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April 8, 1957

AEC-R 35

COPY NO. 22

ATOMIC ENERGY COMMISSION

ISOTOPES SPECIALTIES COMPANY, INC., BURBANK, CALIFORNIA -
LETTERS OBJECTING TO ISSUANCE OF LICENSE

Note by the Secretary

1. Attached for the information of the Commission are letters from the Department of Fish and Game, State of California, and YANKEE, INC., Dublin, New Hampshire, objecting to the proposed issuance of a Byproduct Material License to Isotopes Specialties Company, Inc., Burbank, California, to dispose of radioactive waste in the Pacific Ocean in 1000 fathoms of water (Docket No. 27-7).

2. The Director of Licensing and Regulation has advised that both parties will be checked to determine if the attachments represent petitions for intervention in this case and has advised further that after the interest and intent of these two parties are established, the Commission will be informed as to further proposed action.

W. B. McCool

Secretary

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STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME
722 Capitol Avenue
Sacramento 14

March 20, 1958

Director
Division of Licenses and Regulations
Atomic Energy Commission
1717 H Street
Washington 25, D.C.

Dear Sir:

We wish to protest the granting of the contemplated permit to Isotopes Specialties Company, Burbank, California, for ocean disposal of radioactive materials. We request a public hearing on the matter. This is in reference to a notice appearing in Federal Register, Document 27-7, dated Saturday, March 8, 1958.

The Department of Fish and Game has been concerned about ocean disposal practices off the California Coast. The Federal Register announcement of March 8 brought this to our immediate attention.

We have been made aware of the previous practices of dumping radioactive materials along the Pacific Coast. It is a matter of great concern to us that these materials have been deposited in ocean waters in areas close to or below important fishing banks. Fishing in California has an annual ultimate value of over \$700 million. Many of our commercial vessels have fished as deep as 500 fathoms with some going as deep as 800 fathoms.

The time when fishing will be carried on in waters of 1,000 fathoms may not be too far distant. Radioactive materials, when deposited in sea water too close to shore, would be subject to being brought up to the surface by vertical currents known as up-welling. Small changes in constituents can be upsetting to marine environmental conditions and could possibly result in modifications of numbers of critical marine organisms. Such effects could be of significance to the marine resources of the state.

We realize that the development of atomic energy uses is faced with a problem in the disposal of its wastes. However, we do wish to recall to your attention some of the facts concerning the fisheries and oceanographic conditions associated with the disposal along the Pacific Coast. Moreover, we cannot neglect our obligation in raising issue with disposal practices which could possible jeopardize the marine resources of this state or their markets. The development of a new technology, regardless of how important it may seem, cannot justifiably be done at the expense of and potential harm to a vital food producing industry without very serious consideration of the implications involved.

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It is this Department's request, insofar as the California Coast is concerned, that tentatively no license be granted for dumping of any radioactive materials in less than 2,000 fathoms and not less than 60 miles from any sea mount. Upwelling and fish concentration tendencies around these sea mounts require this additional safeguard. The present recommendation in regard to radioactive waste disposal in the ocean (N.B.S. Handbook 58) of 1,000 fathoms is unsatisfactory off California.

There are several submarine basins off the Southern California Coast going down to over 1,000 fathoms which technically meet the requirements of the Handbook recommendation in regard to ocean disposal. However, from the practical, biological, and fishery standpoint, we cannot feel that it was the intent of N.B.S. Handbook 58 to recommend that disposal be permitted in such enclosed submarine basins.

One of the areas presently being used in Southern California lies just south of Santa Cruz Island, practically in the center of the largest fishing area of this part of the state. This is highly unsatisfactory and we recommend that this situation be rectified by modification of the present permits.

We will appreciate it if you would review the licenses granted to the other waste disposal companies on this coast with the object in mind to modify the licenses granted the permittees to embrace the 2,000 fathoms/60 miles recommendation off the State of California.

Sincerely yours,

/s/

Seth Gordon
Director