

# THREE MILE ISLAND

# A L E R T

Election  
1994  
Issue

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## Candidates Ignore TMIA's Nuclear Issues Questionnaire

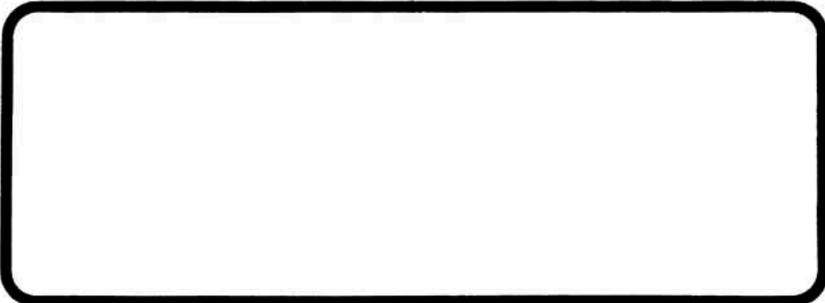
*No Word From Wofford, Ridge, Santorum, or Luksik*

While Pennsylvanians may hold differing opinions about the quality of political rhetoric in this year's elections, there is really no debate about the dearth of issues being discussed. One issue notable for its absence has been energy policy. TMIA found this out the hard way; only one of the four major party candidates took the time to answer TMIA's Nuclear Issues Questionnaire. Among the minor party candidates, four out of the five answered.

On September 12, 1994, TMIA mailed a Nuclear Issues Questionnaire to all of the registered candidates for Governor and U.S. Senator. On October 4, we mailed a second letter to those candidates who had not responded to the first mailing. On October 13 and again on October 17, we telephoned the campaign headquarters of gubernatorial candidate Tom Ridge (Republican), and senatorial candidates Harris Wofford (Democrat) and Rick Santorum (Republican). Although all three headquarters stated that they wished to answer the questionnaire and were made aware of our deadline for getting this newsletter out, none faxed a response to us in time to make our deadline. We were unable to call gubernatorial candidate Peg Luksik (Constitutional), as we did not have a phone number for her campaign headquarters.

Increasingly, politicians are simply refusing to answer questions that are deemed controversial, or take positions not validated by their polling data. Although clean, sustainable alternatives to nuclear power are technologically and economically feasible, and enjoy widespread and often vocal support, few politicians are willing to step forward, recognize the future, and stand in opposition to the nuclear industry and its political lapdogs.

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ELECTION, '94

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*continued from page 1*

While politicians denounce the state of the "welfare system," few bother to mention the continuing "welfare system" sustaining the otherwise unsustainable nuclear industry. One exception is Patrick Fallon, the Libertarian candidate for governor, who makes several good points about how the federal government has "enabled" the nuclear industry to reap the profits of nuclear power without being liable for the true costs of their destructive technology.

The next few years in Pennsylvania promise to be contentious ones as countless communities around the Commonwealth realize the threat that a nuclear dump poses to their health and safety. Our government officials, blinded by the baseless promise of jobs and fees to be generated by such a dump, will probably stand before us straightfaced, and tell us that we have nothing to fear from Chem Nuclear and its dump. Don't believe them for a minute.

Presently, DER expects that Chem Nuclear will submit a license application for a particular site by 1997, with the dump opening in mid-1999. Over the next few years, TMIA will be working hard to convince ordinary Pennsylvanians that a nuclear dump is not in anyone's interest except the nuclear industry's. Under the current plan, the taxpayers of Pennsylvania will be the owners of the waste and liable for its eventual leakage, while the nuclear industry gets to walk away from its mess. If this plan sounds unfair, it is. Maybe, along the way, we can even convince a few politicians that the plan must be abandoned or drastically changed.

One more thing, here are the phone numbers of the major party candidates who failed to answer the Nuclear Issues Questionnaire. With enough phone calls from the public, they may realize that when you apply for a job, it's bad form not to answer your prospective employer's questions.

**Tom Ridge, Republican for Governor, (717) 231-1630**  
**Rick Santorum, Republican for Senator, (215) 627-1994**  
**Harris Wofford, Democrat for Senator, 1-800-915-1994**

With that said, TMIA's questions and the candidates' answers begin on page 3. TMIA would like to express our sincere thanks to all the candidates who answered the Nuclear Issues Questionnaire.

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## State & National Energy Policy

**Q1. Recently, members of Congress have asked President Clinton to appoint an independent commission to review all US nuclear waste programs and recommend revisions to improve present and future safety. Would you join or support such a request?**

### Candidates for Governor

Patrick Fallon, Libertarian

"Support."

Timothy Holloway, Patriot

"Yes."

Mark Singel, Democrat

"Yes. Pennsylvania is being required to take responsibility for finding a disposal site for LLRW but has very little authority for the regulation of facilities which generate LLRW. Under these circumstances, the Federal government should review regulations and make appropriate amendments to further improve safety."

### Candidates for US Senator

Diane Blough, Patriot

"Yes, I would support a non-salaried commission."

Donald Ernsberger, Libertarian

"ABSOLUTELY."

**Q2. Would you join or support a request to Congress to adopt a national energy policy that makes health, safety, and environmental quality its highest priority?**

### Candidates for Governor

Patrick Fallon, Libertarian

"No. The NRC should be abolished; full liability - not government agencies - should regulate nuclear power. The Price-Anderson Act, through which the government limits liability for nuclear accidents and furnishes partial payment at taxpayer expense, should be repealed. Nuclear energy should be denationalized and the industry's assets transferred to the private sector."

Timothy Holloway, Patriot

"No."

Mark Singel, Democrat

"My recommendation for National energy policy is the same as that for State energy policy as outlined below."

### Candidates for US Senator

Diane Blough, Patriot

"YES."

Donald Ernsberger, Libertarian

"I support a legal system based on full liability for one's actions."

**Q3. Would you join or support a request to the Pennsylvania General Assembly to adopt a state energy policy that makes health, safety, and environmental quality its highest priority?**

### Candidates for Governor

Patrick Fallon, Libertarian

"No. For the reasons stated above [in answer to Q2]. ANY nuclear power industry must meet the test of a free market."

Timothy Holloway, Patriot

"No."

Mark Singel, Democrat

"Health, safety and environmental concerns must be incorporated into our decisions about energy supply from the beginning of the process.

Several principles will guide overall energy policy under a Singel Administration.

1) Least-cost energy services should be pursued within the limits of our environmental protection policy. Sometimes this will mean energy conservation and sometimes this will mean new power plants. 2) The environmental costs of energy should be increasingly be incorporated into the market price. This means the most efficient way to tap the ingenuity of the private sector and reach our environmental goals. 3) The needs of low income Pennsylvanians must be protected. This is important since, in our climate, energy is a necessity. 4) New energy technologies may need modest government support in order for them to enter the market. This can and is being done through loan and grant programs, for example, for clean coal technology, energy conservation and renewable energy technology."

#### Candidates for US Senator

Diane Blough, Patriot

"Yes, I would support a request for a state energy policy."

Donald Ernsberger, Libertarian

"I support a legal system based on full liability for one's actions."

### **State/National Nuclear Energy Policy**

**Q4. Would you favor and support federal legislation that enables States to regulate nuclear energy generators and producers of nuclear waste more (but not less) stringently than does the NRC, EPA, Department of Defense, and Department of Transportation?**

#### Candidates for Governor

Patrick Fallon, Libertarian

"No. Liability is the key to protecting the environment. When those who pollute our air, land, and water are held accountable for the damage they do, would-be polluters are likely to be far more cautious. For example, in the late 1950's, private insurance companies refused to insure nuclear power plants, because the enormous risks associated with a possible accident were unacceptably high. Consequently, power companies refused to consider nuclear power. Congress passed a law (Price Anderson Act) to limit the amount victims of a nuclear power plant disaster could claim. Once the power companies were not liable for the damage they might cause, nuclear power plants were funded with loans. The full liability free market protects us better than bureaucrats."

Timothy Holloway, Patriot

"No."

Mark Singel, Democrat

"I will direct DER to review the Federal regulations to determine if Pennsylvania may need more stringent regulations in some areas once 'Agreement State' status is obtained. If it is determined that this is the case, then we may need to seek the right to pass such regulations."

#### Candidates for US Senator

Diane Blough, Patriot

"YES."

Donald Ernsberger, Libertarian

"No. I am not a 'state's rights conservative.' Full liability is my position."

**Q5. DER plans to become a full "Agreement State" with NRC; when that happens, DER's Bureau of Radiation Protection would then license and regulate most nuclear facilities except power plants. Do you support the addition of toxicologists and medically-trained staff in DER and its Bureau of Radiation Protection in order to carry out functions now performed by the NRC? Alternatively, do you support the transfer of radiation protection to the Department of Health?**

Candidates for Governor

Patrick Fallon, Libertarian

"No. We should not, as taxpayers, fund toxicologists and medically-trained staff. If we held nuclear power plants liable for their activities, we could expect their insurance companies to be even more robust in demanding proper monitoring. After all, the insurance industry refused to loan money to nuclear power plant builders in the 1950's because of safety concerns."

Timothy Holloway, Patriot

"No."

Mark Singel, Democrat

"If DER obtains Agreement State status, more technical staff will need to be made available to the Bureau of Radiation Protection. This could be done by the addition of staff to the Department or by making staff already in the Department or in another department available to the Bureau of Radiation Protection. It is very important that the DER be able to make the connection between environmental protection and human health effects."

Candidates for US Senator

Diane Blough, Patriot

"I support the addition of toxicologists and medical staff, but at the expense of the users. I do not support the transfer of radiation protection to the Department of Health."

Donald Ernsberger, Libertarian

"I oppose Price-Anderson liability subsidy and all tax subsidies to the nuclear power industry. Reform here is the first step."

**Q6. Would you favor and support federal or state law requiring public utilities that operate nuclear reactors to install and maintain an array of high-quality continuous radiation monitoring devices within the ten-mile radius of their plants, with the utility funding a system of read-out and recording devices supervised by public-interest personnel independent of the utility?**

Candidates for Governor

Patrick Fallon, Libertarian

"No. See above."

Timothy Holloway, Patriot

"Yes."

Mark Singel, Democrat

"It is my understanding that Pennsylvania's nuclear power plants have continuously operating monitors for radiation surrounding the plant. This information is already public information in that the NRC obtains and reviews it. It seems reasonable to me, however that this information could be made available to the public through a real-time, electronic, data connection.

TMIA's successful efforts in this regard have received broad attention and have furthered the public's access to environmental information."

Candidates for US Senator

Diane Blough, Patriot

"Yes, I would support such a law, as long as it were funded by the stockholders and not the rate payers."

Donald Ernsberger, Libertarian  
"YES."

### Pennsylvania's Radioactive Dump

**Q7. Would you favor and support a two-year moratorium on the siting process for Pennsylvania's "low-level" radioactive dump to permit study of issues concerning public participation, taxpayer liability, and long-term custodial technologies and costs?**

#### Candidates for Governor

Patrick Fallon, Libertarian

"No. But I DO favor ending the taxpayer liability. If disposal fees covered the true costs of that activity, we could all make rational choices about the composition and quantity of our trash. Private landfill owners are liable for damages, so they have a strong incentive to use liners, leachate and methane gas collectors. Their fees reflect the entire cost of their operations, including post-closure. They tend to charge different fees for different trash. Government landfill operations are not liable for their actions. Municipal fees, set by politicians, are typically uniform, and they usually cover only current operating expenses."

Timothy Holloway, Patriot

"No."

Mark Singel, Democrat

"As you know, there is currently no available facility for LLRW being generated in Pennsylvania. This material is being stored on-site at electric power plants, hospitals and research facilities. While these facilities are handling and storing this material in a safe manner, this is not a situation which can be maintained indefinitely."

#### Candidates for US Senator

Diane Blough, Patriot

"Yes, I would support a two year moratorium."

Donald Ernsberger, Libertarian

"This is a short term bandade solution. More fundamental reform is needed."

**Q8. Would you favor and support the introduction of state legislation that would prohibit DER from taking land for the radioactive dump if a majority of the residents in the prospective host community oppose the dump?**

#### Candidates for Governor

Patrick Fallon, Libertarian

"Libertarians oppose the concept of eminent domain, by which government forces reluctant land owners to sell. So first, disposal of all wastes, including nuclear, should be by a private firm in a full liability market. Private landfill owners are liable for damages, so they have a strong incentive to use liners, leachate and methane gas collectors. Their fees reflect the entire costs of their operations, including post-closure. They tend to charge different fees for different trash. They also bring the full costs of landfills into the marketplace by paying not only to install safety measures but to compensate the people most directly affected by the landfill. This helps internalize disposal costs by bringing costs back to the person with the waste."

Timothy Holloway, Patriot

"Yes."

Mark Singel, Democrat

"We must do all that we can to assure that no community is forced to accept the LLRW facility.

Under a Singel Administration we would take several steps with regards to the generation and storage of LLRW. First DER will obtain the authority to directly regulate generators of LLRW. At that time the DER can implement technical assistance support for the source reduction of LLRW. While considerable progress has been made in terms of source reduction of LLRW, further progress should be made. Additionally, DER will more closely monitor facilities which generate LLRW and its transportation. Finally, enforcement programs for LLRW will be expanded and intensified."

#### Candidates for US Senator

Diane Blough, Patriot

"Undecided. If Pennsylvania should or must site a dump, no community would agree."

Donald Ernsberger, Libertarian

"No, I do not favor 'community' control of private property. Use of eminent domain to build a radioactive dump or power plant is WRONG and so is the use of community control of land use. Full liability and responsibility for externalized costs is the only approach I can accept."

#### **WASTE MANAGEMENT, INC. SPONSORS CONSERVATION AWARD**

In an obvious public relations ploy, Waste Management, Inc. (the parent company of Chem Nuclear, the contractor chosen to put a nuclear dump somewhere in Pennsylvania), has joined with the Pennsylvania Wildlife Federation to sponsor a series of Conservation Achievement Awards. Although the Pennsylvania Wildlife Federation is not known as a left-wing environmental group, we would have thought that they would see the irony and hypocrisy of "getting in bed with" Waste Management, Inc., whose business it is to fill the countryside with garbage and radioactive waste. Additionally, Waste Management, Inc. and its subsidiaries have a poor history of regulatory compliance. In one case, Chemical Waste Management, a Waste Management subsidiary, agreed to pay a \$10.1 million fine for failing to report hazardous waste spills at the Lackawanna, Pennsylvania Superfund site.

In a further twist of irony, although officers and directors of the Pennsylvania Wildlife Federation and the Pennsylvania Federation of Sportsmen's Clubs are ineligible for nomination, no such restriction seems to apply to the officers, directors or employees of Waste Management, Inc. The Pennsylvania Wildlife Federation and the Pennsylvania Federation of Sportsmen's Clubs can be reached at (717) 232-3480.

#### **THERMO-LAG MANUFACTURER INDICTED FOR FALSIFYING TESTS**

A fire retardant widely used in the nation's nuclear plants, including Peach Bottom, in York County; Limerick, outside Philadelphia; Susquehanna, in Berwick; and Three Mile Island, is at the center of a seven-count federal indictment filed recently in federal court. The retardant, Thermo-Lag 30, was developed in the wake of one of the nation's worst nuclear power plant fires that occurred at Browns Ferry, Alabama in 1975.

The federal indictment, filed against the manufacturer of Thermo-Lag, Thermal Science, Inc. (TSI) of St. Louis, Missouri, and its president, Rubin Feldman, alleges a ten-year conspiracy to falsify laboratory results and circumvent federal regulations. In an attempt to persuade utilities to purchase Thermo-Lag as a means of complying with the stricter federal fire requirements that were expected in the aftermath of the Browns Ferry fire, Feldman and TSI hired a Missouri laboratory whose president signed test reports that had been written by TSI. Using these false reports, TSI was able to gain NRC approval for Thermo-Lag and has made approximately \$60 million on the sale of the product. Last

spring, the laboratory that signed off on the falsified tests, Industrial Testing Laboratories, pleaded guilty and agreed to cooperate in the investigation.

The indictments are just the latest in a long line of controversies involving Thermo-Lag. In the early 1980's, evidence began to emerge that Thermo-Lag was not a safe fire retardant. Despite this evidence, however, the NRC refused to undertake any effort to clarify the testing discrepancies or investigate the claims of the manufacturer. In 1992, after 18 months of investigation, the Nuclear Information and Resource Service (NIRS) filed a petition with the NRC demanding the removal of Thermo-Lag from the nation's reactors. Although the NRC denied the petition, it did order utilities to establish hourly fire watches to compensate for the fact that Thermo-Lag did not work. (This fire watch practice continues at TMI.) An NRC Inspector General later issued a report condemning the NRC's handling of the Thermo-Lag issue.

#### NEWS NOTES

- Syracuse Cultural Workers 1995 Peace Calendar is now available at the TMIA office for \$10.00. The colorful Peace Calendar makes a great gift for the holidays. If you can't stop by the office, we can mail it to you for an extra \$1.00 postage and handling.

- TMIA recently received a U.S. Nuclear Regulatory Commission report entitled "Lessons Learned From the Three Mile Island-Unit 2 Advisory Panel." The TMI Unit 2 Advisory Panel was an independent citizen advisory group that consulted with the NRC over the past 13 years. The report describes the lessons learned from the Advisory panel and places those lessons in the context of what the government knows about citizen advisory groups. The document, NUREG/CR-6252, is available from USNRC, Washington, DC 20555-0001, or you can borrow it from TMIA.

- TMIA Planning Council will meet Wednesday, November 9, 1994, at 7 p.m. at the Harrisburg Friends Meetinghouse, 6th & Herr Streets. Members are welcome.

- Since its inception, TMIA has rented an office at the Harrisburg Center for Peace & Justice. For the past several years, the Center's staff has devoted most of its energy to providing housing counseling services to low-income tenants and homeowners. The Center has relied on a volunteer staff, supported by the financial contributions of a small group of concerned friends, neighbors, and supporters to assist countless Central Pennsylvanians in getting or keeping safe, decent, and affordable housing.

In order to expand the housing assistance available through the Peace Center, the Center is seeking broader support from the community. On Thursday, November 17, 1994, at 7:15 p.m. at the Harrisburg Friends Meetinghouse (6th & Herr Streets), the Peace Center will hold a general meeting of all friends, supporters, and members of the Peace Center. The meeting is open to the public and you are invited to attend.

**Remember:  
November 8 is  
Election Day**

# **Three Mile Island Alert**

## **Special Election Issue**

### **Editor's Note:**

Tom Ridge's answers to the Nuclear Issues Questionnaire were received too late to make the printing of the newsletter, but we were able to include them as an insert.

### **State & National Energy Policy**

1. Recently, members of Congress have asked President Clinton to appoint an independent commission to review all U.S. nuclear waste programs and recommend revisions to improve present and future safety. Would you join or support such a request?

Tom Ridge, Republican: I would favor a review of our national nuclear waste disposal programs which has as its objective to improve the health and safety and environmental standards for disposal methods and waste handling.

2. Would you join or support a request to Congress to adopt a national energy policy that makes health, safety, and environmental quality its highest priority?

3. Would you join or support a request to the Pennsylvania General Assembly to adopt a state energy policy that makes health, safety, and environmental quality its highest priority?

Tom Ridge, Republican: Protecting the environment must certainly be part of a national and state energy policy. But reliability, national security and cost concerns must also be included in any balanced energy policy review.

### **State/National Nuclear Energy Policy**

4. Would you favor and support federal legislation that enables States to regulate nuclear energy generators and producers of nuclear waste more (but not less) stringently than does the NRC, EPA, Department of Defense, and Department of Transportation?

Tom Ridge, Republican: The Appalachian States Compact and the state Low-Level Radioactive Waste Disposal Act authorize Pennsylvania to establish requirements which waste generators must meet before they are allowed access to our disposal facility. Those requirements can include packaging, shipping and other standards designed to make disposal of this waste as safe as possible for the workers that operate the facility and for the community in which it is located.

5. DER plans to become a full "Agreement State" with NRC; when that happens, DER's Bureau of Radiation Protection would then license and regulate most nuclear facilities except power plants. Do you support the addition of toxicologists and medically-trained staff in DER and its Bureau of Radiation Protection in order to carry out functions now performed by the NRC? Alternatively, do you support the transfer of radiation protection to the Department of Health?

Tom Ridge, Republican: I would support the addition of the staff necessary for DER to comply with full "Agreement State" status so that Pennsylvania can become a full partner with the federal government in regulating radiation sources.

6. Would you favor and support federal or state law requiring public utilities that operate nuclear reactors to install and maintain an array of high-quality continuous radiation monitoring devices within the ten-mile radius of their plants, with the

utility funding a system of read-out and recording devices supervised by public-interest personnel independent of the utility?

Tom Ridge, Republican: Pennsylvania already requires and operates an independent radiation monitoring program around each of its nuclear power plant sites. The monitoring network that your organization helped establish around the Three Mile Island nuclear plant funded by the utility operating the plant and operated by community volunteers should be used as a model for other facilities.

### **Pennsylvania's Radioactive Dump**

7. Would you favor and support a two-year moratorium on the siting process for Pennsylvania's "low-level" radioactive dump to permit study of issues concerning public participation, taxpayer liability, and long-term custodial technologies and costs?

Tom Ridge, Republican: As long as Pennsylvania and the Appalachian Compact States are required by federal law to safely dispose of the low level radioactive waste we generate, the job of finding an environmentally safe site for this waste should proceed carefully.

To address some of your other points, as Governor I would not support bringing low-level waste from outside the Compact to our site for disposal. I would also support efforts to change federal law to eliminate Class C radioactive waste, the more hazardous and long-lived waste, from being disposed at our Pennsylvania site.

I would also support efforts to minimize the volume and radioactivity of the low-level waste we produce to the greatest extent possible. I also support the "zero release" goal contained in our state Low-Level Radioactive Waste Disposal Act for the design and operation of the disposal facility. With respect to long-term issues, the state Low-Level Waste Disposal Act governing the siting process includes provisions for assuring for the long-term custodial care of the disposal facility paid for by surcharges on the waste generated by the users of the facility.

8. Would you favor and support the introduction of state legislation that would prohibit DER from taking land for the radioactive dump if a majority of the residents in the prospective host community oppose the dump?

Tom Ridge, Republican: I would favor doing all we can to encourage a community to volunteer to host the low-level waste disposal facility, as long as the site met all environmental siting requirements. Given the federal mandate that requires us to safely dispose of the waste we generate, we may be forced to exercise eminent domain authority as a last resort. You should know that DER's Low-Level Waste Advisory Committee, the Sierra Club and other groups have not supported legislation to remove eminent domain authority from our state law governing facility siting.

