necessary state permits. The state had no jurisdiction over Shoreham, and LILCO needed no state permit to build Shoreham. The Public Service Commission belatedly instituted the rate base prudence investigation in response to Newsday's series on Shoreham's construction mismanagement and its ballooning costs. Unfortunately, until then the PSC's only intervention in the Shoreham project was its mindless granting of rate increases to provide LILCO with cash flow relief to keep it afloat, while making no effort to cap its costs.

Third, Newsday simplistically accepts speculation on the risks of a LILCO bankruptcy primarily from the investors who gambled on making a profit from Shoreham. They now fear financial losses and want the ratepayers to pick up the cost of Shoreham's abandonment.

Touche Ross, one of the most respected major accounting firms of this country, has concluded, after an exhaustive study, that bankruptcy (if it resulted from abandonment) can be managed with financial reorganization to prevent unreasonable rate escalation. This means it is possible to equitably allocate the loss among the stockholders, investors, creditors and cus-

tomers of LILCO, and to do so in a way that treats the ratepayers preferentially.

Of course, it would be sensible for LILCO to avoid bankruptcy. It can do so by agreeing to abandon Shoreham and to immediately negotiate a financial reorganization with all interested parties. However, if LILCO is intransigent in clinging to Shoreham and is forced into bankruptcy, rationally will ultimately prevail under the bankruptcy court and a plan for the abandonment of Shoreham and equitable allocation of the loss.

Fourth, Newsday engages in voodoo economics when it argues that abandonment of Shoreham would cause the permanent loss of millions in local property taxes. Who pays these local taxes? Obviously all of LILCO's customers, spread over its entire service area, as part of their electric bills reimburse LILCO for its payment of local property taxes to particular school districts and local governments. Thus, LILCO's payment of local taxes is simply a transfer from and redistribution of revenues paid by all of its customers.

Therefore, discontinuance of such payments is a loss for a few but a savings for all. It eliminates unfair subsidy of a few taxpayers at the expense of many and permits a more equitable allocation of the resources of LILCO's overall customer base, which can then be more rationally invested in the alternatives to Shoreham.

Fifth, Newsday is completely off the mark in claiming that the scrapping of Shoreham forecloses relief from heavy oil dependency and from the options of refinancing with tax-exempt bonds and/or financial aid from the State Power Authority or the federal government. The contrary is true. Shoreham abandonment would enable LILCO to shift the \$600 million to \$800 million of capital investment needed to complete Shoreham into aggressive programs of energy alternatives.

The shift of hundreds of millions of dollars to energy conservation and other alternatives would save more oil, at less cost and more quickly than completing Shoreham, and would more reliably reduce LILCO dependency on foreign oil than operating a Shoreham prone to accidents or shutdown. It would immediately stimulate the economy of Long Island with many new jobs and, most importantly, would eliminate once and for all the risk of catastrophic nuclear accident, whose cost would be incalculable and which would permanently cripple Long Island's economy.

Irving Like, a Babylon attorney, represented Suffolk in opposing the opening of the Shoreham nuclear plant and helped found the Shoreham Opponents Coalition.

NEWSDAY, MONDAY, JUNE 4, 1984

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UPDATE TO OCTOBER 1984: THIS BOOK IS DEDICATED, INSIDE FRONT COVER, TO ALL PERSONS WORKING TO HAVE SHOREHAM EITHER ABANDONED OR CONVERTED, CERTAINLY TO THOSE OPPOSED TO ANY RADIATION OF THE PLANT. IRVING LIKE IS FIRST ON MY LIST.

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Arthur McComb, 30 Kirby Lane, Lake Ronkonkoma NY.  
June 12, 1984. 11779.

Suffolk County Legislature  
Hauppauge, N. Y.

I have not quit the fight to abandon fission nuclear energy and the horrible throat which it represents. Mankind owes a forever debt to you for your knowledgeable, gutsy defense of public health and welfare. You sustained your oath of office admirably, in stubborn defense of common sense.

Four months ago, while awaiting the promised answer to my letters to Governor Cuomo, a freak accident in the dark, a turned ankle and a fall with a thick book under my right arm, acted as a pry to wrench my right shoulder badly. With a useless right arm, I refrained from further typing, waiting for it to heal. After two months of over-using my left, that shoulder became sore.

In December at the public hearing in Suffolk College, I addressed the Governor with the letter that you got copies of, and he promised to answer my five previous letters, personally, before 300 residents. I called his office once before my freak accident, but no response to date. I could not pursue it.

The following paragraph in my 9/30/83 letter to him, copies of which I supplied to each of you, was my plea which obviously I wanted an answer to: "Home rule due process has been ignominiously massacred by our own federal bureaucracy, by non-resident, non-elective judges, in a licensing board appointed by appointees, in turn appointed by federal electives. The hearing should be void. This three-judge licensing board of the NRC has made a farce of home rule due process. This mockery made fools of the New York State public. We attended in good faith and were treated in arrogant disrespect. I ask you, Governor Cuomo, to defend us. Two hearings only were held in Suffolk, none in LILO's Nassau-Queens area. Previous letters told of the 1983 tangled hearing mess." (SEE PAGE 75)

My supplement to that letter detailed my outrage when the hearing was closed almost an hour before the scheduled time, and one who came in after closing, but before the board had left, was denied to talk. Four others, including myself, were denied during the session. Clearly, state government should be our refuge.

Worldwide, grateful people, thinking people, look to you, our county-executive office and New York State, for guidance out of this mess. They are fighting too. All we have left is prayer that we will come to our senses before communities are wiped out with replays of Three Mile Island, or Fermi, or Toronto, or Wind-scale, or any of the long list of catastrophes and almost catastrophes.

A 1982 cartoon copyrighted by S. Harris, page 60 of "Nuclear Power, Both Sides" edited by Michio Kaku and Jennifer Trainer, shows a nuclear power company board meeting, with the chairman saying: "First we have to convince the people that good health isn't everything."

I highly praise the consistant majority of this board.

  
Arthur McComb.

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UPDATE TO OCTOBER 1984: IT IS CLEAR TO ME THAT OUR COUNTY LEGISLATURE HAS KEPT OUR HOPES ALIVE WITH A FOOT IN THE DOOR. DESIGNED UNDER "ONE MAN, ONE VOTE" DOCTRINE, IT MOST NEARLY REFLECTS "WILL OF THE PEOPLE."

# MELTDOWNS ACKNOWLEDGED

## A NUCLEAR REACTOR MELTDOWN IS FAR FROM CATASTROPHIC, SAYS AN INDUSTRY EXPERT. WE HAVE HAD SIX ALREADY.

P.44 - SCIENCE DIGEST - NOV. 1983

Accidents have been commonplace at atomic power plants, and we're sure to see more of them in the future.

This prediction is not from antinuclear activists, but from a leading proponent of nuclear power.

"We've had hundreds of accidents," says Milton Levenson, president of the American Nuclear Society. "Yet in all these cases, not a single member of the public has been harmed. It's not magic that there has been no large public risk."

Many experts in the industry, like Levenson, have adopted a new approach in the nuclear debate. In the past they argued that the probability of major accidents was very low; they now concede that such accidents have occurred. But they say, good design and fortuitous chemistry have prevented the dire consequences that almost everyone predicted.

This new approach comes at a time when controversy is raging over emergency evacuation planning for areas near nuclear plants. The Indian Point station near New York City, for example, was nearly closed last spring by the Nuclear Regulatory Commission (NRC), which cited inadequate planning by local officials. Only a last-minute agreement averted a shutdown. And as the Shoreham nuclear plant nears completion on Long Island, local politicians and antinuclear activists have banded together to prevent its start-up on the grounds that evacuation plans don't go far enough to ensure the public's safety. "This is the worst public relations disaster the nuclear industry has ever had," says Steve Sholly of the Union of Concerned Scientists.

### FIGHTING BACK

But the industry is gearing up to fight back. New data show, according to Levenson, that the consequences of certain kinds of accidents have been vastly overestimated and that, as a result, requirements for emergency evacuation planning and restrictions on siting nuclear plants near cities should be substantially eased.

One of the most catastrophic of all possible nuclear-accident scenarios can begin when the water supply that cools the fuel inside the reactor is lost. Then the fuel heats up and can melt through the metal vessel that normally contains it. Meanwhile, the water for cooling collects on the floor of the containment building. When the molten mass of radioactive fuel and metal drops into the water, a mammoth steam explosion occurs. This could blow out seals, valves and doors leading to the outside world and even blast apart the thick concrete walls of the containment building itself.

### EMERGENCY PLANS

The nuclear debate has focused until now on the probability of such an accident occurring. Most experts on both sides have agreed that if such an incident were to occur it would lead to widespread radioactive contamination outside the plant site. For this reason, the NRC requires that plans for coping with such an emergency be formulated and rehearsed.

But Levenson says this misses the point. The crucial factor is not the probability of a meltdown, or any other kind of accident, but how much radioactivity would get out. As it turns out, at least six meltdowns have occurred, he says, but very little radioactivity was released into the environment. "Were we just lucky?" he asks rhetorically. His answer is no.

A review of 100 accidents has revealed many "attenuating mechanisms," according to Levenson, that confine a radioactive release to a very small area. For example, during a meltdown and steam explosion at a Swiss plant, radioactive cesium and iodine—two very dangerous elements found in nuclear fuel—were confined to the containment building. He says that most of the iodine and cesium quickly dissolved in water and steam and wound up on the floor. The rest was bound up by paint on the walls and by metal objects, such as pipes. Uranium and plutonium, two other elements in reactor fuel, might be vaporized and blasted outward by a steam explosion, but most of the vapor would be stopped by the concrete walls of the building. Any vapor that did escape would quickly condense and drop in heavy particles to the ground; the wind could not carry them very far.

Thus, Levenson is persuaded, these mechanisms ensure that no massive cloud of radioactive gas and particulate matter would be carried downwind during an accident to rain death and destruction on surrounding communities.

But the NRC has assumed otherwise, he reports. To promulgate regulations on such topics as emergency planning and the siting of new plants, the agency has relied on an estimate, called a "source term," of the amount of radioactivity a given plant would release to the environment in an accident. The NRC's source terms, says Levenson, are 1,000 to 5,000 times too high because they do not take the attenuating mechanisms into account. He recommends, however, that for safety's sake the NRC reduce them by only 50 to 100 times.

"Even with this conservative reduction," he says, "the source terms themselves would show all the radioactivity confined to the plant site during an accident. So now we can do away with the emergency sirens and all the hassles over siting nuclear plants near cities. I'm not saying that accidents won't happen, or that they won't destroy power plants. But the risk to the public has been vastly overestimated. What all this means is that it doesn't matter whether or not a plant

operator turns the wrong valve. People can't turn off gravity or make iodine not react with paint or metal."

Steve Sholly strenuously disagrees with his point of view. "Results of several studies have not justified any drastic reductions in source terms," he says. "For one plant, we may be able to reduce the source term by a factor of two; but for others, the radioactivity released might be greater than was previously assumed. . . . The problem is, we're trying to model many things that have never happened. The experimental data base is very sparse and the uncertainties are extremely large. It's premature to be spouting numbers."

Robert Bernero, an NRC engineer who is now directing a reevaluation of the agency's source terms, also believes that Levenson is understating the dangers.

"I agree that the risks have been exaggerated. But not a thousand times—only by a factor of ten."

Bernero says that many of the accidents cited by Levenson in support of his argument are irrelevant to commercial U.S. reactors because of fundamental differences in design. He also thinks it imprudent to eliminate emergency planning.

"The penalty for being wrong is very severe," says Bernero. "I wouldn't want to be in a position of saying to someone living near a plant 'You see that green cloud over there? It's going to kill you.'"

"I wouldn't want to have to say to someone 'You see that green cloud over there? It's going to kill you.'"

Based on initial findings of the NRC's source-term studies, Bernero does not foresee a dramatic change in planning requirements. The NRC will still require that utilities and local governments draw up contingency plans covering a radius of 10 miles. Bernero stresses that automatic evacuation of persons living within the 10-mile zone—an approach advocated by some critics of nuclear power—should not be required. He believes that the response should be "graded," depending on the severity of the accident and how it progresses. If an incident similar to the one that destroyed the plant at Three Mile Island were to occur, evacuation out to three miles may be necessary. If conditions worsen, the evacuation zone will be widened.

### 10-MILE KILLING RANGE

Though he takes exception to Levenson's attitude toward emergency planning, Bernero does believe that nuclear power has been held to a double standard. He points out that even under the worst conditions, a severe nuclear accident would be capable of killing people only within a radius of 10 miles. That's the distance covered by today's emergency plans. Nuclear power, he says, poses no

greater threat than other risky industrial endeavors, such as the transportation of hazardous chemicals by rail and highway.

Bernero cites in particular an accident near Toronto, in which railroad tank cars carrying chlorine and liquid fuels derailed and burned, spewing toxic fumes into the atmosphere. A quarter of a million people were quickly evacuated—the largest peacetime effort of its kind in North American history. No one was killed and only a few people were injured.

"People want absolute assurances about safety when it comes to nuclear power," Bernero says. "But you can't be absolutely sure about anything. Frank Berman [former astronaut and now president of Eastern Airlines] can't tell you for sure that you won't die on one of his airplanes. Yet people fly Eastern every day."

#### MYSTERIOUS NATURE

If the concern over nuclear power overshadows that shown for other safety issues, it is probably because of its mysterious nature. The causes of tank-car explosions and airplane crashes are easily understood. The statistical probabilities of a meltdown and the intricacies of nuclear chemistry are not. And radioactivity is a silent, invisible killer that can continue taking a toll for 20 years—the latency period for some cancers.

So aside from the technical decisions that must be made, it is the perception of nuclear power that is at stake in the source-term controversy. And therein lies one of the major problems for the nuclear industry.

#### UPDATE TO OCT. 1984

NUCLEAR FISSION DOES HAVE THE INHERENT MAKINGS OF MESS-DOWN

WHAT MORE DO WE NEED TO KNOW? READ THE THIRD FROM THE LAST LINE ABOVE—

"RADIOACTIVITY IS A SILENT, INVISIBLE KILLER—TAKING A TOLL FOR 20 YEARS—" (COMMENT)

#### UPDATE COMMENT TO OCTOBER 1984.

THIS SCENARIO IS REPEATING ITSELF IN PLACE AFTER PLACE. ENOUGH FACTS ARE BURIED IN HEARING TRANSCRIPTS IN LIBRARIES. WHEN WILL WE LEARN?

## Consumers Power Faces Search for Cash, Fight Over Rates After Closing Midland

WALL STREET JOURNAL

P2-1NS 1-7/8/84-WED.

By ROBERT L. SIMMONS

Staff Reporter of THE WALL STREET JOURNAL

Consumers Power Co.'s decision to cancel its Midland, Mich., nuclear-power project leaves the utility scrambling for cash and facing a battle over electricity rates that could last years.

But company and state officials as well as industry analysts agree the Jackson, Mich., utility won't be forced into a bankruptcy-law filing any time soon. Consumers Power says it has enough cash to continue operating under current conditions until late next month.

The company says it expects to receive authority to raise electricity and natural-gas rates in time to stave off a financial crisis after August. Those expected rate increases would be granted in cases unrelated to the Midland project.

But it is clear that the company's 1.4 million electricity customers will face substantial rate increases over an extended period to pay for at least a portion of the \$4 billion that Consumers Power invested in construction of and fuel for the 15-year-old project which is 85% complete.

Although company officials declined to comment, Wall Street analysts expect Consumers Power's stockholders will be forced to forgo dividends on its common and preferred shares. And the company has said the cancellation will cost nearly 6,300 workers in three Michigan cities their Midland-related jobs.

Walter R. Boris, Consumers Power executive vice president, finance and corporate affairs, said the company has about \$130 million in cash and marketable securities on hand. He said Consumers Power can operate on that for at least another month. Then the company will have to borrow to pay big bills from natural-gas suppliers, reflecting the company's purchases of reserves for winter sale.

Ordinarily, Consumers Power would take out routine short-term bank loans, secured by the natural-gas inventories, to pay the bills. But Consumers Power says its lenders have been squeamish about advancing any more cash because of Midland. Even though the company has decided to cancel the project, considerable uncertainty remains about Consumers Power's ability to recover costs.

"It is too early to make hard conclusions, but we have reason to believe we could undertake fuel financing of up to \$200 million from one source; whatever else we would need would be doable," Mr. Boris said. But

he added that lenders would continue to be reluctant unless state utility regulators authorize higher rates in two cases that aren't related to the Midland project.

The Michigan Public Service Commission is expected by late next month to issue a final order on the company's May 1983 request for annual gas-rate increases of about \$141 million, or 10%. The commission already authorized an interim increase of \$39.6 million a year, and an administrative law judge recommended an additional \$74.8 million annual increase. The commission usually bases its order on such recommendations.

The commission also is expected to rule late next month on the company's November 1983 request for an interim electricity-rate increase of \$192.7 million annually, or 13%. The commission staff recommended a \$141 million annual increase, and Consumers Power officials said they expect the commission to authorize an increase between \$120 million and \$170 million.

"Assuming that we get reasonable interim relief, our cash position by year-end won't be that bad," James B. Falahee, Consumers Power vice president, said. "We will have a struggle, but we don't expect to have to file for bankruptcy."

Mr. Boris said Consumers Power also has unsecured bank credit lines of about \$300 million, but can't count on tapping them. "The banks are very anxious and apprehensive. Some would advance the money, and some wouldn't," he said.

The company's bid to pass on to customers its \$3.6 billion of construction and \$400 million of nuclear fuel costs will decide its future ability to borrow, company officials, as well as Wall Street and bank analysts say.

Consumers Power said it will probably ask the state utility commission this week for authority to recover most of the \$4 billion over 15 years. However, the company has contemplated a number of plans for phasing in the increases over several years, and it agreed in negotiations with industrial customers last week to recover only \$2.5 billion.

Company officials said they haven't worked out details of their proposal for seeking authority to recover costs. But the officials said they hope the utilities commission will permit the company to begin collecting Midland costs by raising rates on an interim basis as early as September. If that happens, Mr. Falahee said, "the receipts might be enough to put the banks back in the picture by September."

# Nuclear Panel Member Sworn In After Bypassing Senate Hearings

PAGE A10 N.Y. TIMES 7/6/84 FRIDAY

WASHINGTON, July 5 (AP) — Lando W. Zech Jr., a retired vice admiral who commanded the Navy's first nuclear submarine, took a seat on the Nuclear Regulatory Commission today without going through the usual process of Senate confirmation.

The 61-year-old admiral was sworn in as the fifth member of the commission just one week after his predecessor, Victor Gilinsky, complained that the White House was trying to ease regulations for the troubled nuclear power industry by appointing advocates of nuclear power to key posts.

President Reagan formally nominated Admiral Zech for the \$71,100-a-year seat on the commission a week ago, but the admiral was not expected to take office until after confirmation hearings before the Senate Environment and Public Works Committee.

Instead, the White House earlier this week said it was using the three-week Congressional recess for the Fourth of July holiday and the Democratic National Convention to bypass Senate confirmation and put Admiral Zech and several other nominees into their jobs immediately.

## Election Year Politics Cited

Donald P. Hodel, the Secretary of Energy, said the Administration did not want to go through "the lengthy confirmation process," particularly in an election year when the opposition party seeks to block appointments in order to keep vacancies open in case they win the Presidency.

"We felt that it just wasn't appropriate for the N.R.C. to operate without a full complement on the commission," Mr. Hodel said.

The decision to put Admiral Zech on the commission through a recess appointment, allowing him to hold the job until the end of 1985, was questioned today by both officials and critics of the nuclear industry.

"That guy is going to operate under a cloud for the rest of his tenure up there," said David Berrick, a lobbyist for the Environmental Policy Institute. "If you're interested in instilling confidence in the industry and indicating some kind of commitment to safety, even if only for show, the way to do that

is not by slipping your nominee in through a recess appointment."

Carl Walske, president of the Atomic Industrial Forum, said industry officials generally supported Admiral Zech's appointment but preferred the nomination's going through the normal confirmation process even though that would probably leave the commission with a vacancy until next spring.

Mr. Gilinsky, the commission's resident skeptic over the past decade, complained two days before his term expired last Saturday that "the deregulation process is going on through Presidential appointments" after Congress rejected proposals for regulatory change last year.

Frequently angering his fellow commissioners and industry officials with demands for the resignations of leading utility officials because of problems at half a dozen of the more than 110 plants in operation or nearing completion, Mr. Gilinsky has been quick to seek more stringent Federal regulation.

The industry's future hinges on tougher Government controls and less autonomy, Mr. Gilinsky said in the interview.

He believes that the peaceful civilian use of a technology unleashed with the Hiroshima bomb can survive only by overhauling the nearly century-old structure of electric utilities.

## Commander of First Nuclear Sub

"There was a mismatch between this complicated technology and the kinds of institutions that we turned it over to — some 60 different utilities," he added. The 50-year-old physicist is a native of Poland and the only remaining original member of the N.R.C., which replaced the Atomic Energy Commission.

Admiral Zech, who retired last October after a 39-year career in the Navy that included a three-year stint as commander of the Nautilus, the first nuclear-powered submarine, would not talk with reporters today.

Just prior to his retirement, Admiral Zech was deputy chief of naval operations for manpower and training.

"He brings a wealth of experience in personnel and training matters to the commission," said Nunzio Palladino, chairman of the commission.

# Hodel Kos N-evac aid

AGENTS 7/3/84 TUESDAY  
N.Y. NEWS - BY JERRY CASSIDY

United States Energy Secretary Donald Hodel said yesterday that the federal government "is not willing to go forward and conduct an evacuation plan at Shoreham over the objections of the county and state governments."

Hodel added that he still hopes the state will change its position, but emphasized there will be no federal financial bailout of the Long Island Lighting Co.

Hodel, speaking at Brookhaven National Laboratories in Upton, said that the decision not to impose a plan "does not necessarily kill the nuclear plant." He added, "Where there is life there is hope, and LILCO is still very much alive."

The energy secretary, who admitted he had intervened in the past in trying to speed up the fuel-loading process at Shoreham, said that if the plant did not go on line it would be a "tragedy."

HODEL SAID, "We could legally conduct an evacuation plan without county approval, but it would be contrary to the philosophy of this administration to tell a local government how it should operate."

In the past, Hodel has been criticized for trying to speed up the licensing and fuel loading process at Shoreham. Asked if the criticism was valid, he replied, "I don't think that is a criticism, because I think nuclear power plants are vital to our national security because they can help reduce dependence on foreign oil."

Hodel said he had written to Gov. Cuomo last week

urging that the state reconsider its position regarding an evacuation plan. The five nuclear power plants now in service in New York State have saved an estimated 330 million barrels of oil since they began operating," he stated. "They are currently saving oil at the rate of 33 million barrels a year."

ACCORDING TO Hodel, Shoreham could replace seven to nine million barrels of oil now used annually to produce electricity. "Additionally, the Nine Mile Point 2 plant would roughly double that figure," he said.

Marsha Lipfert, speaking for LILCO, would not comment on Hodel's remarks or indicate if the utility had counted on a federal evacuation plan to obtain its license.

Accompanying Hodel at Brookhaven was Israel's Minister of Energy, Yitzhak Moda'i. Hodel had visited Israel last December, at which time the two officials set up a joint task force on energy cooperation aimed at longterm sharing of energy research and development activities.

Pursuant to their agreement in Jerusalem, the U.S. Department of Energy last April made a half million dollar grant to the U.S.-Israel Binational Science Foundation for energy research and development.

## COMPLIMENTS OF ARTHUR McCOMB:

WAY TO GO? APPOINT NUCLEAR ADVOCATES? SAVE TIME AND MONEY, BUT NOT LIVES, BY SHORT-CUTS? DUMP DUE PROCESS - NO SENATE REVIEW? STEPS BACKWARDS TO KINGS, DICTATORS, ET AL? THOUGHT WE DUMPED THAT IN 1776, 1918 AND 1945 - KING JOHN AT RUNNYMEDE, ENG. (MAGNA CARTA) - ONE MAN, ONE VOTE! A FLOOD OF LETTERS COULD WASH A LOT!

SAVE OIL, NOT LIVES? LEAVE A HERITAGE OF NUCLEAR-WASTE AND FISSION HAZARD? IS HODEL SPELLED WRONG - MAYBE "HITLER"? WILL HE OVERCOME HOME-RULE BY PATERNAL EDICT? ISN'T THE BALL IN OUR COURT? 95

# \$3.4 Billion To Convert Ohio Plant

— N.Y. TIMES 8/1/84 — THU.

CINCINNATI, Aug. 1 (AP) — Three Ohio utilities, which last January halted construction of the Zimmer nuclear power plant and announced plans to convert it to coal, said today that they would complete the conversion at a total cost of \$3.4 billion.

The top executives of the three owners of the Zimmer plant told a news conference that the converted plant could be operating in 1991 with a 1,200-megawatt coal-fired generating unit. That is a 62 1/2 percent increase in generating capacity from the 800-megawatt capacity the Zimmer nuclear reactor would have had, the utility executives said.

The Zimmer plant is situated on the Ohio River at Moscow, Ohio, about 25 miles southeast of Cincinnati.

About 45 percent of the \$1.7 billion spent on the incomplete Zimmer nuclear plant went for equipment that can be used in a coal-fired plant, said a utility executive.

The conversion will cost the utilities another \$1.7 billion, the executives said.

Zimmer's nuclear portion — including the single reactor, its steam supply system and the building that houses the reactor — cannot be used in the converted facility, they said.

After the news conference, executives of the three utilities — C.G.&E., the Dayton Power and Light Company and the Columbus and Southern Ohio Electric Company — flew to New York City to give financial analysts details of their plan.

Bruce Stoeklin, a spokesman for Cincinnati Gas and Electric, said the utilities had not decided exactly how to raise the money for the conversion. W. S. White Jr., chairman of Columbus and Southern Ohio and its corporate parent, the American Electric Power Company, said it would take two and a half years to obtain all the required environmental permits for the coal plant. Most of the conversion spending will not begin until mid-1987, he said.

### Paying for Converted Unit

Asked whether he expects the utilities' customers to pay for the new unit, Mr. Dickhoner said, "We see no reason why this should not go into the rate base." He said he would expect a coal-fired plant to be a cost-effective alternative.

of the 1,200-megawatt coal-fired units operated in Ohio and Virginia by American Electric Power.

Mr. White said it would take two years and would cost \$3.1 billion for utilities to construct a comparable coal-fired plant from scratch.

A consultant's study done for the Public Utilities Commission of Ohio, in an effort to determine whether the utilities mismanaged the Zimmer nuclear project, has concluded that \$1.7 billion of the nuclear project's cost went for equipment and construction unsuitable for the conversion to coal.

After today's announcement, Bruce Stoeklin, a spokesman for Cincinnati Gas and Electric, said the utilities had not decided exactly how to raise the money for the conversion.

### Deaths in Cost Exposed

"This may be the most expensive coal plant in the world," Mr. Rhoads said. "We have some severe doubts about the wisdom of completing Zimmer as a coal plant rather than building from scratch."

The three utilities jointly announced on Jan. 21 that they were immediately halting construction of the Zimmer nuclear plant. They cited its escalating cost and long, expensive delays in obtaining Federal approval for a license to operate a nuclear reactor.

UPDATE COMMENT TO OCTOBER 1984  
UNLESS FUSION NUCLEAR WORKS, FOSSIL FUEL MAY SOON BE THE WAY. IF NEED, NOT A PROFIT DEMAND IS TO BE SERVED, AND AFTER WASTE THAT ENERGY-USE IS TRIMMED TO WHITE-BONE, THEN FEDERAL MUSCLE MUST CURB ACID-RAIN BY INSISTING ON FINEST OF SMOKE-SCRUBBER UNITS BEING USED. NOT JUST FOR SHOW OR CRACK DOWN HARD ON OPERATORS.

## COUNTY OF SUFFOLK

PATRICK J. HEANEY  
LEGISLATOR, 16TH DISTRICT



424-C MONTAUK HIGHWAY  
P.O. DRAWER B  
EAST QUOGUE, NEW YORK 11942-2002  
(516) 653-6090

CHAIRMAN:  
HEALTH & ENVIRONMENT COMMITTEE  
SENIOR CITIZENS COMMITTEE

### COUNTY LEGISLATURE

MEMBER:  
LEGISLATIVE & PERSONNEL COMMITTEE  
PUBLIC SAFETY COMMITTEE  
SUFFOLK COUNTY BOARD OF HEALTH

August 10, 1984

Mr. Arthur McComb  
30 Kirby Lane  
Lake Ronkonkoma, New York 11779

Dear Mr. McComb:

Thank you for providing me with a copy of your letter of August 4th to the Nuclear Regulatory Commission.

I totally agree with you on this matter and will continue to fight against the Shoreham facility as I have always done. I have been against the construction of this plant from its inception, maintaining that we didn't need Shoreham because we can get less expensive electricity from upstate hydroelectric power.

You can be assured of my continued fight against Shoreham.

Sincerely,

*Patrick J. Heaney*

Patrick J. Heaney  
Legislator

96

PJH:p



Nuclear Regulatory Commission  
Licensing Board  
Suffolk County Center, Legislature Room.

RE: Radio-activation of any fission-nuclear  
energy plant anywhere; NO!

Attached is a chronology of public, limited and executive hearings, 86 of them, which I listened at from January 1970 to October 1983. I spoke at and delivered written texts whenever permitted, and spent many hundreds of hours listening, to many hundreds of persons, mostly professionals from all fields of science.

Damn few things scare me. Fission energy does. I am far from being alone. NRC requires that an evacuation operation be in place; one that will work right. **THIS IS EVIDENCE THAT THERE MUST BE REAL DANGER. IF THE DANGER IS BAD ENOUGH TO EVACUATE, THEN THERE SHOULD BE NO FISSION NUCLEAR PLANT!** AEC denied us consideration of evacuation in 1970. They said to wait until licensing. It is their fault that humpty-dumpty mismanagement lost us over 4 billion and 14 years.

Suffolk, my home for 66 years, faces a documented, horrible, gruesome man-made menace, promoted by my own government (not Russia). I survived free enterprize, age 8 to 71, and with my wife, for 40 years. Earning years now gone, as with contemporaries, where the hell to turn next? We defy apathy, and the insanity of an unchecked human gamble. Crippling dependence of deaf, blind, very young or old, amputees, ill and other handicapped ones, need us all. Stupidity of evacuation rule (to where?) is damning evidence of grim danger facing us. Fission nuclear plants must be abandoned. Conversion to fossil plants with forced adequate use of "scrubber" equipment, is the way to go as Zimmer in Cincinnati is doing. Money replaces - lives do not. Economy of energy use must dictate. Then, and only then, make only what is needed.

Evacuation "sine qua non" is admission of guilt. We are also sure, from years of documentation, known to government and you, the NRC "caretakers", that ECCS gives no safe assurance. It has never been test-proven against failure of regular cooling. I knew that fission energy needs 30 to 40 thousand pencil-thin (zircaloy metal) rods bundled in a core; rods about 12 feet long in upright bundles, pellets of uranium dioxide fuel in them, 12 to 15 feet in core diameter. The core only produces heat, which must be limited by cooling, making steam for turbo-generators for energy.

Continuous flow of cool water must limit heat of an activated core, or MELT-DOWN. If it stops, and it has, heat can quickly go to 6000 degrees. Ductile zircaloy rods swell (called blistering), then crystalize, and crumble. ECCS, meant to cool with emergency water, cannot flow upward between the pencil-thin tubes because, closely packed and now swollen, water flow is blocked. Heat rises to an irreversible disaster level so rapidly that time to melt-down is only seconds. In a plumbing break of regular cooling water, emergency water escapes in the break, causing runaway heat whether or not it is blocked by swollen "blistered" tubes. We still have disaster.

I recite nothing new. Experts have written and expounded it under oath. For this bad gamble, NRC demands an evacuation plan. It is a red herring to take us, the public, off the scent of the track. We seem to have been stripped of our defences when a licensing board, not even New York Staters, not necessarily nuclear physicists, do have final say-so in licensing to start radioactivity, -- whether low-power or regular. We even lose due-process. August 10th, 1983, a licensing board closed shop almost an hour early, and refused to hear one a half hour before scheduled close time.

Even if all goes well, nuclear waste disposal remains a grisly nightmare for our children.

COPIES TO ALL MEDIA AND  
ELECTED OFFICIALS IN THE  
SHOREHAM AFFECTED AREA.

*Arthur McComb*

Arthur McComb - (516) 588 2020.

845  
8/6/84 By Norman Solomon **MON.**  
and Ada Sanchez **NEWSDAY**

Thirty-nine years after atomic bombs devastated Hiroshima, the cornerstone for official radiation standards is crumbling. Authoritative studies of Hiroshima and Nagasaki, the second city to be atom-bombed -- financed by the U.S. government with more than \$100 million -- have become discredited in the 1980s.

Official assessments of the Hiroshima and Nagasaki bombings, used for setting radiation limits in everyday life, have long served as the foundation for assurances that it is safe to live near a nuclear power plant, undergo repeated medical X-rays, or work in a radioactive warhead factory.

But recent disclosures of basic flaws in the hallowed Hiroshima-Nagasaki studies are toppling the longest-standing scientific assumptions of the nuclear age.

When the United States launched a nuclear attack against Hiroshima on Aug. 6, 1945, and three days later followed up with an atom bomb on Nagasaki, no monitors were in place to measure actual radiation doses from the blasts.

So government agencies have, beginning in the 1950s, relied on computer model estimates for the key Hiroshima-Nagasaki reports, which were then used to downplay the harmful effects of various amounts of radiation.

In fact, the U.S. government includes the atomic bombings of Hiroshima and Nagasaki in its official list titled "Announced United States Nuclear Tests," published this year by the Department of Energy. Although American policymakers have repeatedly fund-

**PHS-NEWSDAY 8/6/84 MONDAY**  
Norman Solomon is co-author of "Killing Our Own: The Disaster of America's Experience with Atomic Radiation" (Delacortee Press and Delta Books). Ada Sanchez was national coordinator for the Supporters of Karen Silkwood organization.

ed the scientific investigations of such matters as radiation dose response curves, they have been eager to put behind us the horrific human dimensions of what happened to hundreds of thousands of people in Hiroshima and Nagasaki -- their suffering and the morality of the bombing.

Shock waves went through the health physics profession three years ago when the Lawrence Livermore nuclear weapons lab in California recalculated the radiation levels of the Hiroshima and

Nagasaki detonations. Soon there was a consensus among many researchers that "dose estimates which have been in use since 1965 (an updating of the early 1950s figures) can no longer be considered accurate and should be revised in the light of research done at Livermore, two other national laboratories, and two private consulting firms," Science magazine later reported.

Instantly rendered obsolete was the National Academy of Science's 1980 edition of "Biological Effects of Ionizing Radiation." The new information made the academy's government-funded study look like the latest in a series of official whitewashes.

Nuclear managers routinely contend there is a "threshold" for radiation levels, below which no hazards exist. Among reputable scientists, that contention has gone by the boards.

The credibility of government radiation standards fell to a new low in 1982 when Britain's foremost nuclear epidemiologist, Alice M. Stewart, published evidence that the traditional estimates give only one-tenth of the actual number of radiation-caused deaths in Hiroshima and Nagasaki.

This year Stewart and a colleague have denounced the International Commission on Radiation Protection for perpetuating faulty conclusions.

Writing in the Bulletin of the Atomic Scientists, the British researchers complained that the influential commission still fails to recognize that radiation's delayed impacts are often "the result of damage to bone marrow and other blood-forming tissues" -- which are "exceptionally sensitive to cell-killing as well as mutational effects of radiation" and which lead to a host of cancerous and other serious illnesses.

The researchers added: "It was, in fact, this sensitivity which caused thousands of persons who had survived more immediate effects of the Hiroshima and Nagasaki bombs to die from fulminating infections and obscure blood diseases during the fall of 1945."

What's more, entrenched authorities have ignored what Stewart terms the "healthy survivor" effect. Post-bomb studies began after the urban Hiroshima and Nagasaki populations "had probably lost most of their infection-sensitive members." By mistakenly viewing the most disease-resistant A-bomb survivors as though they were typical of an entire populace, analysts have understated radioactivity's harmful impacts.

Over the years some radiation specialists have grown bitter about what they see as manipulation of scientific inquiry by vested interests. At a Capitol

Hill seminar, the chronic problem was described by physician Irwin Bross of the Roswell Park Memorial Institute for Cancer Research in Buffalo. He contrasted what he called big science and little scientists.

"The question is," Bross said, "do you set the standards by big science or do you set them by little scientists? Now by little science [scientists] you look at what the hazards are, what the exposures are, and what is happening to human beings."

But the operational ethic of big science, Bross went on, is different.

What that ethic holds, he said, is that "We will do the best we can under the circumstances, if we can manage, which may not be possible. Or we will set standards by getting a group of persons together, all of whom have a considerable interest in the perpetuation of some form of radiation technology or another, and who come from agencies that would be out of existence if there weren't radiation technology."

"And these individuals want to sit around and 'scientifically' discuss standards. Now that is how Big Science sets standards, by getting around a table and everybody trades a brownie point or two," Bross said.

Western scientists are not the only ones troubled by the sanctioned research. Takashi Mizuno, a 33-year-old Tokyo resident, expresses a common concern among Japanese.

"Many people in Japan have had similar feelings of doubt about the role of the institutions set up by the U.S. government -- underestimating the radiation effects on the Japanese people for many years," he told us.

The implication is that the United States is, if not falsifying the data, at least putting the wrong construction on it.

"And four decades later, people who were in Hiroshima and Nagasaki are still dying from the radiation exposure they received," Mizuno said.

As the world enters its 40th year of living with "The Bomb," the scientific edifice which was built on studies of those atomic holocausts is tumbling down. The legacy of radiation victims is emerging as never before.

To prepare for turning the entire planet into a modern version of Hiroshima and Nagasaki, it was first necessary to be self-deceptive about the meanings of those bombings in human and scientific terms.

Those tens of thousands who were startled by an atomic flash in the broad daylight of Aug. 6, 1945, were the first casualties of the nuclear era. Today, all of humanity teeters on the precipice of a similar fate.

Arthur McComb 30 Kirby Lane Lake Ronkonkoma, N.Y.

August 28th, 1984.

11779

To all who care to listen; Electives, and Editor of \_\_\_\_\_

I enclose three items of obvious interest to me, for your perusal. We may be too late already, but after fifteen years, I shall not quit.

I have early on become convinced that both the AEC and the NRC are much more promotional than regulatory. Our own New York State Public Service Commission seems to have caught the same virus. They just gave the store away to LIILCO, who refuses to pay their taxes. Last year, they held three "public hearings", one in Nassau, one in Patchogue and one in Riverhead. Only one of the seven-member board attended only one of the three sessions, in Patchogue. Administrative Judge, Frank Robinson chaired all three. I protested, as did Assemblyman Sawicki in Riverhead, and also others, but to no avail.

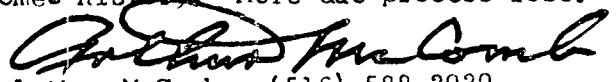
A disturbed public turned out in droves, waiting outside for turns.

Administrative Judge Laurensen of the NRC followed suit, in a fashion. His three-judge panel all attended their two meetings, but in Riverhead on August 10th, he closed up shop almost an hour early, and refused to hear anyone else. My protest also availed nothing. I asked our Governor to intercede, but even after promising at his December 15th hearing at Suffolk Community College to personally answer my letter, I have heard nothing. Our due process suffers.

Our evacuation hearings are farces, inane and asinine; right of local government to protect the public is usurped. NRC insists that a viable plan must be in place, which evidences that the plant is much too threatening. Only monstrous costs can come from evacuation and licensing hearings, all for nothing. I sense prejudgement in the hundreds of hours I attended, often alone from the public, and the meaningless repetition continues. It is hard to believe.

Our Governor also promised another hearing for about 150 who signed to be heard, and were not. That promise also becomes history. More due process lost.

Otherwise, our Governor is exemplary.

  
Arthur McComb (516) 588 2020.

Copies to all media and elected officials  
in the Shoreham affected area.

Arthur McComb, 30 Kirby Lane, Lake Ronkonkoma, N. Y.  
August 29, 1984. 11770.

Administrative Judge James Lauranson,  
Nuclear Regulatory Commission (Lic. Board) RE: Evacuation Hearing, LILCO Shoreham  
Nuclear Station, 1717 H St. N. W.  
Washington, D. C. 20555. Nuclear Power Station Unit #1.

I have listened at AEC/NRC hearings for 15 years as often as I could afford to  
(now with inflated Social Security worth) almost voiceless by rules. I am impelled  
to express fury and anger at LILCO's too obvious wiles, as shown in today's last-  
day transcript where Mr. Christman argued page-limitations. Excerpt follows; PAGE 15,579


PP. "You can count on it. I can't imagine why I would argue in favor of imposing  
page limits on myself, because I propose to use self-discipline in that regard. I  
propose that we live by the original page limits that were set down, which I be-  
lieve is 500 pages per person, and that there be no limit on our reply as far as  
the pages. PP. I will sure try to exercise self-discipline, but the reason for  
my proposal is that we have the burden of proof and we have the multi-billion faci-  
lity out there is a risk, and that is the short of it. (letter-writer's underline)

It seems to me an obvious scorn of comparative County-State pains to retain  
their innate duty-custody of health, safety and welfare before you, by crass infer-  
ence that dollar-value is primary. It seems the typical LILCO effort to slip in  
tactical edge for their dollar cause, by bald, argued implication that the "multi-  
billion" is of greater weight than public safety, health, welfare, homes, livestock,  
buildings, ecology, food-chain, future health (or early death) etc.

This was odious to me. I restrained with effort. It was so cleverly put, it  
seemed everyone missed his distasteful point. However, to your board's credit,  
page allocation for LILCO's reply, not unlimited as they sought, was fair.

Those same corporate tactics have, for 15 years, inspired me to monitor the  
progress (or retrogression) of fission nuclear energy, quite often alone. I look  
now to pleasing pursuits like grandchildren, if LILCO and NRC will allow me to.

Copies to Elected Officials and Media  
in Shoreham Affected Area.

  
Arthur McComb (516) 588 2020.

100



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

JOHN L. BEHAN  
2ND ASSEMBLY DISTRICT  
THE PLAZA  
P. O. DRAWER R. R. R.  
MONTAUK, N. Y. 11954  
(516) 668-5656

ROOM 719  
LEGISLATIVE OFFICE BUILDING  
ALBANY, N. Y. 12243  
(518) 485-5997

COMMITTEES  
VETERANS AFFAIRS  
RANKING MINORITY MEMBER  
GOVERNMENTAL OPERATIONS  
RANKING MINORITY MEMBER  
ENVIRONMENTAL CONSERVATION  
LOCAL GOVERNMENTS  
CONTACT  
ALBANY OFFICE  
QUINCY OFFICE

Arthur McComb  
30 Kirby Lane  
Lake Ronkonkoma, NY 11779

September 7, 1984

Dear Mr. McComb:

Thank you for sending me a copy of the letter in which you detail your frustrations with reference to the current LILCO-Shoreham fiasco.

I find your comments right on target, and concur with all three points you make in your letter. In my experience, I have found both the Public Service Commission and the Nuclear Regulatory Commission to be about the most unresponsive governmental bodies I have been in contact with. I thought you might like to know that I have written to the Governor asking him that he join me in pressuring the entire Public Service Commission to resign, and that New York State initiate legislation to create an elected Public Service Commission. I feel that this would make the PSC more sensitive to consumers and release them from merely being a captive to the utility industry.

I hope you will continue making your views known on this subject, and if you have any further questions please feel free to contact me.

Sincerely,

JOHN L. BEHAN  
Member of Assembly

JLB:msm

VOICE OF THE PEOPLE

UPDATE COMMENT TO OCTOBER 1984: THE ONLY DECENT ACT LEFT FOR OUR APPOINTIVE P.S.C., I BELIEVE, IS TO RESIGN TO MAKE WAY FOR LEGISLATION TO MAKE AN ELECTIVE PANEL. I BELIEVE NO-BOARD WOULD GIVE BETTER RESULTS.

**PSC too generous toward LILCO**  
PAGE 29 - N.Y. NEWS - 8/22/84 - WEDNESDAY  
Manhattan: The Public Service Commission decision granting LILCO a \$245 million rate increase demonstrates a callous disregard for both Long Island ratepayers and well established ratemaking principles. While the PSC acknowledged that less than half of its award is for the cost of providing service, it charged ratepayers for huge amounts of so-called cash flow relief; that is, money LILCO needs because its own monumental errors have put it in financial difficulty.  
And there is no reason to assume that this relief will make any difference. LILCO has conceded that even the full amount of its request might not gain it sufficient access to capital markets to avoid bankruptcy.  
The PSC is required by law to be an independent agency and safeguard the public interest by limiting rates for regulated utilities to amounts which are just and reasonable. But once again the PSC has shown itself to be a captive of the utilities rather than a protector of residential and business consumers.

Robert Abrams, Attorney General

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LETTERS-NEWSDAY-8/28/84-SATURDAY  
**Shoreham Should Not Open**

Newsday's editorial of Aug. 13 entitled "Past Rate Increases Argue for Shoreham" indicates that, because of oil-related rate increases during the 1970s, the Shoreham nuclear power plant should be allowed to open. Unfortunately, Newsday ignores several pertinent points in its argument.

There is no question that a major factor in rate increases for the Long Island Lighting Co. during the 1970s was the ever-rising cost of oil. However, this was not the only reason for the 307 percent rate increase experienced by LILCO ratepayers between 1972 and 1981.

LILCO's recent austerity program, which eliminated close to 1,000 positions without affecting service, is clear proof that the utility was overstuffed. It is obvious that ratepayers of Long Island were paying more than they should have for electric service on Long Island for many years.

Furthermore, LILCO was unable to complete construction of Shoreham anywhere near the target

date of 1975. Thus, the cost of Shoreham has risen from the original estimate of \$269 million to over \$4 billion. Several state studies clearly show that the prime reason for this cost overrun was company mismanagement. Yet, the company wants to place the cost of this plant into customer rates, something that would surely trigger rate shock on Long Island.

The fact is that today's economics show that opening Shoreham is not beneficial to the LILCO ratepayer. This nuclear plant has become so expensive that, if it were opened and placed in the rate base, customers would immediately experience increases that would far exceed the increases that were caused by oil. Ironically, the price of oil has now dropped to a level where it is more economical than operating Shoreham, due to the plant's exorbitant cost.

Shoreham should not open today. If anything, the rate increases of yesterday argue for all concerned to prevent the \$4 billion Shoreham plant from entering customer rates.

Richard M. Kessel, Executive Director  
State Consumer Protection Board  
Albany



STATE OF NEW YORK

EXECUTIVE DEPARTMENT

STATE CONSUMER PROTECTION BOARD

RICHARD M. KESSEL  
CHAIR AND EXECUTIVE DIRECTOR

September 12, 1984

REPLY TO:  
55 WASHINGTON AVENUE  
ALBANY, NEW YORK 12210  
(518) 474-3514

REPLY TO:  
250 BROADWAY, 17TH FLOOR  
NEW YORK, NEW YORK 10007  
(212) 587-4432

Arthur McComb  
30 Kirby Lane  
Lake Ronkonkoma, NY 11779

Dear Mr. McComb:

Thank you very much for sending me a copy of your letter dated August 28 to all elected and appointed officials.

I share your frustrations with the problems that you have experienced with LILCO. I was deeply disappointed that the PSC granted LILCO a \$245 million electric rate increase.

I can assure you that Governor Cuomo shares our concerns. In fact, he has directed me to sue the PSC and try and overturn this unjust rate increase. The CPB hopes to file this suit within the next three weeks.

Please be assured that the Cuomo administration will do everything possible to oppose future rate increases for LILCO.

Your support is greatly appreciated.

Sincerely,

Richard M. Kessel



# An N-gas cloud drifts over S.C., but officials assert it is harmless

Daily News, Tuesday, September 4, 1984

8 THE WALL STREET JOURNAL  
Tuesday, August 28, 1984

## Northeast Utilities Suspends Refueling After Spill at Plant

By a WALL STREET JOURNAL Staff Reporter  
HADDAM, Conn. — Northeast Utilities said it suspended refueling of the Connecticut Yankee nuclear plant here after a seal gave way and 200,000 gallons of mildly radioactive water spilled in the main reactor building.

No one was injured and no radioactivity was released because the nuclear fuel hadn't yet been removed from the reactor, a spokesman for the Berlin, Conn.-based utility said. The Nuclear Regulatory Commission is investigating, but so far hasn't found any similar seal failures elsewhere, Paul Swetland, the resident NRC inspector at Connecticut Yankee said.

The leak occurred last Tuesday while a normally dry area known as the refueling pool was being filled with water in preparation for removing nuclear fuel. One of two gaskets that helps keep the water in the refueling pool gave way, a Northeast Utilities spokesman said. About 200,000 gallons of water spilled onto the floor of the containment building and was contaminated. It has since been pumped out and cleansed.

If the leak had occurred after the fuel had been lifted from the reactor, and no one had intervened, the fuel "could have been exposed to air and that could have caused fuel damages, which could have released radioactivity," Northeast Utilities spokesman Anthony Castagno said.

Further, if the gates that keep water in the spent fuel pool had been open, Mr. Castagno said, the leak could have allowed water to drain from that pool, exposing some of the fuel and releasing some radioactivity. The spent fuel pool is where used fuel rods are stored. But the gates were closed at the time of the leak.

Northeast Utilities said it considers the incident "an unresolved safety issue" and halted refueling pending investigation by the company and the NRC. Other planned maintenance is continuing.

The refueling began Aug. 1 and was to continue 10 weeks. Because work was ahead of schedule, the leak isn't expected to make a significant delay in restarting the plant, Mr. Castagno said.

Connecticut Yankee, a 582,000-kilowatt unit, uses a Westinghouse Electric Corp. reactor. The plant operated for 417 days before closing for refueling, an industry record, according to the company.

THE WALL STREET JOURNAL  
Thursday, August 30, 1984 3

## TVA Board Votes To Cancel 4 Units At 2 Nuclear Plants

By a WALL STREET JOURNAL Staff Reporter  
KNOXVILLE, Tenn. — The Tennessee Valley Authority board voted to abandon four partly completed units at two nuclear power plants in Tennessee and Mississippi.

The board, as expected, also accepted a TVA staff recommendation to write off the \$2.71 billion invested in the units, beginning with the write-off of \$800 million during the fiscal year ending Sept. 30. A TVA spokesman said the remaining \$1.9 billion would be written off over the next 11 years.

The write-off would require a 2% to 4% revenue increase each year, but the spokesman said rates wouldn't necessarily rise by the same percentage. The board voted yesterday to raise rates for fiscal 1985 less than 1% because of a \$150 million surplus for 1984, he said. The increase would add 19 cents per 1,000 kilowatt hours to customers' monthly bills beginning Oct. 2, he said.

The staff of the nation's largest utility recommended scrapping the nuclear projects because estimates of energy demands in the TVA's seven-state service area have dropped, while construction costs have increased.

With the vote, TVA is abandoning the two-unit Hartsville A project, 40 miles northwest of Nashville, Tenn., and the two-unit Yellow Creek project at Iuka, Miss. Unit 1 of Hartsville A is 44% complete, while Unit 2 is 34% complete. At Yellow Creek, Unit 1 is 35% complete, while Unit 2 is 3% complete.

The TVA estimates it would cost \$5 billion to complete Hartsville A and \$9.6 billion to complete Yellow Creek. Hartsville was expected to cost \$800 million when approved in 1974. In 1975, the TVA estimated Yellow Creek would cost \$1.9 billion.

The TVA board approved construction of 17 nuclear units between 1966 and 1975. Eight units have been canceled, four are under construction and five are operating.

The agency estimates the construction of the two-unit Watts Bar nuclear plant near Spring City, Tenn., and the two-unit Bellefonte nuclear project near Holly Wood, Ala., will take care of energy demands in its region until 1996.

The TVA is an independent corporate agency of the federal government created by Congress in 1933.

Aiken, S.C. (UPI) — A mile-wide cloud of radioactive tritium oxide gas released by an accident at the Energy Department's top-secret Savannah River plant dissipated harmlessly into the atmosphere yesterday, plant officials said.

Officials declined to discuss the cause of the accident, saying it is classified information.

The tritium oxide gas—a key ingredient of hydrogen bombs—escaped Sunday night and drifted northward over the South Carolina Piedmont.

Neither the plant site nor the nearby city of Aiken was evacuated, and Savannah River plant spokesman Cliff Webb said only trace amounts of radiation reached the ground.

Plant officials said the radiation dose near the facility that produces tritium and plutonium for America's nuclear arsenal was estimated at seven millirems—about a third the dose in a chest X-ray.

"In terms of it being a threat, it was not a threat from the beginning," Webb said. "But in terms of what had been released previously, it was significant."

Plant officials said the radioactive cloud was released when a liquid by-product of the tritium oxide production process accidentally spilled and evaporated in a plant building.

Richard Tait, tritium operations supervisor for the plant, said the spill occurred in "a matter of seconds" and radioactive gas was released for 90 minutes.

Two workers in the room where the spill occurred were tested for radiation, but officials said protective suits kept them from absorbing dangerous levels of tritium.

Arthur McComb, 30 Kirby Lane, Lake Ronkonkoma, N. Y.  
September 19th, 1984. 11779.

Honorable Mario Cuomo, Governor, State of New York,  
State Capitol, Executive Chamber,  
Albany, New York 12224.

RE: Series of letters to you in  
1983-84, unanswered except  
for the first one.

You have already done more than most electives in our Shoreham difficulties.

If you tell me your's are too great to respond, I'll try to understand. I am only one of your 50-million plus New York Staters - but I was not too busy to listen many hundreds of hours at hearings, to many hundreds of experts on sworn testimony, nor to write hundreds of letters and to speak when allowed to. I spoke as chairman of a council of a group of civic clubs, and ran for Brookhaven Town Supervisor 1971. Better, I spoke for my family, and I think, for yours. All this for almost 15 years.

If you cannot tell NRC that their boards have violated our public hearing due process (as did our own PSC), so usurping our constitutional right and duty to self-defend, I'll know you're only one person like me, and can't do everything. Just tell me. Most electives just seem to flail about - you have acted. Gracias, senor.

I have not heard anyone else say NRC proved our case for us in their demand that evacuation plan be viable. I have said it, and heard you say it in December. You said NRC thus proved fission energy is too horrible a threat. I say, an inescapable danger and better quickly dead in the main plume core, than maimed in its periphery with burns and organ destruction from alpha, beta and gamma rays and future cancer.

I shall not be too busy and quit extension of my 15 year war. Too bad it's a revolt. Join us with backs to the wall - I think you are there now. Right always was the driest ammunition in the long run, and second wind wins in this marathon. Last December in our Community College, you did promise to a packed hall that you would personally answer my letters, and that the 150 not heard would have another public hearing. We got neither. People ask me how come. At the Bianchi breakfast April 29th in Patchogue, you asked me to get a list of names - you already have a list from December. Why get another? I devote much time to a legally blind wife.

*Arthur McComb*



From: Arthur McCamb, 30 Kirby La, Lk. Ronkonkoma NY 11779. RE: Supplement to 9/30/83 letter to the Governor, and elected and appointed officials concerned; SEE PAGE 75 THIS BOOK

For brevity, I deleted the following four paragraphs from the letter to the Governor, and instead referred him to the three unanswered letters which contained the substance matter herein described. They may present it more clearly, so I repeat it for you.

The Riverhood session, August 10th, was adjourned almost an hour early of the set time, and four who had spoken at the Hauppauge meeting, were denied to talk at Riverhood, because of that. I wanted to read a letter for three senior citizens unable to come. I asked to, after a man was permitted to talk for an out of state group from Washington, even tho he too had spoken at Hauppauge, and the board knew he had. To deny my letter by resident seniors from Suffolk was rank discrimination. I told them that the seniors were physically unable to, and one of them has since been hospitalized for surgery. The others suffer from incontinence.

the licensing board,  
Another man came before 8:30, but after they had adjourned, but was denied his time to address the board. He was well before the 9:00 scheduled closing time.

I am now offended, outraged, angry and incensed. Prejudgement is painfully clear. Your own fact-finding panel of 13, with two (1 seat) from NRC's FEMA and one NRC Director of Operations, set 3 public hearings, needing a fourth to hear the spill-over from the swamped 3rd session, was heavily one-sided. (Also 11 executive sessions were set.) Only 5 voting members saw fit to listen to the public at the 4 meetings. One sat thru two hearings, and 2 sat in 1/2 sessions, one at Nassau and Riverhead, and the other only at Nassau. Three did no public listening. Attendance was poor at the 11 executive meets, of the 11 voting members, on your panel. Your MEMBER in Patchogue and Riverhead, had one member at Patchogue and none at Riverhead, with an administrative judge running the show for the absentees, and the Congressional Oversight in April had absentees too. Five were present.

This whole series, mostly July and August, were a tangled mess, going four directions at once, poorly notified, sometimes in error and always confusing, seemed too much like public snookering by and for vested interests. When the public finally got a handle on it, the last two public hearings were swamped. If all facts were delivered right with due process, hearings would still be in session.

*(Handwritten signature)*

## Letters To The Editor

### OPEN Has Closed Mind

To the editor: PRM-PSYR-8/18/84-SATURDAY  
In your last edition (August 4), a letter from Mary Lou Abata responds to George Hochbrueckner's article from a previous edition. She states that "it was his 4th question that he didn't get a chance to ask Dr. Catacosinos, not his 1st, 2nd or 3rd." This is not entirely correct. While Mr. Hochbrueckner did ask his question, it was not answered by Dr. Catacosinos, and only by restating the same question did he get a reply. Dr. Catacosinos' reply was that rates would go up only 1% per year for five years and 0% after that, with the exclusion of inflation in those figures. When Mr. Hochbrueckner tried to get a clarification on that information, he was rudely shouted down by the people who Ms. Abata says "sat with their hands courteously raised."

Before faulting Mr. Hochbrueckner for not telling all of the truth, Ms. Abata should have criticized Dr. Catacosinos for not answering the question. It was Mr. Hochbrueckner who was cut off, not Dr. Catacosinos. Also, one must be aware that George Hochbrueckner has tried to arrange to meet with the Open, Inc. group, and they have not agreed to do so. Why wouldn't they allow him to speak? Are they "protecting" their membership from hearing another side of the Shoreham issue? Are they afraid that if more of the truth is told, some of their members will change their minds on the issue? As for Hochbrueckner's claim that rates will go up 70%, that is actually LILCO'S claim - and

that figure is a minimum increase if LILCO gets all the resources of aid it has asked for, including:

1. Renewal of a permit to burn high sulphur fuel.
2. Waiver of NYS gross receipts tax
3. Reduction of Shoreham property tax assessment by 50%
4. Allowing LILCO to absorb only \$250 million of the proposed \$1.9 billion imprudency costs.
5. PASNY construction of power lines under the Sound and purchase of LILCO's interconnection.
6. Increase in LILCO's share of PASNY hydro-power.
7. Increase in LILCO's benefit from Canadian hydro-power.

LILCO and Dr. Catacosinos are asking for everything and they apparently don't care who they step on to get it, including and especially the ratepayer. One questioner said to Dr. Catacosinos at the Open meeting: "LILCO has continually lied to us over the past 15 years - why should we believe you now?" Dr. Catacosinos replied, "There's no reason to believe us."

Certainly, as Ms. Abata says, "It's time that politicians told us the whole truth and not just what they want us to hear." If we want them to tell us the truth, we should be willing to give them the opportunity to speak, and not cut them off or refuse them the opportunity to address us and be questioned. Ms. Abata and Open, while asking for "truth", refuse to hear the sides of the issue that do not coincide with their own views. May be it's time for them to "open" their minds.

Sincerely, Jane Alcorn

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COUNTY OF SUFFOLK



COUNTY LEGISLATURE

WAYNE PROSPECT  
LEGISLATOR, 15TH DISTRICT  
September 17, 1984

1789 EAST JERICO TURNPIKE  
HUNTINGTON, NEW YORK 11743  
OFFICE (516) 499-5886  
HOME (516) 499-6744

Arthur McComb  
30 Kirby La.  
Lake Ronkonkoma, NY 11779

Dear Arthur,

On September 25th the county legislature will be voting on a resolution to continue funding the county's intervention against the Shoreham Nuclear Power Plant. It is important that you attend the meeting and speak on behalf of the resolution. The meeting will be held at the county center in Riverhead at 9:30 am.

The funding resolution, submitted to the legislature by Mr. Cohalan, originally requested \$1.7 million dollars for legal and technical services. The legislature's Finance Committee cut the \$1.7 million dollars to \$965 thousand dollars. This reduction finances the fight against Lilco only until the end of the month, at which time another funding resolution will have to be adopted by the legislature.

While I am not happy with the cut in funds, there is no indication that the reduction reflects a change in policy. It appears that Legislator John Rosso, Chairman of the legislature's Finance Committee, just wants to get a better grip on the status of the litigation by inviting our legal consultants before the committee for a general briefing and projection of future costs. It is up to you to make sure that the reduction in funds means no more than this. I urge you to make sure the county's fight against Shoreham is still on track. And, don't forget to attend the September 25th meeting of the legislature in Riverhead.

Sincerely,

Wayne Prospect  
County Legislator

UPDATE AFTER THE LEGISLATURE'S MEETING!

THE CERTIFICATE OF NECESSITY FOR \$1.785 MILLION WAS AMENDED TO 1978 AND APPROVED.

ALSO A CN WAS APPROVED FOR

\$275,000 TO INVEST

IN PSC CASE # 27563 PHASE II TO DETERMINE

PRUDENCY OF COST OVERRUNS AT SHOREHAM. (SEE SOC

SEPTEMBER AFTER DEDICATION INSIDE

FRONT COVER RE PSC PETITION TO GOVERNOR CUOMO)

# Suffolk County's Finest Hour

PAGE 37 NEWSDAY LETTER - 9/14/84 - FRIDAY

The editorial "Suffolk Cost Overruns in Fighting Shoreham" (Sept. 6) is the most disingenuous editorial Newsday has written on the subject of Shoreham. For Newsday to cite increased legal fees as a reason for Suffolk County to give up its fight against the Long Island Lighting Co. and its \$4-billion Shoreham nuclear plant belies Newsday's implacable support for Shoreham. Newsday would have preferred to see the county not spend one dime in opposition to LILCO's Shoreham plant and, today, Newsday would like nothing more than to see the county executive, the Suffolk County Legislature and the governor get out of LILCO's way so the Shoreham plant can be licensed by the Nuclear Regulatory Commission. No chance!

The centerpiece of the county's opposition is based on the firm conviction that Shoreham cannot be operated safely, since our unique island geography precludes the successful implementation of an evacuation plan in the event of a nuclear accident. The county and Gov. Mario Cuomo have communicated this to the NRC, whose regulations require an evacuation plan to be in place before they can issue an operating license to LILCO for Shoreham.

Indeed, the county's original cost estimate of \$3 million for legal and technical consultants to fight the licensing of Shoreham was accurate. By any reasonable standard, given the position of the county and state on emergency preparedness, the Shoreham fight should be long over. The victory just could be a fading memory.

But the NRC, in a desperate attempt to help LILCO, has arbitrarily forced the Shoreham issue into extra innings in the hope that mere time will provide the NRC with the elixir it needs to license the plant.

So the NRC deliberations and hearings go on and on; and consequently, the county's legal expenses mount.

Furthermore, in a cynical attempt to weaken the county's resolve by forcing it to incur additional costs, LILCO has initiated several lawsuits (with ratepayers' money, of course) against the county. As frivolous as these suits are, the county must be in court to respond. It should also be pointed out that during the past three years LILCO has outspent the county by a rate of at least 4 to 1 on Shoreham legal fees, a fact that Newsday conveniently ignores.

Notwithstanding the pre-eminent safety issues surrounding the Shoreham fight, most people would agree that a \$10-million to \$15-million county investment that seeks to prevent the doubling of electric bills on Long Island is money well spent.

Suffolk County's fight against LILCO has been the county's finest hour in representing and defending the citizen interest. It is deeply regrettable that Long Island's only daily newspaper has chosen to become an ally of the LILCO monopoly. The people of Long Island deserve better.

Legis. Wayne Proppert (D-15th District)  
Big Killo

GARY HART  
COLORADO

COMMITTEES:  
ARMED SERVICES  
ENVIRONMENT AND PUBLIC WORKS  
BUDGET

## United States Senate

WASHINGTON, D.C. 20510  
September 17, 1984

Mr. Arthur McComb  
30 Kirby Ln.  
Lake Ronkonkoma, New York 11779

Dear Mr. McComb:

Just a short note to thank you for sending me a copy of your letter concerning the Nuclear Regulatory Commission. I appreciate your thinking of me.

Again, thanks for keeping me informed.

Sincerely,

Gary Hart

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Arthur McComb, 30 Kirby Lane, Lake Ronkonkoma, N. Y. 11779.  
September 25th, 1984.

Suffolk County Legislature,  
Hauppauge, N. Y. 11788.

RE: Continued funding of legal fight,  
Shoreham Nuclear Fission Plant #1.

When Suffolk County and New York State responded to the federal pressure for the opening of Shoreham, and intervened in their evacuation adversary proceedings, I bitterly complained that our state and county were firm in constitutional right to stand pat. My conviction was that the costly scenario would be. I saw the AEC "hearings" in 1970, 71, 72 and 73. After 14 years I finally sickened and called enough.

My friends talked me into resuming my presence and attention to the so-called "hearings".

I am glad they did. It told me plenty. For instance, the last day of the sessions where NRC nuclear experts were cross-examined, a couple of hours were dedicated primarily to questions from all parties around a key question asked in many ways, probing whether the experts would say that a melt-down was not possible. Even the three panel judges came back from recess with long lists of their own questions - ending with the same one about melt-down possibility. To every time it was asked, nuclear expert witnesses could give no assurance that melt-down would not occur in fission plants, specifically Shoreham.

Legal fees and witness costs to Suffolk is an unbelievable nightmare. Our state is paying plenty. The outlay of federal funding's went through the roof, and LILCO has been estimated as outspending Suffolk by 4 to 1. This money could have built plants for fossil fuel with the finest of smoke-scrubbing apparatus, and paid for its use.

I strongly recommend that the last day's transcripts be read by everyone.

Back to costs and mounting interest on loans. Who do you think pays all of that? Yes, yours truly. Suffolk's tab is from my county taxes. The state's bill, from my state tax burden. The federal dips into my IRS payments. I pay them all.

Now, to that monstrous LILCO expense blunder. Our PSC takes care of that - without due-process public hearings - but with what money? It's me again, not only as taxpayer, but ratepayer too. I pay Brookhaven taxes, but LILCO declines to. My non-elective PSC takes it from my pockets and puts it into Catacasinos' saddle-bags. My bill goes up for electricity, but so do profits for stock and bond holders of LILCO's.

Why does Artie McComb fight? For lives of loved ones of you and I, but also hard cash.

However, we are up to our necks in a gumbo mess. But we can see light at the end of a tunnel, and my best judgement is that we have a case, and cannot quit. We always had a case, but federal usurped us. When you punch back, you cannot quit. Now give 'em hell. I have always sensed federal prejudgement, and know we are in a battle. Costs of this battle have bent my social security, but have not yet broken my spirit.

(516) 588 2020

*Arthur McComb*

UPDATE TO OCTOBER 1984: TONS AND TONS OF VITAL RECORD HAS BEEN CREATED IN THE PAST 15 YEARS. IT IS ALL PRIME MATERIAL FOR BOOKS LIKE MINE. I HAVE SAVED ENOUGH FOR MANY MORE, BUT THIS ONE IS REPRESENTATIVE, AND I MAY NOT MAKE MORE. THE MATERIAL SCREAMS TO BE USED, THOUGH.

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK



WILLIAM H. ROGERS  
CLERK

JOYCE F. ROSKO  
CHIEF DEPUTY CLERK

JOHN CHARUK  
DEPUTY CLERK

September 10, 1984

TO: The Public  
FROM: William H. Rogers,  
Clerk of the Legislature

PLEASE TAKE NOTICE that a special meeting of the Finance and Insurance Committee of the Suffolk County Legislature, will take place on Tuesday, September 11, 1984, in Conference Room B, at 9:00 A.M. The Legislative and Personnel Committee will meet in Conference Room B at 9:25 A.M. on the same date for the purpose of addressing legislation still in committee.

W.H.R.

THIS NOTICE WAS FOR THE TWO CERTIFICATES OF NECESSITY WHICH WERE TABLED AT THE 8/31/84 SESSION FROM WHICH EXERPTS CAME SHOWN ON NEXT PAGE. THEY WERE APPROVED AFTER ONE WAS AMENDED.

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TAKEN FROM COUNTY'S TRANSCRIPT

EXERPT 2 FROM MINUTES-FINANCE COMMITTEE-8/31/84 FRIDAY-PAGE 18

Mr. Arthur McComb interposed and stated that he is opening this discussion by requesting that in all decency that the motion to table, subject to call, be withdrawn. He is here to answer some of the comments that have been made regarding the safety of the Plant. Also the litigation that was ongoing until last Wednesday where he attended almost all of the meetings. He advised that he wished all would have been present Wednesday to hear the cross examinations of expert witnesses who explained how minimal the chance is for anything dangerous or bad to happen from the Plant to the public, and then when they all were questioned by all parties and including the three judges that sat there, and they were asked as to if they assure us that there will be no melt down and the experts responded they cannot assure that - there may be a melt down. He advised this has never changed for fifteen years since he has been following these hearings. He advised no one can be sure that they will be able to cool that core which must be cool in order for it to operate and if something happens to that cooling, you go into a melt down and the heat goes up. When it gets to 2000 degrees it then blisters, swells and crystalizes the metal which cannot stand it, and within seconds it goes up to 6000 degrees with a complete meltdown. He stated this can happen and it does not take very much for it to happen. He stated he is here to tell them that on record, in the minutes, he can produce copies of the same, (of the session), and they can see as told by the experts that there is no way to protect us against a melt down. He wanted to make sure this was on the record.

Presiding Officer Howard interjected that no expert would ever say that there is not a possibility of a melt down. He pointed out that one can drop dead thirty seconds from, now too. (they argued back and forth - not decipherable) and Mr. McComb outshouted the Presiding Officer and stated that no one in their right mind would have a nuclear plant anywhere on the face of the earth. He stated that no one in their right mind would vote for that.

EXERPT 2 FROM MINUTES-FINANCE COMMITTEE-8/31/84 FRIDAY-PAGE 16

At this point Mr. McComb intervened and stated he wished to comment on the first Resolution and did not get the opportunity to do so. He questioned why anyone depends on the Public Service Commission. He stated he made several hundred mailings to the media and all the elected officials. He advised he gave the same thing to the members present. In one paragraph he notes that he is convinced that both AEC and NRC are much more promotional than regulatory and our own New York State Public Service Commission seems to have caught the same virus - they just gave the store away to LILCO who refuses to pay their taxes. Last year they held three public hearings - One in Nassau, one in Riverhead and one in Patchogue. Only one of their seven member board attended only one of the three sessions in Patchogue. He protested as did Assemblyman Sawicki and many others, but to no avail. A disturbed public turned out in droves waiting outside for turns. How could they say that the Public Service Commission gives a damn what the public feels when they will not listen to them. A hearing is set up to be heard, and there is no sense going into a hearing unless you are heard. He stated he wanted this in the record before they went on to the next item.

Chairman Rosso stated that everyone shares his concern as well as Mr. McComb's thoughts on the Public Service Commission. Mr. McComb questioned what the hell are they doing about it. The Chairman advised that he get the Governor to stop...and Mr. McComb interrupted and stated that he did send the Governor a letter. He pointed out that a copy of the letter he was holding went to the Governor and he made it very clear that he did not respond to his letters of last year. He advised he complained in all the right places and got zilch. The Chairman advised that they joined Mr. McComb in that same complaint.



PETER F. COHALAN  
SUFFOLK COUNTY EXECUTIVE

OFFICE OF THE COUNTY EXECUTIVE

JOHN C. GALLAGHER  
CHIEF DEPUTY

October 11, 1984

Mr. Arthur McComb  
30 Kirby Lane  
Lake Ronkonkoma, New York 11779

Dear Mr. McComb:

I am in receipt of your letter dated August 28, 1984, and its attachments, which express deep concern with respect to the Nuclear Regulatory Commission's hearings on the subject of LILCO's Shoreham Nuclear Power Station.

Your letters indicate that you have extensive knowledge of the potential future impact of Shoreham upon Long Island's economy, and upon the health and safety of our population. I share your concerns.

In that regard, you should know that the County of Suffolk undertook an extensive evacuation planning effort, using nationally recognized experts in the field, which was conducted over a nine month period. That study concluded that a safe evacuation of Suffolk County was impossible in the event of a nuclear accident at the Shoreham Nuclear Power Station. The impossibility arises from Suffolk's dense population, Long Island's unique geographic conditions, our limited road network and the fact that the only egress from Long Island is to the west, through New York City, as well as other considerations. My constitutional duty is to provide for the public safety. Thus, after reviewing the results of our study, I felt that the only proper course of action was to tell the people the truth and not put into place a paper evacuation plan which would not work.

As I am sure you know, LILCO continues to deny the fact that evacuation and adequate emergency preparedness for a nuclear accident at Shoreham are impossible in Suffolk County. They have challenged the governmental authority of Suffolk County and have tried to gain approval of their own evacuation and emergency plan which usurps the County's exclusive right and power to protect the welfare of Suffolk County's residents. Therefore, Suffolk County has filed suit in the State Supreme Court, against LILCO, to prevent this action. Once this situation is satisfactorily resolved, we can begin to work cooperatively on a fair economic solution that protects ratepayers from the economic burden which LILCO has created at Shoreham.

Based upon a great deal of painstakingly careful research, the County has contended for some time that the cost of abandoning the Shoreham plant would be less than the cost of operating it. The Governor's Marburger Commission also studied this matter and determined there would be little economic difference between opening and closing the Shoreham facility. Considering the dangers posed by the plant and its ever-rising cost, no good reason exists to allow it to open.

(CONT'D. NEXT PAGE)

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(CONT'D)

Recent developments also reveal that LILCO has made an agreement with a consortium of banks and the General Electric Credit Corporation that will provide the utility with enough money to avoid bankruptcy and meet its bills well into next year. However, this doesn't deal with the long-range issue of whether Shoreham opens or closes, or whether the company is viable on a long term basis.

Further, both businesses and consumers will suffer as they are forced to pay for LILCO's past mistakes, since the Public Service Commission recently voted to assist the financially unstable LILCO by granting them a 9.6% rate increase on all Suffolk County residents' bills effective September 1, 1984. The utility brought about their own financial disaster through fiscal imprudence of the construction and engineering of the Shoreham Nuclear Power Station; and, therefore, the utility should bear the economic consequences.

I am firmly supporting the Consumer Protection Board's decision to file suit against the Public Service Commission for granting the rate increase to LILCO. Be assured that I will do all I can to insure that LILCO is not enriched for the mismanagement of the Shoreham Nuclear Power Station.

As you know, LILCO blatantly disregarded its responsibility to the public by withholding its property taxes on the Shoreham Nuclear Power Station. To date, the County has undertaken two actions to enable collection of LILCO's unpaid property taxes. First, Section 992 of the Real Property Tax Law states that, when petitioned by a county, the State Attorney General may seize a corporation's property for nonpayment of taxes. At the County's request, Attorney General Robert Abrams filed a suit to seize a portion of LILCO's assets equal to their overdue taxes; however, unfortunately, this suit was rejected by the State Supreme Court. Attorney General Abrams has appealed the State Supreme Court's decision, since the County will have to wait three years to take title to the tax delinquent property if this Court's decision is upheld. Second, the County has passed legislation authorizing the sale of LILCO's tax lien this fall to expedite collection of these overdue funds.

Also, the Governor of the State of New York has indicated to the management of LILCO his willingness to sit down and work out a solution in which all parties would share in the economic consequences of the abandonment of Shoreham. To date, the management of LILCO, to my knowledge, has not taken the Governor up on his offer. Clearly, it is management's responsibility now to sit with the proper authorities and resolve the issues before them with respect to the economic consequences of an abandonment of the Shoreham Nuclear Power Station.

In conclusion, please be assured that I will continue to consider the health and safety of the County's 1.3 million residents to be my most important responsibility. I will exercise all the legal powers of my office to ensure the public's safety by preventing the Shoreham plant from opening.

Once again, thank you for conveying your thoughts to me on this important issue.

Sincerely yours,



PETER F. COHALAN  
SUFFOLK COUNTY EXECUTIVE

SUNY AT STONY BROOK  
3 1794 02716226 3

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PFC/ps





THE SENATE  
STATE OF NEW YORK

KENNETH P. LAVALLE  
1ST DISTRICT  
CHAIRMAN  
COMMITTEE ON HIGHER EDUCATION

1779 MIDDLE COUNTRY ROAD  
CENTEREACH, NEW YORK 11720

September 26, 1984

Arthur McComb  
30 Kirby Lane  
Lake Ronkonkoma, NY 11779

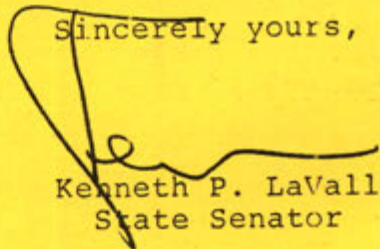
Dear Mr. McComb:

This will acknowledge your recent correspondence concerning Shoreham.

Those of us who oppose the opening of the Shoreham Nuclear Plant will need all of the local support that we can get. My fear is that the NRC is on the threshold of shoving Shoreham upon us.

I am writing you this note to indicate that your tireless efforts are appreciated and should be continued with the same commitment, vigor and enthusiasm. I sense that many people who have long fought the fight against Shoreham will gradually lose their zeal and enthusiasm.

Sincerely yours,

  
Kenneth P. LaValle  
State Senator

KPL:tas

THIS VOLUME  
MAY NOT BE  
REMOVED FROM  
THE LIBRARY

# **PLUME IS DOOM**

Arthur McComb, 30 Kirby Lane, Lake Ronkonkoma, NY 11779.  
August 15th, 1984.

To everyone everywhere  
before it is too late.

RE: White Silent Walking Death.

The radio, and your LERO guidance group, and your teachers, and ministers, and civic leaders, and Boy Scout and Red Cross and Salvation Army leaders - all the ones you trust most, tell you NOT TO PANIC, to do as they say - to go to your decontamination centers for further instructions - do it quickly. Time runs out.

Writers badly need a word worse than catastrophe. Undescribable is nearest.

Fission energy plants spring up all over the world's landscape waiting to spread an inexorable, insidious dirty-white mantle of fallout death over all in its path. Worse - far worse than death - for the walking dead in the periphery of the plume's path, not knowing that they are hit - not knowing that piercing gamma rays have damaged internal organs until they puke their guts out to the tune of radio instructions not to panic. Radio that gives instructions of what to do; "go to the decontamination centers if you can, to get monitored before you die - or to help the dying before you become more of the living dead." These are our living dead.

Ask Hiroshima how it feels. But the pro-nuclear army will say a steam explosion is not like the bomb - rest assured - "believe me, Herb", even the none have experienced either disaster. But swarms of experts are on sworn record that death is the same.

But you musn't use the bad words that cause panic when watching babes, and elderly, and mute, and sick, and paraplegics and the rest of the army of helpless, writhe in an experience of they know not what. Some are sure to be your own family and neighbors who have trusted you. Maybe they half knew what happened, to enlarge the terror. Heaven forbid, don't anyone dare to mention the word cancer! Too dread.

Some may be heard imploring their version of God - but don't repeat it - too alarming.

Who can you believe anymore? All because everyone everywhere, or most everyone, would initiate or condone, for money or power or whatever, their ugly fields of fission nuclear mushroom plants, ready to spread dirty-white death, and walking dead, like puffs of dandelion seeds in gentle or roaring winds, sunny or snowy weather, mile-high skies or inversions, hurricanes or earthquakes. Hearings grow inane and asinine.

I forgot the projections. I forgot the learned computations of probabilities. I forgot the solemn assurances from on high - from Washington D. C. - that all the above is surely not likely. All we need is abounding faith that it might not happen in one of a thousand, or one in a million, or maybe a billion times. I forgot which, for large numbers become confusing. But what if the one in a billion is the next one up?

If all went well. If the worst did not happen. The grisly disposal of waste remains.

I speak as one man, one vote, and invite anyone to join me. FISSION NUCLEAR PLANTS WILL BE BUILT OVER MY DEAD BODY. BETTER DEAD FROM FIGHTING THAN FROM MAN-MADE TIME-BOMBS. If I must fight alone, so be it. I doubt that anyone has listened to more spurious reasoning for more time, coming from more educated mouths, than I have.

Zimmer plant in Cincinnati is the way to go - conversion if needed. EVERY FOSSIL FUEL PLANT MUST HAVE GOOD SCRUBBERS, AND MUST USE THEM. Abandon or convert Shoreham.

MONEY REPLACES - BUT LIVES DO NOT!

Copies to all media and elected officials  
in the Shoreham affected area.



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