

SJR

42

HOUSE COMMITTEE REPORT

Date referred:

FURTHER REFERRALS:

DATE: February 5, 1988

The House Rules Committee has considered SJR 42

RECOMMENDS:

- replace with HCS SJR 42(Rules) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

Mike Savane
James Hefner
Ben S. Duggan
M. P. Shurber

SIGNING OTHER RECOMMENDATIONS:

Larry Martin - No Rec.

Mike Savane
Chairman's signature

STATE OF ALASKA
THE LEGISLATURE

FOUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

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May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H. Rules

2-5-88



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

P. O. Box V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

SJR 42 - Relating to the use of state airports for plutonium shipments under a proposed United States agreement with Japan.

(Senator Uehling)

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Original sponsors: Uehling and Rodey

1 IN THE SENATE BY THE RULES COMMITTEE

2 HOUSE CS FOR SENATE JOINT RESOLUTION NO. 42 (Rules)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 Relating to the use of state airports
6 for plutonium shipments under a proposed
7 United States agreement with Japan.

8 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 WHEREAS plutonium is a long-lived, highly radioactive, and extremely
10 toxic material that is used to construct nuclear weapons and as fuel in
11 nuclear reactors; and

12 WHEREAS the proposed Agreement for Cooperation between the Government
13 of the United States of America and the Government of Japan Concerning
14 Peaceful Uses of Nuclear Energy establishes a 30-year nuclear cooperation
15 agreement that would permit the shipping of plutonium as reprocessed reac-
16 tor fuel from reprocessing plants in Europe to Japan; and

17 WHEREAS the shipments would begin by air carrier in the early 1990's
18 and would occur every two weeks in amounts of 500 to 600 pounds each, which
19 is enough plutonium to build 40 bombs of the size dropped on Nagasaki,
20 Japan at the end of World War II; and

21 WHEREAS the plutonium will be shipped in the form of plutonium oxide
22 powder, and the amount of the powder that is the size of a sugar cube can
23 cause 3,000,000 fatalities from lung cancer; and

24 WHEREAS the polar route planned for the shipments would necessitate a
25 refueling stop in Alaska; and

26 WHEREAS a cask for the economical and safe transportation of plutonium
27 that meets the requirements of the Nuclear Regulatory Commission has not
28 been developed; and

29 WHEREAS a loophole in the Atomic Energy Act (42 U.S.C. 2011-2296) may

1 allow the cask standards of the Nuclear Regulatory Commission to be over-
2 looked in favor of the standards of the International Atomic Energy Agency
3 that require the cask to meet only 1/10th of the impact velocity required
4 by the Nuclear Regulatory Commission; and

5 WHEREAS a cask that met the standards of the International Atomic
6 Energy Agency recently failed a test that simulated an airplane crash; and

7 WHEREAS a cask should not be considered safe unless the cask loaded
8 with test materials can survive both a test crash of a cargo aircraft that
9 has been fully loaded with full-scale samples of loaded casks, and a test
10 drop from the maximum cruising altitude of the aircraft; and

11 WHEREAS the signing of the agreement would substitute a blanket
12 30-year approval for the present case-by-case review process that gives the
13 United States ongoing control over the safety and security of plutonium
14 shipments; and

15 WHEREAS both the United States Senate Foreign Relations Committee and
16 the United States House Foreign Affairs Committee have requested that the
17 President withdraw or renegotiate the proposed agreement because each has
18 independently concluded that the agreement is not consistent with the
19 provisions of 42 U.S.C. 2153(b) (Atomic Energy Act of 1954) which is de-
20 signed to protect the Nation against unreasonable risks to common defense
21 and security; and

22 WHEREAS an environmental impact statement has not been prepared for
23 the proposed agreement, although there is court precedent for the proposi-
24 tion that the movement of nuclear fuel qualifies as a major federal action
25 requiring preparation of an impact statement; and

26 WHEREAS state law (AS 18.45.027) expressly prohibits the transporta-
27 tion of used nuclear reactor fuel except for purposes of disposal outside
28 the state; and

29 WHEREAS allowing the planes carrying the plutonium to land in the
HCS SJR 42(Rules)

1 state would have tremendous consequences for the health and safety of the
2 state's residents and the protection of the state's environment;

3 BE IT RESOLVED that the Alaska State Legislature opposes the proposed
4 30-year nuclear cooperation agreement between the United States and Japan
5 that would allow the shipment of plutonium by air between Europe and Japan
6 by polar route, resulting in refueling stopovers in the state during the
7 shipments; and be it

8 FURTHER RESOLVED that the Legislature respectfully requests the Gover-
9 nor to prevent to the greatest extent possible under the authority of
10 AS 18.45.027 the use of state airports for shipments of plutonium by air
11 between Europe and Japan.

12 COPIES of this resolution shall be sent to the Honorable Ronald
13 Reagan, President of the United States; the Honorable George Bush, Vice-
14 President of the United States and President of the U.S. Senate; the Honor-
15 able Frank C. Carlucci, Secretary of the U.S. Department of Defense; the
16 Honorable John S. Herrington, Secretary of the U.S. Department of Energy;
17 the Honorable George P. Shultz, Secretary of the U.S. Department of State;
18 the Honorable James H. Burnley IV, Secretary of the U.S. Department of
19 Transportation; the Honorable Jim Wright, Speaker of the U.S. House of
20 Representatives; the Honorable Claiborne Pell, Chairman of the U.S. Senate
21 Foreign Relations Committee; the Honorable Dante B. Fascell, Chairman of
22 the U.S. House Foreign Affairs Committee; the Honorable Lando W. Zech, Jr.,
23 Chairman of the U.S. Nuclear Regulatory Commission; the Honorable Steve
24 Cowper, Governor of the State of Alaska; and to the Honorable Ted Stevens
25 and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don
26 Young, U.S. Representative, members of the Alaska delegation in Congress.
27
28
29



Senator Rick Uehling

Senate District H
Downtown, Elmendorf, Northeast Anchorage

MEMORANDUM

Senate Finance Committee
Chair, International Trade Committee
Vice-Chair, State Affairs Committee
Labor & Commerce Committee

TO: Representative Mike Navarre, Chairman
House Rules Committee

FROM: Senator Rick Uehling

RE: SJR 42, "Relating to the use of state airports for
plutonium shipments under a proposed United States
agreement with Japan."

DATE: February 1, 1988

I would appreciate it if you would schedule SJR42, relating to plutonium shipments through Alaska, for a hearing in the House Rules Committee. My office has been working with Representative Ellis, to make changes which would update the resolution to reflect new information which became apparent during the interim.

There has been considerable recent interest in Congress regarding the plutonium shipment issue. I feel it is important for the Legislature to express our concerns to Congress.

Congress is currently considering whether or not to ratify the recently negotiated 30 year agreement between the United States and Japan which would permit the shipment of highly toxic plutonium by air between European reprocessing factories and Japanese nuclear plants. Alaska is the likely refueling point for the cargo planes.

There are three major concerns raised by the proposed shipment of plutonium through Alaska. First, the agreement does not specify which safety standards will be used to guarantee the safe transport of the plutonium. The United States' Nuclear Regulatory Commission standards are much more stringent than those established by the International Atomic Energy Agency.

Also, a cask or container for safely shipping large amounts of plutonium by plane has not been designed yet. Senator Murkowski has introduced legislation which would require the development of a tested and safe shipping cask before any shipping could occur. However, there is apparently nothing in the agreement which precludes air shipment even if a safe cask is not developed.

Finally, no Environmental Impact Statement has been prepared yet. Obviously, the proposed shipments pose potentially great risks to the people of Alaska , especially in the event of an aircraft crash, collision, or terrorist attack. The level of that risk and the potential health hazards have not yet been determined.

This resolution opposes the proposed shipment of plutonium through Alaska because of the lack of information about the hazards involved and because it appears that there is no currently available method for safely shipping large quantities of plutonium. Again, I would appreciate your hearing this resolution.

ALASKA STATUTES 18.45.027

Health and Safety.

CHAPTER 45.

Atomic Energy.

CITATION Sec. 18.45.027.

CATCH LINE

TRANSPORTATION OF NUCLEAR WASTE MATERIAL.

TEXT

(a) The transportation of high level nuclear waste material, except for purposes of disposal outside the state, is prohibited.

(b) For purposes of this section, "high level nuclear waste material"

(1) means

(A) used nuclear reactor fuel;

(B) waste produced during the reprocessing of used nuclear reactor fuel; and

(C) elements having an atomic number greater than 92 and containing 10 or more nanocuries per gram;

(2) does not include radioactive materials used in medicine, education, or scientific research that are stored or disposed of in conformity with procedures established by the Department of Environmental Conservation by regulation adopted under AS 46.03.250(3).

HISTORY (Sec. 2 ch 93 SLA 1981)



STATE OF ALASKA
OFFICE OF THE GOVERNOR
ANCHORAGE

Jim

December 9, 1987

The Honorable Johnny Ellis
Co-Chair of the House
Health, Education
and Social Services Committee
Alaska State Legislature
3111 C Street, Suite 455
Anchorage, AK 99503

Dear Johnny,

Thank you for your letter of support regarding the state's efforts to ensure that an Environmental Impact Statement (EIS) is prepared prior to the shipment of plutonium through Alaska pursuant to the nuclear cooperation agreement between the United States and Japan.

Since the President submitted the agreement to the Congress, the state, through my Washington, D.C. office, has been working closely with the Alaska Congressional Delegation to obtain legislation which would require an actual crash test of an airplane which is loaded with the type of cask that would be used for the plutonium shipments. In addition we are seeking the preparation of an EIS for the development of the cask and for evaluation of the shipment routes and trans-shipment sites. As you probably know, we worked with Senator Murkowski to attach an amendment to the Senate version of the Energy Appropriations bill, which amendments would require crash testing of casks. We will continue to work for legislation which would not be limited in duration to the fiscal year and which covers both crash testing and the application of the National Environmental Policy Act.

In addition, we will pursue appropriate judicial remedies as necessary. As you probably know, Judge Fitzgerald of the U.S. District Court in Alaska did not grant our request for a temporary restraining order on the grounds that our request was moot. This finding was based on the finalization of the U.S.-Japan agreement by the Secretaries of State and Energy in the intervening period between the

The Hon. Johnny Ellis

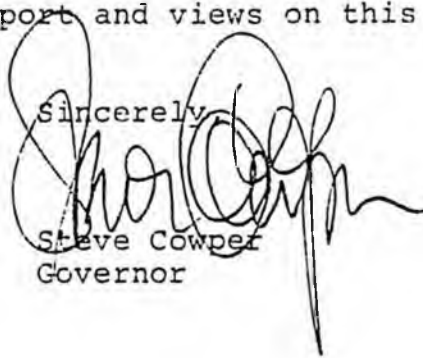
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December 9, 1987

hearing on the TRO and the judge's decision. Despite this set back, there may be other junctures in the federal government's consideration of the plutonium issue which can be litigated. We are monitoring the process closely to ascertain if and when this becomes appropriate.

Thank you again for your support and views on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Cowper", written over the typed name and title.

Steve Cowper
Governor

CLAUDE PEEL, RHODE ISLAND, CHAIRMAN

JOS. P. ROSS, JR., DELAWARE	JERRY MILES, NORTH CAROLINA
PAUL S. BARBARIS, MARYLAND	RICHARD G. LUGAR, INDIANA
ALAN CRANSTON, CALIFORNIA	RANDY L. CARROLL, KANSAS
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TERRY SANFORD, NORTH CAROLINA	PAUL S. TIBBLE, JR., VIRGINIA
BROCK ADAMS, WASHINGTON	DANIEL J. EVANS, WASHINGTON
DANIEL P. MOYNIHAN, NEW YORK	MITCH MCCONNELL, KENTUCKY

United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6228

December 17, 1987

DAVID S. CHRISTIANSON, STAFF DIRECTOR
 JAMES P. LUCER, MINORITY STAFF DIRECTOR

The President
 The White House
 Washington, D.C. 20500

Dear Mr. President,

In accordance with the provisions of Section 123b. of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 52153(b) (the "Act"), we are writing to advise you that the Senate Foreign Relations Committee has concluded that the proposed Agreement for Cooperation between the Government of the United States of America and the Government of Japan Concerning Peaceful Uses of Nuclear Energy, submitted to the Congress on November 9, 1987 (the "Agreement"), is not consistent with Section 123 of the Act. The Committee respectfully requests that you renegotiate the Agreement to bring it into conformity with U.S. law. If the Agreement is not renegotiated, then it must be resubmitted to the Congress with an exemption of statutory requirements, in accordance with Section 123a. of the Act, and must await affirmative action by Congress through enactment of a joint resolution of approval.

As made clear in the Conference Report accompanying the 1985 amendment to the Act, "(t)he Congress fully expects...that the President will resubmit any agreement for which he has not submitted an exemption if either (Foreign Affairs) Committee during the prior consultation period recommends that an exemption is required."


In submitting the Agreement to Congress, your Administration expressed the conclusion that the Agreement "meets all statutory requirements". The Committee cannot accept this assertion. The proposed Agreement would provide for thirty-year advance consent of extraction, transport and widespread commercial use of plutonium by Japan -- activities which, as the Administration itself states, are "unprecedented in...nature and scope...." In our judgment, Section 123 of the Act unqualifiedly requires that the United States retain prior approval rights in its agreements for cooperation over the transfer and reprocessing of nuclear material. While the Administration asserts that these requirements are met, the Implementing Agreement exercises in Article 1 the consent rights provisions on a one-time basis for the life of the Agreement, a proposal totally incompatible with the provisions of the Act.

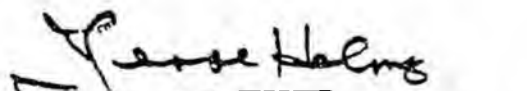
The Committee also has serious reservations about the finding that the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security--inasmuch as this determination was made arbitrarily in the face of serious, written objections from both the Department of Defense and the Nuclear Regulatory Commission. The Committee also finds fault with the Administration's interpretation of the Act's requirements with regard to the "timely warning" criterion. Congress intended in the Nuclear Nonproliferation Act for timely warning to be something more than a mere restatement of the general test of "inimicality" which the Act provides for subsequent arrangements. Rather, Congress intended timely warning to be a technically-based criterion, judged in light of the workability of safeguards and physical security measures. Since the Administration has not made such a determination, we do not believe that the exercise of consent rights in the Agreement is consistent with the requirements of Section 131b.(2) of the Act. Consequently, the safeguards and physical security criteria of Section 123 of the Act are not met.

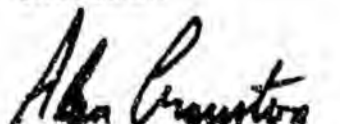
The Committee is deeply concerned about the major policy implications of the precedents which would be established by entry into force of this Agreement. Testimony taken by the Committee indicates that the U.S. is preparing to give blanket authorization for the next 30 years to air-shipment of several hundred kilograms of weapons-usable plutonium each month over and through U.S. territory. Before embarking on such a perilous course -- which could seriously jeopardize our nonproliferation interests while posing a grave environmental risk -- we wish to consult with the Administration very closely. It is therefore our purpose in this letter to stop the "ninety day clock", and to begin a good faith dialogue with all parties on how the fundamental deficiencies in the Agreement can be corrected.


The Committee has reached these judgments of the basis of its own investigations, as well as its lengthy hearing conducted on December 15, 1987. Accordingly, the Committee finds that the Agreement must either be renegotiated, or, at a minimum, resubmitted with an exemption from the appropriate provisions of Section 123 of the Act. The Committee requests that your Administration communicate its intentions to the Chairman and to the Ranking Republican Member by January 11, 1988, in order to provide sufficient time to consider necessary legislative action and other remedial options.

Sincerely,


Claiborne Pell
Chairman

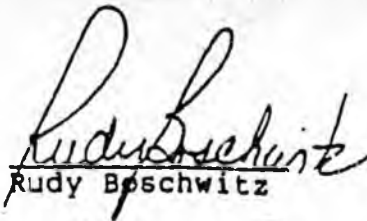

Jesse Helms
Ranking Republican Member


Alan Cranston
Chairman,
Subcommittee on
Asia and Pacific
Affairs

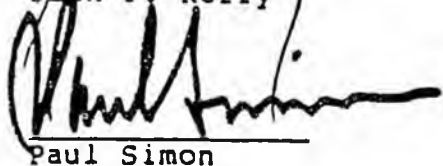

Frank H. Murkowski
Ranking Republican Member,
Subcommittee on
Asia and Pacific
Affairs



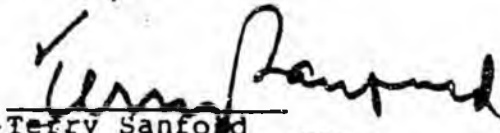
John F. Kerry



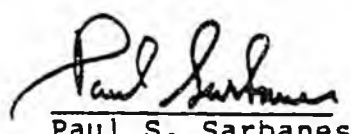
Rudy Boschwitz



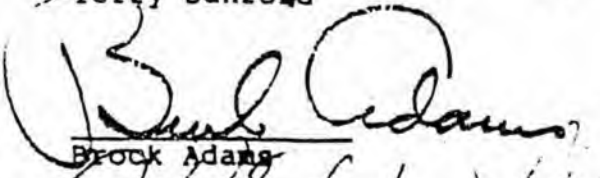
Paul Simon



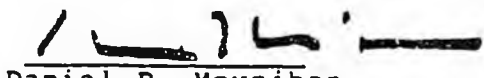
Terry Sanford



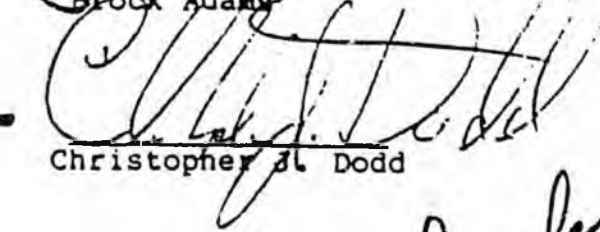
Paul S. Sarbanes



Brock Adams



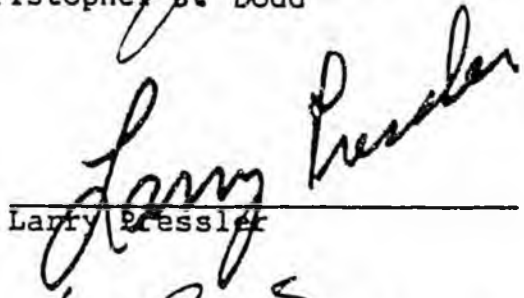
Daniel P. Moynihan



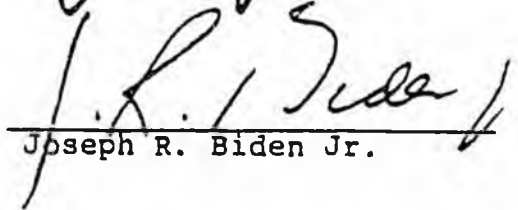
Christopher D. Dodd



Nancy Landon Kassebaum



Larry Pressler



Joseph R. Biden Jr.

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUREAU

December 11, 1987

The Honorable Claiborne Pell
Chairman
Senate Committee on Foreign Relations
446 Dirksen Senate Office Bldg.
Washington, D.C. 20510

Dear Mr. Chairman:

I am writing to express my deep concern about certain elements of the new agreement for peaceful nuclear cooperation between the United States and Japan, which agreement was recently submitted to the Congress by the Reagan Administration.

We do not claim to be experts in nuclear nonproliferation policy or in certain other matters which are proper prerogatives of the federal government. Further, I recognize and support Japan's effort to diversify its sources of energy. However, we have carefully examined the health and safety aspects of the proposed agreement - matters which are appropriately within the state's purview - and believe that the agreement and accompanying environmental assessment demonstrate a disregard for possible detrimental effects on residents of Alaska.

In making this statement, I am aware that the agreement does not specify a particular transportation route or transshipment point within the United States. Yet, the initial reaction of certain Canadian officials, transportation efficiencies, domestic political considerations, and other factors have led us to conclude that Alaska presents the most likely transportation scenario.

For the people of my state, the relevant health and safety implications are clear-cut. Plutonium is the most toxic substance known to man. In our opinion, this fact can not be masked by the types of arithmetic calculations incorporated into the environmental assessment prepared by the Department of Energy.

Further, we believe that the analysis of health and safety considerations contained in the assessment is completely inadequate. For one thing, both the agreement and the assessment were concluded in secrecy. There has been no opportunity for analysis and input by outside experts.

Moreover, even though the agreement raises extremely important health, safety, and security issues, it has not been exposed to the rigors of a process culminating in the preparation of a true environmental impact statement. The environmental assessment's analysis of alternatives and consequences is superficial. Further, even a cursory reading of the assessment, which was prepared long after the agreement was negotiated, indicates that its true purpose is to support the Administration's decision to enter into the agreement rather than to present an objective array of options and possible results.

For these reasons, I directed the initiation of litigation against the federal government to require the preparation of an environmental impact statement which would properly address the health and safety issues raised by the agreement. The Departments of Energy and State succeeded in mooting this effort by submitting the agreement to the President before the judge could rule on our request. Unfortunately, the health, safety, and other issues remain, and in our opinion, the Congress does not now have an adequate analytic foundation upon which to premise its decision to approve or disapprove the agreement.

In these circumstances, I respectfully recommend the following course of action. First, the Congress should require the Administration to prepare a proper environmental impact statement, accompanied by the opportunity for public input, before the agreement and subsequent arrangement are approved or disapproved. (In making this suggestion, I recognize that if Congress does not act affirmatively, these arrangements will be deemed approved after a specified period.)

In our opinion, it is important that a programmatic environmental impact statement be prepared now. Otherwise, approval of the agreement at this juncture will create a momentum which will make it far more difficult for federal officials to make objective decisions later with respect to such specific matters as the selection of transportation routes and the approval of transportation casks. In other words, approval of the agreement now, without adequate analysis of alternatives and consequences, would create

December 11, 1987

expectations in Europe and Japan that could well bias subsequent decision-making on issues left undecided by the current proposal.

Second, we suggest that the Congress adopt a specific requirement for the preparation of a full environmental impact statement, with public input, at the time when the federal government begins to consider transportation routes and transshipment points across or within the United States. In our opinion, such a requirement already exists. However, there has been much ambiguity on the part of the Departments of State and Energy about how the National Environmental Policy Act may apply, if at all, to downstream decision-making under the agreement.

Third, we recommend that the Congress mandate the preparation of an environmental impact statement for decisions concerning the subsequent approval of a cask to transport plutonium under the agreement. Beyond this, we believe that successful air crash testing of the cask (rather than laboratory simulations alone) should be required as a prerequisite to cask approval. In this regard, past experience indicates that a cask might pass a physical test in a laboratory setting but fail in an air crash designed to approximate real world conditions.

To facilitate the committee's consideration of our suggestions, I have taken the liberty of enclosing statutory language which would accomplish the four objectives described above. I respectfully urge that this language or a variant thereof be enacted into law in connection with Congressional consideration of the agreement. In making this request, I want to note the excellent efforts of Senator Frank Murkowski to incorporate some of these suggestions into other legislation.

The effects on public health and safety of an air crash or mishandling of plutonium oxide are almost too disastrous to describe and cannot be hidden in the bureaucratic prose of the environmental assessment. The negotiation of the proposed agreement and the concomitant analysis of environmental effects have been shrouded in secrecy until recently. We believe that enactment of the measures suggested here would help resolve the clear deficiencies in the current analytic process and would facilitate informed decision-making by the Congress and the executive branch on these matters of extreme importance to the people of my state.

The Hon. Claiborne Pell - 4 -

December 11, 1987

If we can be of further assistance in your consideration of our suggestions, please call me (907) 465-3500 or John W. Katz (202) 624-5858. Thank you for your attention to these matters.

Sincerely,

John W. Katz for
Steve Cowper
Governor

Enclosure

cc: Senator Ted Stevens
Senator Frank Murkowski
Congressman Don Young

Identical letters sent to all members of the Committee

(a) Notwithstanding any other provision of law, plutonium in any form may not be transported by aircraft under the New Agreement for Peaceful Nuclear Cooperation between the United States and Japan unless:

1. the Secretary of Energy prepares environmental impact statements under the National Environmental Policy Act which cover a. the new agreement between the United States and Japan b. the Subsequent Arrangement under the U.S.-EURATOM Agreement for Cooperation and c. shipment plans and cask approval which occur pursuant to the New Agreement for Peaceful Nuclear Cooperation between the United States and Japan.

2. such plutonium is transported in a container which the Nuclear Regulatory Commission has certified to Congress as safe in accordance with subsection (b) and all other applicable law including Public Law 94-79 and related regulations.

"(b) The Nuclear Regulatory Commission shall --

"(1) conduct an actual crash test of a cargo aircraft carrying a sample full scale container loaded with test material;

"(2) conduct an actual drop test from maximum cruising altitude of a sample full scale container loaded with test material;

"(3) certify to the Congress that a safe container for use in the transport of plutonium by aircraft has been developed and tested:

(A) in accordance with paragraphs (1) and (2).

(B) in a way which uses the best practicable means to simulate actual transport conditions, and

(C) which did not rupture and release its contents into the environment during such tests; and

"(4) evaluate the container certification required by Public Law 94-79 and paragraph (3) in accordance with the National Environmental Policy Act, Public Law 91-190, as amended, and all other applicable law.

"(c)(1) the tests required by subsection (b) shall be designed by the Nuclear Regulatory Commission after public notice and a reasonable opportunity for public comment on the design of such tests.

"(2) The results of all tests under this section shall be available to the public and submitted to the Congress.

"(d) Plutonium in any form contained in a medical device designed for individual human application is not subject to the provisions of this section.

VIII

Submitted by: Assemblyman Joe Evans
Prepared by: Assembly Members Joe
Evans, Heather Flynn and
Jim Barnett

For Reading: January 26, 1988

APPROVED
Date: 1-26-88

ANCHORAGE, ALASKA
AR NO. 88-10(S1)

A RESOLUTION OPPOSING PLUTONIUM SHIPMENTS THROUGH ANCHORAGE
OR ALASKA UTILIZING FACILITIES WITHIN THE MUNICIPALITY
OF ANCHORAGE UNDER A PROPOSED UNITED STATES NUCLEAR
COOPERATION AGREEMENT WITH JAPAN

THE ANCHORAGE ASSEMBLY RESOLVES:

WHEREAS, the United States and Japanese governments have negotiated a 30-year nuclear cooperation agreement, beginning in the early 1990's, which would potentially permit the shipping of tens of thousands of pounds of plutonium, a long-lived, highly radioactive, extremely toxic substance; and

WHEREAS, the polar route planned for the shipments would necessitate mid-air refueling (which is currently only available for military aircraft) or a potential refueling stop in Anchorage, Alaska; and

WHEREAS, technologically, secure airborne transportation of plutonium which meets the applicable requirements of the Nuclear Regulatory Commission (NRC) has not yet been developed and thoroughly tested; and

WHEREAS, the release of plutonium oxide powder could constitute a most serious public health hazard to humans and all living organisms in the Municipality of Anchorage resulting in death, cancer and agonizing disease; and

WHEREAS, the transportator of these shipments in aircraft

could expose the citizens of this municipality to a wide variety of potential dangers; and

WHEREAS, Alaska state law (AS 13.45.027) expressly prohibits the transportation of used nuclear reactor fuel except for disposal outside the state; and

WHEREAS, the Inuit Circumpolar Conference and the legislative bodies of the Yukon and Greenland have unanimously approved resolutions which call for restricting the Arctic to uses that are environmentally safe; and

WHEREAS, the Alaska State Legislature has unanimously passed resolutions opposing the U.S.-Japan agreement (HJR 35 and SJR 42);

Section 1. NOW, THEREFORE, BE IT RESOLVED that the Anchorage Municipal Assembly strongly opposes the section of the proposed 30-year nuclear cooperation agreement between the U.S. and Japan which would allow the polar route shipment of plutonium by air between Europe and Japan over Alaskan land and/or waters and potentially through the Municipality of Anchorage; and

Section 2. BE IT FURTHER RESOLVED that the United States Departments of Defense, Energy, and State be required to conduct a complete environmental impact study (EIS) examining all possible alternatives and their impacts before further consideration of this agreement; and

Section 3. BE IT FURTHER RESOLVED that the Nuclear Regulatory Commission should: a) conduct an actual crash test of a cargo aircraft traveling at maximum cruising speed, appropriately loaded with sample full scale packages containing

test material; b) conduct a series of actual drop tests from maximum cruising altitude of full scale packages containing test material; and, c) publicly certify that the package is acceptably safe for use in the transport of plutonium by aircraft.

Section 4. FURTHER BE IT RESOLVED that the Anchorage Municipal Assembly respectfully requests that the Governor, the Alaska State Legislature and Alaska's Congressional delegation 1) oppose the section of the U.S.-Japan Nuclear Cooperation Agreement relating to possible air shipment of plutonium through the United States; 2) seek the review and test conditions described herein; and, 3) work ardently to prevent the use of Alaskan air space and land for shipments of plutonium between Europe and Japan.

Section 5. This resolution is not intended to apply in any way to the potential homeporting of United States Naval vessels in Alaska.

Section 6. This resolution does not apply to plutonium in the form of nuclear weapons nor other shipments of plutonium directly connected with the United States national security or defense programs.

Section 7. This resolution shall become effective upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 1987.

Chairman

ATTEST:

Municipal Clerk

RESOLUTION OF THE ALASKA MUNICIPAL LEAGUE

RESOLUTION NO 11

A RESOLUTION OPPOSING PLUTONIUM SHIPMENTS THROUGH
ALASKAN AIRSPACE OR ON ALASKAN SOIL UNDER A PROPOSED UNITED
STATES NUCLEAR COOPERATION AGREEMENT WITH JAPAN

WHEREAS, the United States and Japanese governments have negotiated a 30-year nuclear cooperation agreement, beginning in the early 1990s, which would potentially permit the shipping of tens of thousands of pounds of plutonium, a long-lived, highly radioactive, extremely toxic substance; and

WHEREAS, the polar route planned for the shipments would necessitate mid-air refueling (which is currently only available for military aircraft) or a refueling stop in Alaska; and

WHEREAS, a fail-safe shipping cask for the safe, secure airborne transportation of plutonium which meets the applicable requirements of the Nuclear regulatory Commission (NRC) has not yet been developed and thoroughly tested; and

WHEREAS, the release of plutonium oxide powder could constitute a most serious public health hazard to humans and all living organisms in Alaska, resulting in death, cancer and agonizing disease; and

WHEREAS, the transportation of these shipments in aircraft could expose the citizens of this State to a wide variety of potential dangers; and

WHEREAS, Alaska state law (AS 18.45.027) expressly prohibits the transportation of used nuclear reactor fuel except for disposal outside the state; and

WHEREAS, the Inuit Circumpolar Conference and the legislative bodies of the Yukon and Greenland have unanimously approved resolutions which call for restricting the Arctic to uses that are environmentally safe; and

WHEREAS, the Alaska State Legislature has unanimously passed resolutions opposing the U.S.-Japan agreement (HJR 35 and SJR 42);

NOW, THEREFORE, BE IT RESOLVED that the Alaska Municipal League strongly opposed the proposed 30-year nuclear cooperation agreement between the U.S. and Japan which would allow the polar route shipment of plutonium by air between Europe and Japan over Alaskan land and/or waters; and

(OVER)

By: Joe Ryan
Valerie Therrien
Introduced: 12/10/87
Substituted: 12/17/87
Amended: 12/17/87
Adopted: 12/17/87

RESOLUTION NO. 87-117 (Fairbanks, AK Borough Assembly)

A RESOLUTION REGARDING PLUTONIUM SHIPMENTS UNDER A PROPOSED UNITED STATES NUCLEAR COOPERATION AGREEMENT WITH JAPAN

WHEREAS, the U.S. and Japanese governments have negotiated a 30-year nuclear cooperation agreement which would permit the shipping of plutonium as reprocessed reactor fuel from reprocessing plants in Europe to Japan; and

WHEREAS, the shipments would begin by air carrier in the early 1990's and would occur every two weeks in amounts of 500 to 600 pounds each, which is enough plutonium to build 40 atomic bombs of the size dropped on Nagasaki in 1945; and

WHEREAS, the polar route planned for the shipments may necessitate mid-air refueling or a refueling stop in Alaska; and

WHEREAS, a cask for the economical and safe transportation of plutonium that meets the requirements of the Nuclear Regulatory Commission (NRC) has not been developed; and

WHEREAS, plutonium is a long-lived, highly radioactive, and extremely toxic material which is used to construct nuclear weapons and as a fuel in nuclear reactors; and

WHEREAS, a loophole in the Atomic Energy Act (42 U.S.C. 2011-2296) may allow the cask standards of the NRC to be overlooked in favor of the standards of the International Atomic Energy Agency (IAEA) which require the cask to meet only 1/10th of the impact velocity required by the NRC; and

WHEREAS, the shipped plutonium will be in the form of plutonium oxide powder, which is easily airborne, and minute quantities of which can cause cancer if ingested; and

WHEREAS, in the event of a terrorist attack, in-flight mechanical failure, mid-air refueling collision, crash on landing or take-off, the public health and environmental threat to the people of Alaska and in other countries exposed to hundreds of pounds of liberated powdered plutonium oxide would be catastrophic; and

WHEREAS, the execution of the agreement would mean U.S. concurrence in the development of a plutonium-fueled nuclear industry, which would result in the increased proliferation of plutonium and the attendant danger of nuclear weapons coming into the possession of these nations and terrorist groups; and

WHEREAS, the Inuit Circumpolar Conference and the legislative bodies of Yukon and Greenland have unanimously approved resolutions which call for restricting the arctic region to uses that are environmentally safe; and

WHEREAS, resolutions in the Alaska State Legislature opposing the U.S. - Japan nuclear cooperation agreement (HJR 33 and SJR 42) have passed unanimously in their respective bodies; and

WHEREAS, the American Public Health Association recently approved a resolution opposing the proposed nuclear cooperation agreement as a serious public health threat; and

NOW, THEREFORE BE IT RESOLVED, that the Fairbanks North Star Borough Assembly strongly opposes the proposed 30-year nuclear cooperation agreement between the U.S. and Japan which would allow the polar route shipment of plutonium by air between Europe and Japan resulting in mid-air refueling over Alaska or stopovers in the state; and

BE IT FURTHER RESOLVED, that the U.S. government be required by Congress to conduct a comprehensive environmental impact study (EIS) examining all possible alternatives and their impacts before further consideration of the agreement; and

BE IT FURTHER RESOLVED, that the U.S. government be required by Congress to establish and adhere to the existing crash standards of the Nuclear Regulatory Commission for casks involving a real (rather than simulated) crash of an airplane under realistic flight conditions; and be it

BE IT FURTHER RESOLVED, that the Fairbanks North Star Borough Assembly respectfully requests the Governor and Alaska's congressional delegation to 1) actively oppose this agreement, 2) ask the review and test conditions described above and 3) ensure the prevention of plutonium shipments on or over Alaskan land or waters, 4) actively support the Murkowski/Proxmire amendment to the Energy and Water Development Appropriations Bill (HJR-3700) or a similar amendment which will as a minimum, which will require a free fall drop test and fully loaded crash test of a 747 from cruising altitude of the plutonium cask before

any shipments occur, and 5) actively support a congressional action to return the nuclear cooperation agreement to the administration for revisions which will assure the health and safety of Alaskans and minimize the chances of nuclear proliferation and/or terrorism.

PASSED AND APPROVED THIS 17TH DAY OF DECEMBER, 1981


Presiding Officer

ATTEST:


Clerk of the Assembly

Final Plutonium Air-Transport Cask Aircraft IX
Crash-Testing Amendment (Murkowski-Proxmire Amendment)
[Reported by Conference Committee - 12/17/87, Passed by Congress - 12/21/87]

AMENDMENT NO. _____

Calendar No. _____

Purpose: To prohibit the transportation of plutonium by aircraft between foreign countries through United States air space in containers not determined safe by the Nuclear Regulatory Commission.

On page ___, line ___ insert the following:

SEC. ___. TRANSPORTATION OF PLUTONIUM BY AIRCRAFT THROUGH AIR SPACE OF THE UNITED STATES.

(a) IN GENERAL.--Notwithstanding any other provision of law, no form of plutonium may be transported by aircraft through the air space of the United States from a foreign nation to a foreign nation unless the Nuclear Regulatory Commission has certified to Congress that the container in which such plutonium is transported is safe, as determined in accordance with subsection (b), the second undesignated paragraph under section 201 of Public Law 94-79 (89 Stat. 413; 42 U.S.C.5841 note), and all other applicable laws.

(b) RESPONSIBILITIES OF THE NUCLEAR REGULATORY COMMISSION.-

(1) The Nuclear Regulatory Commission shall determine whether the container referred to in subsection (a)(2) is safe for use in the transportation of plutonium by aircraft and transmit to Congress a certification for the purpose of such subsection in the case of each container determined to be safe.

(2) In order to make a determination with respect to a container under paragraph (1), the Nuclear Regulatory Commission shall--

* (A) require an actual drop test from maximum cruising altitude of a full-scale sample of such container loaded with test material; and

* (B) require an actual crash test of a cargo aircraft fully loaded with full-scale samples of such container loaded with test material; unless the Commission determines, after consultation with an independent scientific review panel, that the stresses on the container produced by other tests used in developing the container exceed the stresses which would occur during a worst case plutonium air shipment accident.

(3) The Nuclear Regulatory Commission may not certify under this section that a container is safe for use in the transportation of plutonium by aircraft if the container ruptured or released its contents during testing conducted in accordance with paragraph (2).

(4) The Nuclear Regulatory Commission shall evaluate the container certification required by Public Law 94-79 (89 Stat. 413; 42 U.S.C. 5841 note) and paragraph (2) of subsection (a) in accordance with the National Environmental Policy Act (83 Stat. 852; 42 U.S.C. 4321, et seq.) and all other applicable law.

(c) CONTENT OF CERTIFICATION.--A certification referred to in subsection (a)(2) with respect to a container shall include--

- (1) the determination of the Nuclear Regulatory Commission as to the safety of such container;
- (2) a statement that the requirements of subsection (b)(2) were satisfied in the testing of such container; and
- (3) a statement that the container did not rupture or release its contents into the environment during testing.



NUCLEAR CONTROL INSTITUTE

1000 Connecticut Avenue, N.W., Suite 704, Washington, D.C. 20036 (202) 822-8444

December 23, 1987

Press Advisory

SENATE AND HOUSE FOREIGN AFFAIRS COMMITTEES
REJECT U.S.-JAPAN NUCLEAR AGREEMENT AS UNLAWFUL;
CONGRESS CURBS JAPANESE PLUTONIUM AIR SHIPMENTS OVER U.S.

The Senate Foreign Relations Committee and the House Foreign Affairs Committee each has notified the President that he should withdraw and renegotiate a new U.S.-Japan nuclear-cooperation agreement because it does not meet requirements of U.S. nuclear non-proliferation law.

In a related action, Congress enacted a law requiring that casks to be used for air shipments of highly toxic Japanese plutonium be subjected to an actual, worst-case crash test of a cargo plane before such flights can take place over or through the United States.

Both actions, taken in the closing days before the Congressional recess, were responsive to specific proposals made by the Nuclear Control Institute. Paul Leventhal, president of the Institute, commented: "The new U.S.-Japan nuclear agreement is illegal and dangerous. It should not be permitted to go forward in its present form. The identical actions taken by the Senate and House committees should assure that it does not. The new law requiring actual crash testing of plutonium air-shipment casks might block any Japanese plutonium flights from passing through U.S. airspace. Some experts believe that no cask can be developed to survive a worst-case crash of a high-flying aircraft."

The action of the Senate and House committees was taken pursuant to a law signed by President Reagan in 1985. The law provides that either committee, during an initial 30-day consultation period, can notify the President that he must renegotiate a legally defective nuclear-cooperation agreement or resubmit it with an exemption from legal requirements. In the latter case, Congress must approve the agreement before it can take effect; otherwise, an agreement that is found by the committees to meet all legal requirements would take effect automatically 90 days after submittal to Congress.

The Nuclear Control Institute, in testimony before the Senate Foreign Relations Committee, proposed the rejection of the agreement by the procedure eventually followed by the two Committees. Both committees acted within the required 30 days and thereby stopped the "ninety day clock," according to nearly

PRESIDENT
Paul L. Leventhal

BOARD OF DIRECTORS
Peter A. Bradford/David Cohen/Rear Admiral Thomas D. Davies, USN (Ret)/Denis A. Hayes/
Julian Koenig/Paul L. Leventhal/Sharon Tanzer Leventhal/Dr. Theodore T. Taylor

identical letters sent to the President. Both letters were signed by majorities of the committees: 15 of 18 members of the Senate Foreign Relations Committee, and 23 of 45 members of the House Foreign Affairs Committee. [Copies of the signed letters are attached.]

The Institute also issued a report last March disclosing that air-shipment casks being developed for transport of Japanese plutonium from Europe to Japan had failed to survive simulated crash tests on the ground. In the report, the Institute proposed that there be an actual crash test a cargo plane fully loaded with casks containing dummy material before such flights are permitted over or through the United States.

Under the terms of the U.S.-Japan agreement, Japanese plutonium flights, each containing hundreds of pounds of plutonium powder (enough to cause millions of cases of cancer) would pass over the northern United States two or three times a month, with a refueling stop in Anchorage or perhaps Seattle. The Institute's report prompted the introduction of the Murkowski-Proxmire amendment to require actual crash testing, which was enacted into law. [A copy of the amendment as approved by a House-Senate conference committee is attached, with related items.]

Leventhal, commenting on the recent Congressional actions, said:

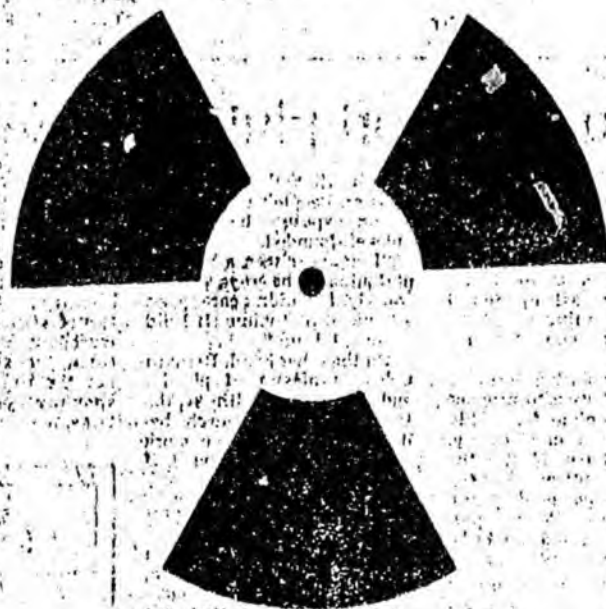
"The Committees' action represents an historic rejection of the Reagan Administration's policy to permit widespread foreign use of plutonium, a nuclear weapons material, as fuel for nuclear power reactors. It is also a sharp rebuke of Ambassador-at-Large Richard T. Kennedy, who championed this policy and negotiated the agreement.

"U.S. non-proliferation law was written to inhibit the spread of plutonium that is produced through use of U.S.-supplied nuclear fuel and reactors and, therefore, is under U.S. control. By negotiating an agreement with Japan that accelerates this spread, the Reagan Administration has violated the law and jeopardized vital U.S. interests.

"Commercial use of plutonium inside the United States was also stopped by Congressional action because of the extraordinary security and health risks and the high economic costs involved. These risks and costs apply to Japan as well, especially in view of the vast quantities of plutonium that Japan plans to acquire through use of U.S.-supplied nuclear fuel and reactors.

"Indeed, Japan, under this agreement, would acquire more plutonium than the 200 tons now contained in U.S. and Soviet nuclear weapons combined. Japan's motives are peaceful, but the same cannot be said of radical states or terrorists who might gain access to Japanese plutonium. Plutonium is a nuclear explosive that is also highly toxic; 15 pounds is enough for a bomb, a mere speck can cause cancer. A single bomb made from stolen plutonium, a single crash of a plutonium-laden cargo plane, could alter the course of history."

The Nuclear Control Institute is a non-profit research center that deals primarily with nuclear-proliferation problems. The Institute's Senate testimony, which provides a detailed analysis of the U.S.-Japan agreement and of the options available to Congress, is available upon request.



DEADLY CARGO

How safe would it be to fly plutonium over Anchorage skies?

How safe would it be to fly plutonium over Anchorage skies?

By DEBBIE MCKINNEY
Daily News reporter

Alaskans go about their day, oblivious to the rumble of a Boeing 747 approaching from the north, 38,000 feet over their heads. Inside the jet, quarantined deep within 8,000-pound steel cylinders, is a substance that looks as innocuous as sand.

But this flight is guarded by armed men and monitored by satellite. So formidable is this cargo that public knowledge of it could threaten national security.

Inside the cylinders is one of the most powerful and deadly elements on Earth: plutonium oxide. A particle too small to see could cause terminal cancer if inhaled. And the plane roaring overhead contains 600 pounds of such particles.

The jet cruises over Blk Lake, dropping to 2,000 feet on approach to Anchorage International Airport. Then the unthinkable happens. A small plane obscured by clouds slams into the jet's side, ripping through the fuselage.

Startled by the explosion, people below squint toward the sky as fiery debris plunges toward the ground. Then it starts raining sand. Those who watch haven't a clue what it is or how it will change their lives.

This scenario is not beyond the realm of possibility. According to the Federal Aviation Administration, there have been 158 midair collisions in the United States in the past 8 1/2 years.

Eight of them occurred in Alaska.

What such a crash would mean is just one of many questions yet to be answered by those considering routing plutonium through the state.

An agreement being negotiated between the United States and Japan would give a 30-year blanket approval for jumbo jets carrying U.S.-supplied plutonium to fly from reprocessing plants in Europe to Japan. Although a route has yet to be chosen, "one option" being considered includes refueling stops in Alaska, most likely Anchorage.

The transporting of plutonium by air was stopped in 1975 after about a half-dozen such flights passed through Kennedy International Airport in New York. Dr. Marvin Resnikoff, at the time a

physics professor at State University of New York in Buffalo and among those who urged Congress to stop the shipments, calculated that 2.8 pounds of plutonium released in a crash could cause as many as 500,000 people to develop lung cancer. If winds were high and the plutonium widely scattered, he testified, 100,000 people eventually would die.

The U.S. State Department is reluctant to discuss details of the proposed agreement. One spokesman says information is vague because details have not been worked out. But the plan, only one component of a major nuclear cooperation agreement, is expected to be signed by President Reagan within weeks. If subsequently approved by Congress, plutonium shipments could

resume as soon as 1990.

Gov. Steve Cowper, late Sen. Rick Uehling and other Alaskans are finding this prospect unsettling for one main reason: Containers large enough to make these shipments economical, yet strong enough to survive a midair collision, do not exist. Although the government insists no shipments will be made until such a case is designed, state officials want assurance before the agreement is signed.

The Nuclear Control Institute, a Washington, D.C.-based non-proliferation group, was the first to raise questions regarding the safety of the proposed flights. Its board of directors includes a former chief of naval development, a Pulitzer Prize-winning writer on modern warfare, and a for-

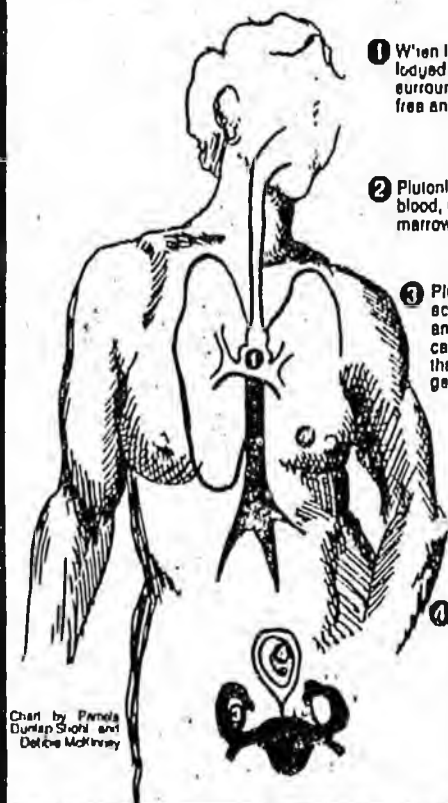
mer member of the federal Nuclear Regulatory Commission. The group doubts that plutonium can be transported safely by air in quantities suggested by the agreement.

If the plan is approved, the institute estimates 45 metric tons of plutonium would be shipped to Japan by the year 2000, as many as two flights each month. The casks being developed weigh 5,000 pounds and hold about 15 pounds of plutonium each. According to NRC data, a 747 cargo plane could carry up to 40 such casks for a total of 600 pounds of plutonium per flight.

Among the institute's concerns is the spread of nuclear material. If Japan were to rebuild its military, it would have the plutonium to devel-

See Page J-2, DEADLY

HOW PLUTONIUM AFFECTS YOUR BODY



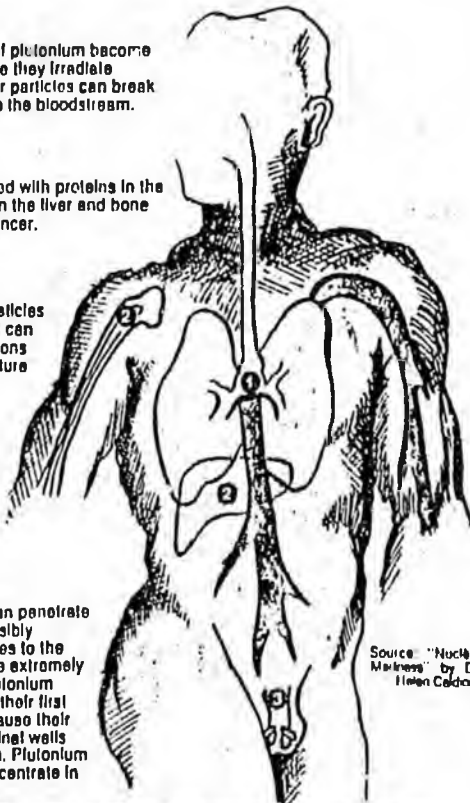
1 When inhaled, particles of plutonium become lodged in the lungs, where they irradiate surrounding cells. Smaller particles can break free and be absorbed into the bloodstream.

2 Plutonium, when combined with proteins in the blood, is carried to cells in the liver and bone marrow, which causes cancer.

3 Plutonium tends to accumulate in the testicles and ovaries, where it can cause genetic mutations that are passed to future generations.

4 Plutonium also can penetrate the placenta, possibly causing deformities to the fetus. Fetuses are extremely susceptible to plutonium poisoning during their first month of life because their developing intestinal walls permit absorption. Plutonium also tends to concentrate in breast milk.

Chart by Pamela Durkin, Staff and Debbie McKinney



Source: "Nuclear Madness" by Dr. Helen Caldwell

Element presents two-edged sword

By DEBBIE MCKINNEY
Daily News reporter

Pluto, mythical god of the underworld and ruler of the dead, was worshipped by ancient Greeks and Romans. But he was also feared. Subjects turned their faces away while sacrificing black sheep upon his altar.

Like the god from which its name is derived, the element plutonium is a dichotomy, with the capacity to promote life — and destroy it. At least 1,500 Americans owe longer lives to plutonium-powered pacemakers in their chests. These heart-stimulating devices contain less than one-hundredth of an ounce of plutonium. Even so, wearers are asked to notify the Nuclear Regulatory Commission when they leave the country.

Dr. Helen Caldwell, in her book "Nuclear Madness," describes how plutonium affects the body.

Plutonium molecules are large and therefore not easily absorbed directly into the body through the skin or gastrointestinal tract. But when

inhaled, particles become lodged in the lungs, where they bathe surrounding tissues with alpha radiation. Smaller particles may break loose and be absorbed through the lungs into the bloodstream. Because plutonium has properties similar to iron, it combines with proteins in the blood and is carried to cells in the liver and bone marrow, where it irradiates surrounding cells.

The human body is made up of more than 10 trillion cells, which take in nutrients, excrete wastes, produce proteins and reproduce themselves. Radiation inflicts damage by ionizing, or altering, the electrical charge of the atoms and molecules that comprise these cells.

In controlled doses, radiation is used to kill cancerous cells, explains Dr. Darwin Zellmer, chief of medical physics at Providence Hospital. Radiation at large, however, can cause one of several things to happen. The radiation may pass through a cell without causing damage. It may cause

See Page J-2, EFFECTS

DEADLY CARGO: Plans to transport plutonium raise questions

Continued from Page J-1

op nuclear weapons, the institute says. The group also fears that terrorists could sabotage or steal the shipments en route. A crude bomb can be fashioned from as little as 13 pounds of plutonium oxide.

"Anyone who thinks terrorists aren't cunning and ruthless enough to pull off a nuclear attack has forgotten the Munich Olympics, the showdown at Entebbe and the shooting of the pope," Rep. Richard A. Gephardt (D-Mo.) told members of the Nuclear Control Institute-sponsored conference on international terrorism.

"Transportation is the most vulnerable activity in the nuclear fuel cycle," a spokesman for the State Department admits. But the government will take "extraordinary measures" to ensure the safety of these shipments, he says.

"I think the likelihood of terrorist action is very low ... and the likelihood that it would succeed is zero."

Although the form in which the plutonium would be shipped — plutonium oxide — could reach critical mass and create an atomic explosion if huge quantities were compressed, the chance of that happening during a midair collision is extremely remote. Alan Kuperman, a researcher for the Institute, says a crash releasing plutonium

into the environment is much more likely.

Plutonium in its oxide form doesn't burn. But it has the consistency of fine sand, which can be dispersed by high winds. Because the oxide is relatively heavy, the State Department says no more than 25 acres — the equivalent of six city blocks — would be contaminated in the event of a ground crash. However, if the oxide were released at high altitude in a midair collision, contamination could be much more widespread.

Since plutonium is highly radioactive, an accident could be particularly nasty. Plutonium has a half-life of 24,400 years. If a spill were to occur today, its radioactivity would be reduced only by half sometime by the late 24th century A.D.

Dr. Rodman Wilson, the Municipality of Anchorage's top health official, is greatly concerned about the proposed shipments. "I strongly disapprove of that kind of transport through Alaska," he says. "So far as I know, plutonium is the most dangerous toxic substance ever discovered or invented by man. There is no minimum safe level. Every atom is destructive. If there was a spill at Elmendorf or Anchorage International, it might close the airport forever."

Plutonium's primary use is in making nuclear bombs. It was first synthesized in America in 1940. The fission of 6 kilograms leveled Nagasaki, Japan, killing 36,000 people and injuring 40,000 others at the end of World War II.

A less explosive form of plutonium is used to produce power. Plutonium fuels only a few reactors in Germany, France and Japan. Most of the world's 374 commercial nuclear plants are powered by uranium because it's cheaper, much less toxic and cannot be used to make weapons.

Plutonium can be one of most carcinogenic substances on Earth when inhaled. A dose the size of a speck of dust can start a tumor capable of killing in a matter of months. Some scientists say an invisible particle weighing as little as one-millionth of a gram is enough to cause cancer.

Scientist Harry Daghlian is said to be plutonium's first American victim. On Aug. 21, 1945, two weeks after Nagasaki, a plutonium experiment at Los Alamos National Laboratory in New Mexico went awry, dousing Daghlian with a fierce dose of radiation. A month later he was dead.

Dr. Glenn Shaw is a professor of physics at the University of Alaska-Fairbanks who monitored radiation levels in

Alaska after the Chernobyl disaster. People's fears of plutonium exposure, he believes, are well-founded.

"I've never seen a hunk of plutonium," he says. "And, frankly, I wouldn't care to see a hunk of plutonium. If I did see one, I'd run."

On the other hand, Bernard Cohen, professor of physics and radiation health at the University of Pittsburgh, believes plutonium is no more dangerous than caffeine — if swallowed.

If swallowed, only one part per 10,000 is likely to get through the gastrointestinal tract into the bloodstream, Cohen says. While some scientists would argue that one part is enough to set a mutation cycle in motion, Cohen is willing to eat the stuff to prove his point. He's had a long-standing offer to eat plutonium for a television audience and has told consumer activist Ralph Nader that he would eat as much plutonium as Nader would drink caffeine. Cohen has not, however, offered to breathe it.

"Anybody who wants to get people upset about plutonium has an ax to grind," Cohen says. "The important thing about plutonium is that it could provide all the electrical power this world would need for the next billion years. It would be the answer to our energy problems forever."

But critics say the risks of nuclear power outweigh the benefits. The disasters at Chernobyl and Three Mile Island, they say, have proven the impossible can happen.

In the 1960s, two U.S. military planes carrying nuclear warheads crashed. In both cases, the detonators — but not the bombs — blew up, spewing plutonium over large, mostly unpopulated ar-

ea.

In 1966, when a B-52 bomber and a tanker collided over Palomares, Spain, more than 1,400 tons of soil and vegetation were contaminated. Clean-up cost \$500 million.

In the winter of 1968, another B-52 bomber crashed near Thule, Greenland. It took 1,400 Americans and 100

See Page J-4, DEADLY

Adopt a Pet



These little kittens are available for adoption! They are all 10 weeks old, 2 are female (torifalse color, and gray/white) and 2 are male (black/brown and white). Adoption fees are \$70 each, with \$50 refunded after shots & neutering.

To adopt a pet - Come to the Animal Control Center at 3600 Tudor Road. 12:00pm-6:30pm, M-F; 12:00pm-4:00pm, S-S. Adoption fee is \$15 plus shots and neutering costs. A refundable deposit is held until animals have been licensed and spayed.

EFFECTS: A little plutonium goes a long way

Continued from Page J-1

damage, but the cell may be able to recover before it divides. The radiation may kill the cell. Or, the cell may be damaged in such a way that the damage

is repeated when it divides. Such mutations, Zellmer says, result in malignancy.

The affects of radiation are cumulative. The risk of developing cancer may depend on how many other carcinogens a person is exposed to. The greater the exposure, the more difficult it is for

cellular repair systems to keep damage under control.

"It's like ... playing darts," Zellmer says. "The more you're exposed — the more darts you throw — the more likely you're going to hit a bull's-eye."



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DEADLY CARGO

Continued from Page J-2

Danes four months in the arctic darkness to retrieve radioactive debris and remove 1.4 million gallons of contaminated snow, ice and water. Clean-up that time cost \$300 million.

"The potential exists that aircraft would crash within our jurisdiction," says Jack Cervantes, director of emergency management for the municipality of Anchorage. "Depending on what type of containers they come up with, we could have to deal with a hazardous waste materials spill of catastrophic proportions."

In 1984, a DC-10 cargo plane crashed and burned after running into a commuter plane at Anchorage International Airport. In 1975, the fuselage of a Japan Air Lines 747 was cracked after the plane was blown off an icy runway at Anchorage International by a gust of wind.

Low-level radioactive materials, such as X-ray supplies and other pharmaceuticals, are flown through Anchorage all the time, Cervantes says. In fact, many planes carry low-level uranium as ballast in their wing and tail sections.

A city response team within the Anchorage Fire Department is trained to deal with low-level contamination. But the strongest radioactive material the team has worked with, Cervantes says, is cobalt 60, used in condensers to measure soil compaction. "(Plutonium) is something that's 100 times more powerful than what we're used to dealing with."

The municipality and the local military bases have a mutual-aid agreement, meaning they can call upon each other for help in emergencies. A spokesman for Elmendorf Air Force Base says military teams are trained to respond to high-level radioactive spills. But if the government decides to ship plutonium through Anchorage, Cervantes wants the city's response team to be prepared, as well. He says he'll request special training and equipment if and when the time comes.

Japan has been shipping its spent reactor fuel to Europe for reprocessing for years — but by sea, not by air. Spent fuel rods are literally too hot to handle and cannot be used to make weapons. It's the return trip carrying reprocessed, high-grade plutonium that's causing all the commotion.

Reprocessing is a clean-up procedure in which plutonium and uranium are separated from other highly radioactive fission by-products. Construction of the United States' only commercial reprocessing plant in Barnwell, S.C., was halted in 1984 when the government determined reprocessing for civilian use was uneconomical and unsafe. Spent fuel from domestic reactors is stored on-site instead.

The last time a large amount of plutonium was transported from reprocessing plants in Europe to Japan was in 1984. The shipment of 557 pounds of plutonium left the French port of Cherbourg at night and was escorted through the English Channel by three British warships. Once on the open sea, the Japanese ship was under constant satellite surveillance, with 10 U.S. warships and 40 armed men standing by as it crossed the Atlantic. The U.S. Coast Guard accompanied it through the Panama Canal. Then, three U.S. warships, the Coast Guard and Japanese patrol boats intermittently escorted the vessel until it reached Tokyo Bay.

The voyage took 41 days. After that, the United States and Japan agreed that future shipments would be made by air in order to reduce the

Thursday, May 7, 1987

amount of time the shipment would be vulnerable.

The Scheuer Amendment of 1975, sponsored by Congressman James H. Scheuer (D-N.Y.), prohibited the NRC from licensing air transport of plutonium until a cask capable of remaining intact in a midair collision could be certified.

Since then, crash-proof casks capable of carrying only small amounts of plutonium have been certified. Now, at least three companies are trying to design casks large enough to make plutonium shipments on the scale needed for overseas transport. One

such cask was tested at Sandia National Laboratory last summer using standards set by the NRC. According to Alan Kuperman of the Nuclear Control Institute, the cask was propelled by rocket into a concrete and steel wall at 288 mph — the maximum cruising speed for airplanes flying under 10,000 feet. The cask failed.

Some engineers doubt a large, crash-proof cask can ever be built. Since Japan must import about 90 percent of its energy needs, the institute and others are worried that economic and diplomatic pressures may whittle away

at loopholes in the Scheuer Amendment, allowing the casks to slip by NRC certification, and instead be approved by the International Atomic Energy Agency, a United Nations-related agency created in 1956 that sets minimum safety standards for international transport. IAEA standards are dramatically lower; the casks need only survive a 30-mph impact.

A State Department spokesman says the suggestion that casks would have to satisfy only IAEA standards "is absolutely false." If the

See Page J-5. DEADLY

DEADLY CARGO

Continued from Page J-4

casks did not meet NRC standards, he says, "the shipments would not be made."

The issue of shipping plutonium, in some ways, parallels the issue of nuclear waste. The problem of how to dispose of high-level nuclear waste was unsolved at the time a commitment was made to develop a nuclear power industry.

The first large-scale nuclear power plant in the United States was built outside of Pittsburgh in 1957. Since then, the industry has proposed injecting nuclear waste into the sea floor, depositing it on polar ice caps and shooting it into outer space. All methods have serious environmental complications. As nuclear wastes pile up in temporary dump sites across the country, the search continues for a state willing to open the first permanent dump for high-level nuclear waste.

To those who oppose the shipments, it makes more

sense to address all the issues before the agreement is signed. But the agreement, a State Department official explains, amounts to two or three pages of a 260-page document covering a wide range of foreign policy topics.

Although the agreement says nothing specific about the proposed flights stopping in Alaska, the tremendous weight of the casks would make refueling necessary. The polar route offers the shortest distance between Europe and Japan. If this route is chosen, Canada, the Soviet Union and Alaska are the only possible pit stops along the way. According to the State Department spokesman, if refueling is necessary, Alaska is the most logical place to do it.

Nobody can or will say whether plutonium shipments eventually will pass through Alaska. At a press conference earlier this month, Sen. Frank Murkowski said government officials are considering alternative routes and ways to avoid refueling stops altogether.

Murkowski answered reporters' questions regarding the shipments while fondling a paperweight-sized cylinder of deactivated, vitrified nuclear waste — a souvenir from the nuclear reprocessing plants he recently toured in Europe. The cylinder represented the waste produced after supplying an average French family with power from 1956 to the year 2000, he noted.

In the meantime, state Sen. Rick Uehling has introduced a resolution opposing shipments being routed through the state. Copies have been sent to President Reagan, Secretary of Defense Caspar Weinberger and the Nuclear Regulatory Commission.

In addition, Gov. Steve Cowper has asked the federal government to prepare an environmental impact statement before proceeding any further in negotiations with Japan. The National Environmental Policy Act requires preparation of an EIS for major federal action significantly affecting the quality of the

human environment.

"This agreement could have tremendous consequences for the health and safety of Alaskans, as well as for the state environment," Cowper wrote in his letter to Secretary of State George Shultz. "... I have concluded that there are a number of critical unanswered questions regarding this agreement."

As far as Cowper is concerned, preparing an EIS after the fact just won't do. Once the president and Congress have approved the 30-year agreement, "it is difficult to perceive how a truly objective analysis of possible airport sites, safety measures and other relevant considerations could occur."

Cowper has yet to hear from the State Department regarding his request.

Plutonium flight foes face tough fight

By DAVID WHITNEY
Daily News reporter

WASHINGTON — Strong reservations, if not outright opposition, are emerging in the Congress to a proposed agreement that would grant U.S. approval for flying large quantities of deadly weapons-grade plutonium across U.S. territory from European reprocessing plants to nuclear power stations in Japan.

The opposition comes as two congressional committees prepare for hearings next week on a controversial 30-year agreement between the United States and Japan.

But congressional aides freely acknowledge that the fact that the treaty will take effect unless Congress specifically disapproves it — and the fact Congress has only 90 days to do so — will make it difficult to derail.

"We have very serious concerns," said Randy Rydell, an aide to U.S. Sen. John Glenn, D-Ohio, "but I must say, it is going to be very hard to stop this agreement."

The agreement, sent to Congress late last month, would result in as much as 500 pounds of plutonium being flown every other week to Japan.

The Japanese plan to follow a polar route,

with a refueling stop in Alaska. But because of growing Canadian opposition to the overflights, refueling stops in Washington state or California also are a possibility.

The possibility of a Washington stopover has alarmed Rep. Don Bonker, D-Wash., chairman of the international trade subcommittee of the House Foreign Affairs Committee.

Bonker's committee will hold a hearing on the proposal next Wednesday. "I have strong reservations about the proposed agreement," Bonker said Tuesday. "There are disturbing issues associated with air transportation over the continental United States."

Leading the opposition on the Senate Foreign Relations Committee, which will hold a hearing next Tuesday, will be Senate Majority Whip Alan Cranston of California.

According to aide Gerald Warburg, Cranston believes the proposed agreement flatly violates the 1978 Nuclear Non-Proliferation Act.

"This is a major policy departure — the use of tons of plutonium by a non-nuclear weapons state as a routine practice of commerce and energy production," Warburg said. "The

See Page C-3, PLUTONIUM

PLUTONIUM: Congressional flight foes face a difficult battle

Continued from Page C-1

senator believes it should — and will — be challenged."

Of primary concern is a "timely warning" provision in the non-proliferation act. The provision was intended to ensure that the United States be given adequate warning to respond militarily in the event that any "extractable nuclear material" was intercepted by terrorists.

Warburg said the proposed agreement makes that provision meaningless because, given the right technical skills that are easily attainable, anyone seizing a shipment of the reprocessed plutonium can "plug it in" to a bomb.

"There is no time if it is pure plutonium," said Warburg, who worked with former Rep. Jack Bingham, D-N.Y., in writing that provision. "All you need is imminently useable weapons-grade plutonium to make a bomb.

"That 'timely warning' provision was written specifically to prevent commercial use of pure plutonium for this reason," the Cranston aide said.

Under the original proposal, the plutonium would fly over a polar route with a stopover in Alaska.

However, such a flight would require an aircraft to fly through Canada airspace. Canada's Transport Minister, John Crosbie, said last month that his country would bar such flights — at least temporarily.

Another likely option, according to several sources, including Warburg and the Washington-based Nuclear Control Institute, is a route over the northern tier of the continental United States, with a refueling stop in the Seattle area.

Bonker said such a possibility has piqued his interest.

"It's clear that they can't fly over Canada," Bonker

said. "We ought to have a better view of the transportation corridor."

Alaska Sen. Frank Murkowski, a member of the Senate Foreign Relations Committee, also has been alarmed about the flights. He has offered amendments to two bills requiring that the as-yet undeveloped casks that would carry the deadly material be subjected to actual crash tests.

The Republican lawmaker said he would be pressing to modify the proposed agreement to require that the plutonium be moved by U.S. military aircraft — at Japan's expense — that will be refueled in midair.

Murkowski ran into problems of his own Tuesday when the Nuclear Control Institute, which is concerned about non-proliferation issues, claimed that his amendments to a veterans bill approved by the Senate last week weakened his previous

efforts on a spending bill to toughen requirements for developing a transportation cask.

Murkowski aide Tom Roberts said the newly passed amendments do not require crash-testing an aircraft carrying a full cadre of transportation casks at cruising speed, as did the earlier bill.

Roberts said the amendments require that the tests be conducted by the Nuclear Regulatory Commission after its plan has been submitted for public comment and review — an idea intended to give more technical credence to the testing standards.

According to Alan Kuperman of the institute, however, the latest Murkowski amendment "is greatly weakened from its predecessor on the energy and water appropriations bill and may not adequately guarantee the health and safety of Americans experiencing these overflights."

percent pure.

Assemblyman Paul Barry said the state should have mentioned the limestone deposits in its letter to Davidge announcing the proposed closure.

The Nov. 20 letter was signed

lowlands region and 21,803 acres in the Mt. Susitna region to mineral entry received the assembly's endorsement Tuesday night. The regions are part of the Susitna Area Plan.

Holiday notes

Becky Bartholomew of Diamond High School plays viola during the Anchorage Youth Symphony Christmas concert at the Egan Center Tuesday night.

Times photo by Al Orilla

Senators blast plutonium flight proposal

By Jack Dolan
States News Service

WASHINGTON — The Reagan administration's proposal to allow plutonium-carrying flights from Europe to Japan that cross American airspace received a cool reception on Capitol Hill Tuesday.

In addition to the potential danger posed by the transportation of the highly toxic material, which might require a refueling stop in Alaska, Democratic senators blasted the treaty because it would expand nuclear power use in Japan.

"I am absolutely outraged that something like this would be proposed," said Sen. Brock Adams, D-Wash., at a Senate Foreign Relations Committee hearing on a proposed U.S.-Japan treaty to allow the plutonium shipments. "What we are about to establish is another plutonium regime."

Adams' state, and other northern tier U.S. states, also could have the plutonium-carrying airplanes cross their airspace if a polar route that would cross Canadian airspace is barred.

Under the most logical scenar-

ios for the Europe-to-Japan flights, either Alaska or Washington would be the refueling point. Whether military or commercial airports would be used has not been established.

Critics of the accord say it will be difficult to get Congress to reject the treaty. It has until early next year to disapprove it.

Signed by the United States and Japan in November, the 30-year agreement would allow Japan to ship by air large amounts of bomb-grade plutonium from Europe, with refueling stops possibly to take place in

Alaska. It would alter the Nuclear Non-Proliferation Treaty in that it would no longer require case-by-case U.S. approval of plutonium shipments.

Japan, a nation short on natural resources, wants the plutonium to run nuclear plants that generate electricity. Under the accord, Japan could not use the plutonium for nuclear weapons production.

Plutonium is considered more dangerous than other radioactive materials because only about 15 kilograms (30 pounds) are needed to make a bomb. Plutonium has a long life and is among the most toxic materials on earth.

Gaston Sigur, assistant secretary of State for East Asian and Pacific Affairs, praised the treaty, saying it keeps the United States as a reliable nuclear exporter.

"Japan is relying more and more on nuclear energy," Sigur said. "That is good for Japan's security and in the long run, it is good for our own security." He said Japan's record on safeguards "is excellent."

See Treaty, page B-2

Assembly approves '89 Juneau wish list

The Anchorage Assembly approved Tuesday a list of capital projects totalling about \$87 million that they would like Juneau to pay for during the 1989 state budget year. Assembly members hope the projects will find a place in a pared-down state capital projects budget unveiled Monday by Gov. Steve Cowper.

Cowper unveiled a \$70 million capital projects budget, down \$28 million from this year, that does not include much construction in Anchorage. Cowper may ask the legislature for a supplementai-

\$150 million jobs bill for more public works projects.

Funding for the jobs bill could come from a \$230 million fund for Railbelt energy projects, but Anchorage and Fairbanks legislators may resist spending that fund.

The assembly's priority list was worked out among assembly members, Mayor-elect Tom Fink and state legislators. It includes several major ongoing road projects. The Anchorage School District will prepare a separate list.

See Projects, page B-2

City buys park lot

The Anchorage Assembly approved an agreement Tuesday to buy out the Burger King restaurant on the Town Square, clearing the way for its demolition.

Assemblyman Larry Baker, owner of the Burger King chain in Alaska, will receive \$910,000 for the business. City officials said this clears the way for completion of the long-delayed downtown park.

Inauguration activities Mayor-elect Fink's s

Anchorage Mayor-elect Tom Fink has planned an action-packed day of festivities for his inauguration on Jan. 2, beginning with a breakfast at an Eagle River restaurant, then the 11 a.m. swearing-in ceremony at the William A. Egan Civic & Convention Center, according to Fink spokesman Bill Blessington.

Retired Superior Court Judge Ralph Moody will conduct the swearing-in ceremony. Theda Comstock, described as a "well-known television personality," will act as mistress of ceremonies. "Holding the family's heirloom Bible for the mayor-elect will be his wife, Patricia Israelson Fink," according to the press release.

A public reception featuring lots of entertainment "for families and especially for kids" will

follow at 3:30 at That night, adults who feel to power, and F everyone.

Contemporary offered in the Eton Anchorage band will be play "During the entertainment b ethnic commun mises.

Tickets will be served basis at \$ fice, 1057 West 1

By Dirk Miller
Timber Valley Bureau

WASILLA — The Matanuska-Susitna Borough Assembly solved an impasse Tuesday night over who to send to a weeklong forestry symposium in Helsinki, Finland by increasing the assembly contingent from two to three members.

The increase will cost the borough about \$1,500 in additional plane fares and hotel costs, officials said. In addition to the three assembly members, the borough is sending a member of the administration and local forester Mike McCrary. Those representatives will accompany two state officials on the January trip.

The assembly earmarked \$14,000 in funds to pay for the trip, which includes a contract with Terry Brady of Alaska Husky Wood, who will act as a facilitator for the borough.

The three assembly members who are to attend the symposium are Doyle Holmes of Willow, Rose Palmquist of Wasilla and Norm Levesque of Wasilla.

A Finnish wood products firm, Oywilh Schumanab, sent representatives to the bor-

ough this fall to examine the area's timber. The firm is particularly interested in a proposed state timber sale that would open up roughly 215,000 acres in the Susitna Valley to long-term contracts.

Another Finnish firm has shown interest in the timber sales, said Ric Davidge, the borough's director of development services.

"It would strengthen the borough's contingent to have a third member," said Davidge.

Brady said the borough would be able to meet with a number of Finnish firms, government officials and others at the symposium.

The debate Tuesday night wasn't over how much money the trip was to cost, but who to send.

Holmes was the first to speak up, nominating himself and Palmquist for the trip. Palmquist, though, spoke in favor of sending herself and Levesque.

"We should consider who on assembly has been involved and put their time in," said Palmquist, a member of the borough's agriculture and forestry board. Levesque has been involved with a Wasilla group that pro-

motes economic development in the Valley and that played host to the Finnish group during their tour here.

"I don't have any problems with Mr. Levesque going," Holmes responded. "But 90 percent of the forests involved are in my district."

Holmes said he has flown over most of the lands included in the sale and was familiar with the territory. He said he would entertain a friendly amendment that would replace Palmquist with Levesque.

Levesque's only comment in the discussion was simply, "I have no problem with who goes, as long as we're represented there."

That's about when Davidge stepped in and suggested all three members attend.

"We have the capacity, within this amount (\$14,000) to do it," he said.

In a related matter, the assembly also voted, 5-2, to move ahead on a \$25,000 environmental assessment of the state's timber sale, after area forester Bill Beebe told the body that the state had no immediate plans to do one itself.

Treaty: 'Plutonium regime' opposed

Continued from page B-1

Another administration official who testified before the panel said that whether or not the United States is involved in Japan's nuclear program, the country will legally acquire plutonium for civil use only.

"Our only realistic option has been to try to create a basis for working closely with Japan to ensure the application of state-of-the-art safeguards," said Richard Kennedy, a State Department ambassador-at-large who is responsible for non-proliferation issues.

Under the agreement, he said by the year 2000, Japan could accumulate 11.3 metric tons of plutonium not subject to U.S. control.

For Alaska to be a refueling stop on the Europe-to-Japan route, Canada must agree to

allow its airspace to be crossed. If Canada bars the flights, it could mean airplanes carrying plutonium will cross the U.S. northern tier and make a refueling stop in the state of Washington.

Sen. Frank Murkowski, R-Alaska, suggested that military aircraft that can be refueled in midair should be examined for possibly carrying the plutonium. Another suggestion was for it to be carried by nuclear submarine.

Expressing the concern of many who fear that the plutonium might be diverted for non-peaceful uses, Sen. John Glenn, D-Ohio, asked the committee: "How can one reasonably estimate the capabilities and intentions of terrorist groups that may exist in Japan in the year 2017, when we know so little about today's terrorist groups in Japan?"

And in a stinging comment

that drew groans from several Japanese people attending the hearing, Glenn added, "I don't think we would give a 30-year approval for Toshiba sales."

Toshiba admitted recently to having sold to the Soviet Union high-tech equipment that can be used for military purposes.

Paul Leventhal of the Washington-based Nuclear Control Institute, said in addition to "making a mockery of the Nuclear Non-Proliferation Act, this commerce, over time, could create dangers to the security of the United States at least as great as those posed today by the nuclear weapons of the Soviet Union."

Cowper Projects

Continued from page B-1

Hogan the Railliet Energy Fund

The House and Senate already have passed legislation that would require actual testing of the security of casks that would carry plutonium. The Nuclear Regulatory Commission has been ordered to administer a midair crash and a drop of casks from maximum cruising altitude to the ground to ensure that on impact the toxic material does not leak.

Japan at present is working to build a cask to carry large amounts of plutonium and is expected to be developed in about one year. The Europe to Japan flights apparently would occur about once monthly.

Continued from page B-1

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Plutonium plan faces more fire

House panel criticizes proposal

By DAVID WHITNEY
Daily News reporter

WASHINGTON — The Reagan administration found itself in hostile territory again Wednesday when it tried to defend a proposed agreement that would authorize large air shipments of plutonium through U.S. airspace. The U.S.-Japan nuclear cooperation agreement would allow the shipment of plutonium from Europe for use in new Japanese nuclear power generation and reprocessing plants.

If the shipments occur, they could involve a refueling stop in Alaska or, if Canada prohibits overflights of its territory, Washington state.

Opposition Wednesday came from the House Foreign Affairs Committee which, like the Senate Foreign Relations Committee a day earlier,

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er, was critical of the agreement's policy impact on the potential spread of bomb-grade nuclear materials.

"I am deeply troubled by the prospect of air transportation of plutonium without the most rigorous safeguards," said Rep. Don Bonker, a Washington Democrat who is chairman of the panel's international trade subcommittee.

"It is obvious that many of us in Congress have serious concerns about this agreement and that there may be strong sentiment to send our negotiators back to Japan to hammer out an agreement with stronger non-proliferation and transportation provisions," Bonker said.

Democratic Reps. Mel Levine of California and Howard Wolpe of Michigan also called

See Page C-3, PLUTONIUM

PLUTONIUM: Plan criticized

Continued from Page C-1

for early committee rejection of the agreement, which either the House or the Senate committee can do within the first 30 days of congressional consideration.

The Senate committee has scheduled a meeting for this morning — the 24th day of review — at which it is expected to vote on sending the agreement back to the White House with instructions to renegotiate it.

Former Washington Rep. Lloyd Meeds, now a lobbyist for Alaska, said that Sen.

Alan Cranston, D-Calif., one of the chamber's most experienced vote counters, believes he has the votes to reject the agreement.

Ambassador Richard T. Kennedy, who helped negotiate the proposed agreement, in testimony Wednesday tried to derail growing criticism of the pact's safety implications.

"The administration has taken all prudent steps to ensure that the agreement will be implemented with the utmost regard for safety as well as physical security," he said.

Nuclear cooperation agreement may bring plutonium through Anchorage

By DAVID HULEN
Daily News reporter

Jumbo jets carrying highly toxic, bomb-grade plutonium may regularly fly in and out of Anchorage within several years under a nuclear cooperation agreement being negotiated by the United States and Japan, according to a Washington, D.C., group following the talks.

If approved by both governments, the agreement

would permit shipments of nuclear fuel between European reprocessing factories and Japanese nuclear plants. The possibility of refueling stops in Alaska is causing concern among members of Alaska's congressional delegation and officials in state government.

Officials in the U.S. State Department are reluctant to discuss what would happen under the agreement until it is approved by President Ron-

ald Reagan. Once signed, the deal will be sent to Congress for consideration.

But a report last week by the Nuclear Control Institute, a group concerned with nuclear weapons proliferation, said the agreement, if ratified, would mean flights as often as twice a month from France and Great Britain to Japan, with refueling stops in An-

See Back Page, PLUTONIUM

PLUTONIUM: Anchorage may one day be on flight plan

Continued from Page A-1

chorage. The group predicts that as much as 40 metric tons of plutonium would be shipped from Europe to Japan over several years, starting in the early 1990s.

The institute argues that the agreement is premature because neither the U.S. nor Japan has developed a safe way to transport large amounts of the material.

Plutonium is a by-product of uranium fuel used in nuclear power plants. It is considered one of the most long-lived and toxic materials on Earth, and is the primary ingredient in nuclear explosives. Microscopic amounts of plutonium have been found to cause cancer and other health problems when ingested, and a bomb can be made from little as 33 pounds of it.

Japan now sends much of the spent fuel from its electric-generating nuclear plants to a reprocessing factory in France, where plutonium is extracted from other wastes. Japan would like to ship the plutonium — oxidized into a powder — from France back to Japan, where it would be combined with uranium oxide to produce fresh fuel, officials have said. Great Britain also is building a plant expected to reprocess spent Japanese reactor fuel into plutonium.

Currently, the U.S. must separately approve each Japanese shipment of plutonium made from U.S.-supplied fuel or fuel from U.S.-made plants. Because of security and safety concerns, there has only been one large-scale plutonium delivery from Europe to Japan, aboard a ship in 1984. The vessel, carrying 557 pounds of plutonium, had a crew of more than 40 armed guards and was accompanied by U.S. warships and tracked by spy satellites as it made

its way across the Atlantic and Pacific oceans, according to news reports at the time.

The new agreement would give a 30-year, blanket U.S. approval of certain plutonium shipments, with stipulations over how the material can be moved, according to officials involved in the discussions. The idea is to give Japan a more predictable supply of plutonium. European countries already can ship U.S.-originated plutonium without U.S. approval.

John Moseman, legislative director for Sen. Frank Murkowski, R-Alaska, said officials from the State Department told him Thursday that specifics about how the material would be shipped will not be finalized until after the agreement is ratified. But they said the plutonium likely would be shipped "by the shortest route possible away from populated areas," which would apparently be over Canada and Alaska, he said.

Paul Leventhal, director of the nuclear institute, said his group understands that tentative plans call for the material to be shipped in Boeing 747 cargo jets, with refueling stops in Anchorage. It has not been decided whether Anchorage International Airport or Elmendorf Air Force Base would be used, he said. The institute learned of the plans from officials involved in the negotiations and others familiar with the proposal, Leventhal said.

Some flights travel nonstop between Europe and Japan using polar routes, but the weight of the heavy metal casks used to ship the material would make refueling necessary, Leventhal said. There are few, if any, other airports on the route capable of handling refueling of a jumbo jet aside from those in Alaska, he said.

In its report, Leventhal's group raises questions about the safety of the casks now available, and it contends there is little evidence that safe containers can be developed that could survive a plane crash without releasing high levels of radioactivity into the environment. The group also says the shipments would boost the chance of terrorists getting control of materials to make nuclear weapons.

The U.S. Nuclear Regulatory Commission has certified a cask capable of carrying about five pounds of plutonium, but only on single-cask flights. The report says at least three countries are working to develop larger casks to make shipments of plutonium more economical. The only such cask tested under the NRC crash standards failed a test last summer, although it is unclear whether the shipments would have to meet U.S. standards or less-stringent international guidelines, the report says.

The new cask being developed would weigh about 5,000 pounds each and hold about 15 pounds of plutonium oxide. Citing NBC data, the report says a 747 cargo plane would be capable of holding about 40 casks, containing a total of between 500 and 600 pounds of plutonium — the same amount that was carried under such tight security on the ocean freighter three years ago.

The material would be shipped as a powder, which is far less flammable than when plutonium is in its metallic form, and also is more difficult to use in a nuclear explosive device, according to the report. But plutonium oxide also may present a greater health risk when being transported because it could be more easily dispersed into the

air if it left its casks, the group contends.

Officials in the State Department, and an official in the Japanese embassy in Washington, all of whom declined to be identified, disputed that detailed plans for plutonium shipments have been developed, and stressed in telephone interviews that it would be years after the agreement is approved before the flights would occur.

Murkowski's aide, Moseman, said the State Department officials assured him that a series of safeguards would have to be met for the flights to ever occur.

Once submitted to Congress by the president, the agreement can be blocked only if rejected by Congress within 90 days, and Leventhal concedes that's not likely. He suggested that an environmental impact statement on the project be required before the agreement is sent to Congress.

Nadine Winters, an aide to Alaska Gov. Steve Cowper, said state officials were trying to learn more about the agreement and were scheduled to speak with State Department officials within the next several days. But she said it was unclear what jurisdiction, if any, state government would have over such shipments. U.S. Rep. Don Young and Sen. Ted Stevens also have asked for more information after learning of the agreement this week, aides said.

"This is nasty stuff," said Winters. "The state hasn't been consulted. It is a few years in the future, apparently, but we're definitely concerned." Young's spokesman, Chuck Davis, said the congressman "would certainly oppose" the flights landing in Alaska if casks fell short of NRC safety standards.

Plutonium may go through state under nuclear pact

By Jack Dolan
States News Service

WASHINGTON, D.C. — The United States signed a nuclear cooperation agreement with the Japanese government Tuesday night that apparently will pave the way for shipments of weapons-grade plutonium through Alaska.

The agreement, five years in the making, does not specify Alaska as a pit stop on the anticipated polar route that would carry spent nuclear fuel from

Europe to Japan. However, "It is the likely route," a State Department official said.

U.S. Ambassador Mike Mansfield signed the agreement in Japan on behalf of the United States.

Transport of plutonium is only one aspect of the agreement, which will expire 30 years after enactment. Under the proposed accord, the Japanese would be required to adhere to U.S. nuclear non-proliferation laws but would not need U.S. approval for

routine shipments of the highly toxic materials within Japan. Under the agreement, the plutonium could be used only for Japanese energy needs.

Congress has 90 working days to disapprove the agreement. If no action is taken, the agreement will become effective. The Japanese Diet also must approve the compact.

Shipments of small amounts of plutonium at a rate of one per month could begin within a year, although the Japanese are look-

ing to develop a new cask that would carry more plutonium. Development of the cask is two or three years from completion. The agreement mandates that the materials be carried in crash-proof casks.

Despite the safeguards contained in the agreement, it will be opposed by anti-nuclear groups that fear "a can of worms will be opened" if Congress does not block the accord, said Alan Kuperman of the Washington-based Nuclear Control Institute.

"You run into a whole slew of problems when you start up a plutonium-fueled economy," Kuperman said. "There is the environmental situation and the potential of nuclear terrorism and nuclear proliferation to beware of."

"And if the political situation in Japan changes, they have plutonium which could be diverted to third countries," Kuperman said, saying that Libyan leader Moammar Gadhafi has expressed an interest in obtaining plutonium.

According to Kuperman, plutonium is an essential ingredient for nuclear weapons, and Japan will possess about 200 tons by the year 2000. The current U.S. supply for military purposes is 100 tons, he said.

But a State Department official said, "There has been no problem with the Japanese in this area. They are very sensi-

See Flights, page A-8

Flights

Continued from page A-1

tive to issues like this, given their history."

The state of Alaska tried and failed in federal court to block the approval of the agreement by Energy Secretary John Herrington pending an environmental impact review on the transportation of the toxic materials through the state. However, while the agreement may be enacted soon, the federal government still is expected to assess the potential environmental hazards of the shipments, an aide to Gov. Steve Cowper said.

"I sympathize with Japan's need to have reliable and secure sources of energy for her nuclear reactors," Cowper said in a prepared statement. However, the safeguards in the agreement "must include assurances that the plutonium is shipped in crash-proof containers and that a thorough examination of the health and safety implications" of flights that pass through Alaska.

PLUTONIUM: Defense agency questions deal

Continued from Page A-1

Department, which negotiated the pact, have said Japan is considering moving the plutonium in special Boeing 747 cargo jets using polar routes over Canada and Alaska with a "key refueling stop in Anchorage.

The shipments could start in the early 1990s, and because of the large amount of plutonium involved, probably would continue regularly for several years, according to some people familiar with the proposal.

Plutonium is a by-product of uranium fuel used in nuclear reactors. It raises more concerns than other radioactive substances because it can be used to make weapons and because it is one of the deadliest and longest-lived materials on Earth. Microscopic amounts have been found to cause cancer when ingested, and as little as 20 pounds is necessary to make a bomb.

If approved, the Japanese shipments would be the first regular, international plutonium transfers ever allowed.

Because of security and safety concerns, there has been only one large-scale international plutonium delivery from Europe to Japan, aboard a ship in 1984. The vessel carried 557 pounds of plutonium and a crew of more than 40 armed guards, and was tracked by surveillance satellites and escorted by warships as it made its way across the Atlantic and Pacific, according to news reports at the time. After the much-publicized, 41-day voyage, both the U.S. and Japan agreed that future shipments would be by air.

The U.S. has control over the plutonium because it originated from American-made uranium fuel.

It's unclear whether the Defense Department's objections involve transportation aspects of the agreement. A Pentagon spokesman said such comments on proposed international agreements are considered classified. The newsletter did not report specific comments, only that the department was concerned about, among other things, allowing Japan long-term access to the plutonium.

Questions about the plan have been raised by the Nuclear Control Institute, a Washington-based group concerned with nuclear weapons proliferation. The group argued in a lengthy report that the agreement is premature because no country has developed containers capable of safely shipping plutonium, and that flights would be vulnerable to terrorist attacks, crashes and other problems.

After the group's report came out, Alaska Gov. Steve

Cowper sent a letter to Secretary of State George Schultz, saying the flights have "tremendous consequences for the health and safety of Alaskans, as well as for the state's environment... there are a number of critical unanswered questions."

Cowper wants the federal government to do an Environmental Impact Statement outlining hazards and alternatives before the agreement is submitted to Congress by the president. Such a study could take a year to complete.

Schultz sent Cowper a response this week, saying federal agencies were trying to decide whether further environmental study was necessary. He stressed that shipments through Alaska were not a certainty under the agreement.

"It requires only that the aircraft returning plutonium from Europe to Japan must take a polar route or another route that avoids civil disorder and natural disasters," Schultz's letter says.

"It is true, as reported, that Japan is considering a route that would include a refueling stop in Alaska. At present, however, no transportation plan has been prepared, and I have been informed that it could be some time before specific proposals are made since a transport cask is still under development and must pass a series of rigorous tests to gain approval."

Schultz says Japan would have to meet several conditions before being allowed to ship the plutonium, including: "transfer exclusively by air (to minimize time spent in international transport)," use of a cask certified to withstand a crash, armed guards, advanced communications and contingency plans. "I fully share your concerns for the health and safety of Alaskans and for Alaska's natural environment and want to assure you that all appropriate steps will be taken to ensure that the implementation of the new U.S.-Japan agreement will cause no injury to either one," the letter says.

Critics of the plan say they doubt if a crash-proof cask will ever be developed.

Cowper's office, meanwhile, maintains that details of how the plutonium will be shipped need to be worked out before the agreement is ratified. But given the current timetable, that seems unlikely. Once comments are received from various agencies, Reagan will decide, probably later this spring, whether to approve the agreement. If he does, the accord will go to the U.S. Senate, which will then have 90 days to reject it. The agreement becomes public when approved by the president.

Anchorage Daily News
Sat. May 15, 1987
Front Page

Accord queried

Nuke-fuel deal raises concern

By DAVID HULEN
Daily News reporter

The U.S. Defense Department is reportedly balking at a proposed nuclear cooperation agreement between the United States and Japan that could eventually mean regular jumbo jet flights hauling highly toxic, weapons-grade plutonium in and out of Anchorage.

A nuclear industry newsletter, Nuclear Fuel, reported last week that Defense Secretary Caspar Weinberger has signed papers raising "a number of concerns" about the agreement and is recommending that President Ronald Reagan not approve it.

The draft agreement, negotiated earlier this year, would give the Japanese blanket 30-year approval to ship plutonium from French and British reprocessing plants to Japan. Once there, the material would be used for fuel in Japan's burgeoning nuclear power program.

The 178-page agreement is circulating among several federal departments and agencies for review and has not been made public. But the proposal has been stirring controversy for several weeks in Alaska, Washington and Canada, where questions are being raised about whether large quantities of plutonium can be moved safely around the world.

No specific routes are outlined in the agreement, officials familiar with it have said. But officials in the State

See Back Page, PLUTONIUM

City joins state in plutonium lawsuit

Anchorage will join the state of Alaska in a suit against the federal government over a Reagan administration plan that could allow planes carrying plutonium to land in Alaska, Mayor Tony Knowles said Thursday.

The state filed its suit in U.S. District Court Wednesday, contending that a proposed treaty that would allow Japan to fly the cancer-causing plutonium from Europe, with a likely refueling stop in Alaska, fails to properly safeguard Alaskans and their environment. Anchorage

is considered a possible refueling destination.

"I thoroughly commend Gov. (Steve) Cowper for standing up for the people of Anchorage and Alaska," Knowles said. "I totally support his efforts to stop the federal government's decision making without going through environmental impact statement."

He said he spoke with Cowper Thursday and city attorneys would meet with the attorney general's staff today.

The Reagan administration is considering a 30-year agreement with Japan that

would allow shipments of plutonium between European reprocessing plants and Japanese nuclear power plants. It is believed planes would have to refuel in North America, most likely Alaska.

Critics maintain that no one has yet devised containers that could withstand crashes without releasing the dangerous material.

Knowles said the city is developing — in response to federal and state requirements — a "right to know" ordinance covering notification of the shipment and storage of hazardous wastes.

SENATE: Opinions clash over filling seat

Continued from Page B-1

Baldwin said anyone appointed by Cowper could assume interim duties until January, regardless of Senate caucus votes.

That's where Baldwin is wrong, according to Coghill. The Senate caucus can reject the appointment, in Dier-

dorff's opinion.

Coghill said that if senators reject Cowper's appointment of Bev Bennett, as he expects they will, she won't be able to assume the duties of a Fairbanks senator.

If Fairbanks is denied a senator from now until Jan. 11, when the session begins, it will be on Cowper's con-

science, not the Senate's, Coghill said.

Cowper should work out his dispute with the Fairbanks Republican Party so the Senate receives a name everyone can accept, Coghill said. Then the governor could call a confirmation session for an afternoon and Fairbanks could have representation for the next few months, he said.

WALSH: Defends management experience

Continued from Page B-1

that I do have that kind of experience is because that's where the other side has beaten me up. That's why Larry Baker is doing commercials about "I'm decisive." He's not decisive. Obviously, you

whether to (reject naming) the performing arts center for Martin Luther King?

A. I'm going to vote (to keep it named for King). The chances of the name being removed are pretty good

I'll defend the process. The second thing is I voted for it, and I'm not going to sit here and waffle, although not doing that has cost me some support and will continue to. We're talking about a building, concrete and steel. We're not talking about exercising

Ex-sheriff plans to plead guilty

The Associated Press

A former sheriff from Grant County, Wash., plans to plead guilty to drug trafficking charges in a deal with prosecutors that gives him no more jail time, his defense attorney said.

John A. Young, 44, is scheduled to enter his plea Dec. 1 in Anchorage Superior Court, said John Salemi, a public defender in Anchorage.

Young, Grant County sheriff from 1980 to 1984, was accused of acting as a lookout in a 1985 drug deal that involved selling cocaine to undercover Alaska state troopers.

Young and three others were arrested July 17, 1985, at

kay m. levine

SHOOTER

NOT EUROPEAN TRIP:

Volvo from International, Calif. When I placed the order card. Now, to make a deal to have the car and the dealer after months of delay, the dealer is changing the order to what he's claiming I was the owner. He's using that as leverage for the car in Europe instead of what I want. — P.P.

now has decided to get the best hope. Derek Fletcher of International Motor Sales says the delay is due to your having accessories and unspecified items as a photocopy of a letter. In the letter, you did say you wanted a 1988 model if the company could deliver it by August or September. I would like to speed the delivery to convince him you've

MS TO PLEASE: On May 15, I ordered a Volvo from Rogue Custom. The cost was \$9. My check was not cashed. I didn't get the flies. No one at the company. I know the flies are like being ripped off. I'll

Deal paves way for plutonium flights

Associated Press
 TOKYO — A nuclear cooperation pact signed Wednesday by the United States and Japan would allow air shipments of plutonium from Europe to Japan, with a possible refueling stop in Alaska. Gov. Steve Cowper, who sought to block the agreement in federal court, said Wednesday his administration continues to press for environmental safeguards in the

courts and in Congress, which has 90 days to review the agreement. The plutonium shipments are part of a 30-year nuclear cooperation pact giving Japan more autonomy in some areas of its nuclear energy program. It was signed in Tokyo by U.S. Ambassador Mike Mansfield and Japan's Foreign Minister Tadashi Kuranari. The pact would allow Japan to transfer spent U.S.-

produced nuclear fuel to designated reprocessing plants in Britain and France. Japan would not have to obtain U.S. permission each time, as required under the existing agreement signed in 1968. The agreement also would allow shipment of the reprocessed materials and plutonium from Europe to Japan. That part of the pact has drawn criticism from anti-nuclear groups and Cowper. Not

only is plutonium used to make nuclear weapons, it is a deadly toxin. The pact specifies only that the plutonium be flown via a polar route or one that avoids civil disorder areas. Most officials agree that would mean flying over Alaska, though there is disagreement over whether the heavily laden aircraft would have to make a refueling stop in the state. Cowper last month sued

the federal government in U.S. District Court in Anchorage, claiming that "adequate environmental studies had not been performed to assess the health risk to Alaskans in the event an airplane crashed."



Cowper

A federal judge denied the state's request for a temporary restraining order, saying the Department of Energy beat Cowper to the punch by approving the pact and sending it to President Reagan. But the case continues on other arguments. Cowper was on vacation Wednesday in California, but spokeswoman Laury Roberts

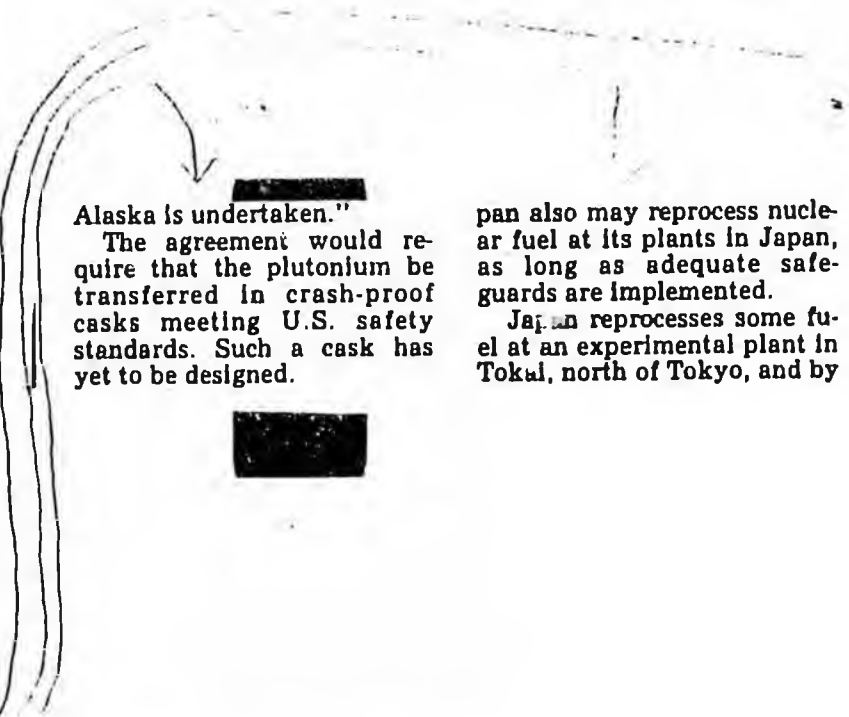
See Page C-3, FLIGHTS

FLIGHTS: Plutonium may be flown over state

Continued from Page C-1
 ... said the governor ... this statement ... leaving: ... sympathize with Japan's ... to have reliable and ... sources of energy for her ... reactors. However, ... shipment of highly toxic ... plutonium poses a potential ... risk to Alaskans. ... Wednesday's signing in ... sends the agreement to ... U.S. Congress, where the ... of Alaska will be asking ... proper environmental ... guards be considered. ... Those safeguards must in- ... e assurances that the plu- ... m is shipped in crash- ... f containers and that a ... ough examination of the ... th and safety implica- ... of flights in and near

Sen. Frank Murkowski, R-Alaska, joined Cowper on Wednesday in calling for an environmental impact study before authorizing aircraft carrying plutonium to land in Alaska. "I intend to insist upon such an EIS requirement once the agreement gets to the Foreign Relations Committee," Murkowski said. "I think we'll prevail." Murkowski said it is likely the plutonium flights won't have to stop in Alaska. Currently available jet aircraft would have to make a refueling stop if laden with the heavy plutonium, but a long-range aircraft is being developed by Boeing and may be available in the near future, Murkowski said. Under the agreement, Ja-

the mid-1990s plans to complete a commercial reprocessing plant in Aomori, 360 miles northeast of Tokyo. The pact also requires that Japan obtain U.S. permission each time it makes highly enriched uranium, which can be used to make explosive devices but is sometimes needed in research reactors. Japan has a national policy banning the production of nuclear weapons but has 35 nuclear reactors providing about 28 percent of the country's electrical power. Japanese officials stressed that the pact, which took five years to negotiate and replaces the 1968 agreement, does not allow Japan blanket freedom in its growing program. In some cases, it imposes more stringent controls,



pan also may reprocess nuclear fuel at its plants in Japan, as long as adequate safeguards are implemented. Japan reprocesses some fuel at an experimental plant in Tokai, north of Tokyo, and by

they said. Ambassador Mansfield said the agreement "demonstrates our firm commitment to the future of civil nuclear energy under adequate safeguards and controls."

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: HCS SJR 42(Rules)
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: February 4, 1988
Title: Use of state airports for plutonium shipments
Sponsor: Senator Uehling
Requestor: House Rules Committee

Agency Affected: none
BRU: _____
Components: _____

XI

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars) n/a

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS: n/a

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Rep. Mike Navarre, Chairman Phone: 465-3764
Division: House Rules Committee Date: 2/4/88

Approved by Commissioner: _____ Date: _____
Agency: _____

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