

IT'S ABOUT TIMES

abalone alliance newsletter

jan
79

THE NRC: HEARING but not listening

"It was like pissing in the wind, but you had to piss," an Abalone Alliance member commented, describing the hearings now being held in San Luis Obispo County on the licensing of the Diablo Canyon Nuclear Power Plant. Presiding over the hearings is the Atomic Safety and Licensing Board of the Nuclear Regulatory Commission. The board's three members have come to SLO ostensibly to determine if Diablo is seismically safe. Then they will make the final decision on granting Pacific Gas and Electric an operating license for Diablo.

But unless the commissioners and their government and industry cronies are willing to sacrifice PG&E's \$1.4 billion investment in Diablo, the decision is a foregone conclusion. The NRC's past performances leave little doubt that they will put the industry's interests first despite the clear and significant threat to public well-being.

For example, in a 1976 internal NRC memorandum obtained by the Los Angeles Times, the agency admitted its reluctance to deny the operating license "because of the large financial loss involved and the severe impact such action would have on the nuclear industry."

Nevertheless, the Mothers for Peace, represented by Attorney David Fleischaker, are trying to persuade the board that the plant is not safe. Seismologists, geologists and structural engineers are testifying that the Diablo plant cannot withstand an earthquake of 8.5 on the Richter scale with forces up to 1.25 g's, which the

(cont'd. p. 24)

THE DIABLO 20

The trial of the Diablo 20 has ended with verdicts of guilty on one charge and a stiff \$400 fine for each defendant. The 20's attempts to put nuclear power on trial were thwarted by Judge Robert Carter who repeatedly insisted that the issue was trespassing and trespassing alone. When it came time for sentencing, on the other hand, the judge made the political nature of the "crime" quite clear. The normal fine for trespass in San Luis Obispo County is in the range of \$25 to \$50.

The following letter from the Diablo 20 was written on Friday, December 22, the day of the sentencing.

Fellow 487 Diablo Defendants--

The Diablo 20 representative trial ended here today after 6 weeks. Since both the proceedings and outcome affect your lives as intensely as ours, we send this brief account of the facts. The inner life of it all may be sacrificed to haste, but perhaps this will be best conveyed person to person anyway.

VERDICT: guilty for all on one of the charges, not guilty for the second charge. The 17 over-the-fence, in-by-sea or up-the-ravine occupiers were found guilty of trespassing but not of failure to disperse, while the 3 who were among the blockaders were said to be guilty of failing to disperse but not of trespassing.???????

This was a compromise decision by a jury sympathetic with our cause, our action, our testimony, but hamstrung by jury instructions from Judge Robert Carter (Napa County Municipal Judge)

(cont'd. p. 22)

Vallecitos On Shaky Ground

A Nuclear Regulatory Commission geologist has acknowledged in writing that a newly uncovered earthquake fault at General Electric's Vallecitos Nuclear Center runs under or directly adjacent to the plutonium laboratories there.

But the labs have remained open, and the NRC told Attorney Andrew Baldwin of Friends of the Earth that it is "not unsafe" to have a plutonium lab on top of an earthquake fault. "Their justification is scientifically absurd and insufficient," Baldwin said. "They've written a report that says if the labs fall down the plutonium couldn't get out."

Vallecitos is licensed for 330 lbs. of plutonium. Much of it is in the form of plutonium oxide powder, and at any given moment, up to 10 or 15 pounds is unsealed, waiting to be processed. It is this unsealed material that would get blown around if the building were to fall down in an earthquake. "The plutonium is all inside of glove boxes, but that's nothing when the earthquake comes," Baldwin explained. "You can calculate, depending on whose figures you use, how many planets of lung cancer that ten pounds is."

The small test reactor at Vallecitos was closed down in October of 1977 by the NRC after a remapping of the Verona fault by the U.S. Geological Survey showed it coming within 200 feet of the reactor. Then a light bulb came off for GE. They advanced the notion that the "geologic abnormalities" at the site were caused by an ancient landslide, not a fault, and that therefore the plant could reopen.

Even the NRC had a hard time swallowing that one. GE offered to dig inspection trenches near the reactor and in the surrounding hills to test the

theory, and the NRC agreed. Starting in October, 1978, the huge trenches were examined by geologists from the NRC, the USGS, GE, the California Division of Mines and Geology, and FoE.

"The lesson of the trenches was that it is an earthquake fault, not a landslide," Baldwin said. "Moreover, there's two or three earthquake faults, not just one." These additional faults are the ones running so close to the plutonium labs. "GE put the rope around their own neck."

On December 14, Congressmen Ron Delums of Berkeley and John Burton of San Francisco joined FoE in a formal petition to the NRC demanding an immediate shutdown of the labs. The NRC doesn't have any specific rules that would force an immediate closure, probably because "the situation is so absurd that they never even bothered to write a regulation to cover it," Baldwin explained. "But here they've got it. There's no legal prohibition against running a plutonium lab on top of an earthquake fault. Only prudence and public safety tell us that."

It remains to be seen if the NRC, in this case at least, will respond to those criteria. "For the moment, we're up in the air," Baldwin said, with a hint in his voice of things to come.

As for GE, there's a little something extra for them in store. Since it was FoE inspectors who first spotted the new faults, Baldwin said, an application will be made to the Board of Place Names to name it the "Friends of the Earth Fault." If the nuke-builders can't learn to stay away from earthquakes, we'll just have to rub their noses in it to teach them the lesson.

--by Marcy Darnovsky

Live Without Trident

20,000 door hangers will be placed on doorknobs calling for a public response at the next hearing.

The current focus on Trident is a prelude to an initiative effort to place before the voters in 1980 a series of ballot measures for a nuclear free Santa Cruz: banning the storage or transport of nuclear fuel or waste, regulating production of nuclear weapons, and mandating solar in construction.

Groups and individuals affiliated with the Abalone Alliance have been invited by PNFF to come to Santa Cruz the weekend of January 5th through 7th, or any part thereof, to help PNFF members canvass targeted precincts in Santa Cruz County. For a sample issue of "Live Without Trident" or for more information about the Stop Trident/Convert Lockheed campaign, contact People for a Nuclear Free Future, 515 Broadway, Santa Cruz, CA 95062, ph: 408-425-1275.

--by scott Kennedy

were abused during the public hearings and condemnation proceedings. . .

In spite of the resistance to the power line, it is now completed. What happens next is speculation.

Some farmers predict direct action against the line will continue. In the last few months, steel for the towers has been bent, insulators shot out, and four towers were unbolted and toppled.

(According to the Christian Science Monitor, the cost to the power companies of alleged vandalism is \$140 million.-- It's About Times)

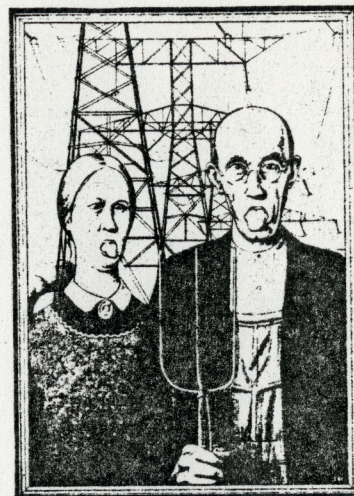
--by Vicki Lofquist

From the powerline protest newsletter:

. . . after the judge warned those present against outbursts in the courtroom, the state presented its case in less than brilliant fashion. But it all worked out for Mr. Price (the prosecutor) because the judge was right there to hold his hand whenever he became confused. Except for closing arguments, Ken Tilsen is representing the defendants. Most of the time he opened his mouth the prosecutor objected and the judge sustained the objection. The judge decided many times, many ways that the First Amendment of the Constitution is irrelevant and immaterial. . .

The trial is receiving national attention and coverage in Eastern and Western Europe because of the presence of a reporter from TASS and an East German TV station. The TASS reporter needed permission from the State Dept. to be here, and they even drew him a route he had to follow from the airport to Buffalo. For some reason they sent him on a 2½ hour drive up 35W to Princeton, over to Elk River, then through Big Lake before directing him to Buffalo. Good to see them State Department folks on the job! . . .

The closing arguments by the defendants and Ken Tilsen finally gave the jurors something which made more sense than testimony about "no parking" signs and loudspeaker proclamations. The defendants talked about their lives and the reasons for their commitment to this struggle. They talked of justice and the dangers we all face because of corporate power, and about the powerline issues we've been raising for the



past 4 years. Their arguments and the way they were delivered sort of left the people in the courtroom spellbound. After the second defendant spoke, the prosecutor looked so foolish he decided not to object any more, and he sat back and listened. Maybe he even learned something. The jury did for sure. They were sitting on the edge of their seats like everyone else.

What the jury needed was a hook to hang their hat on, and that was provided by Ken Tilsen. To be trespassing, the law says, one must be on private property "without right." After a bit of confusion during testimony about First Amendment rights and the general public using the road, after incredible final arguments and six hours of deliberation, the jury decided that we were where we were with right. . .

(The trial) served notice to all concerned that we're alive and kicking stronger all the time. The ten protestors who fasted in jail until trial underscored that message a thousand times, and sent it all the way around the world. The event took on international proportions and pitted super-power against super-power over the question of human rights, and we haven't heard the last of that either. Then the verdict of the jury snatched an overwhelming triumph from the jaws of victory. In coming years it will be easier to understand just how much we won.

WINTER CONFERENCE AGENDA

As of December 29, the winter conference agenda has been outlined as follows. It will undergo further refinement at one more agenda planning meeting on January 5.

FRIDAY

4-6 p.m. Registration
6 p.m. Potluck supper
Orientation; Handouts and comments from Abalone "veterans" about existing structure and process and the history of the Abalone Alliance.

SATURDAY

9 a.m. Agenda Review
Exploration of Abalone goals.
We will use a specific plan to promote maximum personal input on 3 questions about AA's goals:
First we will meet in pairs to discuss the questions, each person will have about 5 minutes to talk on each question while the other person just listens.
Next we will meet in groups of 12 where each person will report her/his main ideas. There will be discussion and clarification and recording of those ideas.
Finally all groups' reports will be tallied and posted and used to identify some areas of discussion for the afternoon's work seminars.

NOON Lunch

1 p.m. Meet briefly in large group to explain work seminars.
Some of the work seminars will stem from interests discovered in the morning's discussion; some will be already prepared around subjects like facilitation, skills sharing, process, and organizational problem solving.

5 p.m. Assemble for reports from the seminars and closing.

6 p.m. Dinner

EVENING Self entertainment: music, movies, video.
If you have videotapes, movies, plays, etc. that you would like to show, please call 415-482-5537.

SUNDAY

(In the past, Abalone conferences have made decisions for the whole Alliance; in the discussion Sunday morning we will focus on 2 basic areas in which we may again make decisions for the Abalone Alliance.)

MORNING: 1) Decision making and structure of Abalone.
2) Spring activities scenario(s)--Work seminar report and proposal in newsletter will be used as a basis for consideration.

Possible processes for Sunday morning's discussions:

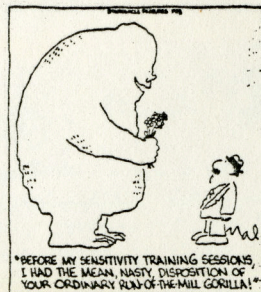
- 1) Small groups meeting and reporting to a plenary, then clarifying and approving if there is consensus.
- or 2) Use the affinity group quick decision process where small groups consider the questions and send spokes back & forth to a meeting to make decisions.

(We want to see how much progress we can make toward a decision on a whole spring activity scenario, but try to keep from "making a decision at all costs.")

NOON Lunch

AFTERNOON This time will be kept open for optional independent meetings to be scheduled during the conference as needs are felt. Some possibilities are: mass action task force, skills sharing workshops, legal strategy, media group, labor task force, communication network planning.

SEE YOU THERE!



4. Plead "no contest;" accept fines and probation.

Advantages:

--Gets it "over with," allowing energies to go toward ongoing work.

--Allows each person to make a statement. Group action might generate public interest.

Disadvantages:

--Hands over much money to the court system (\$200,000! if everyone took this option.) This tends to reward judges like Carter for imposing severe sentences in this kind of case; it is a lot of money that is needed for anti-nuke work.

--Legal consequences of violating probation could be more severe than a simple "second offense"--sentence could be 90 days plus sentence for second offense. Actual penalty is at judge's discretion.

5. Plead "no contest;" refuse fines and probation.

Advantages:

--Would force SLO County to choose whether to jail a large number of people.

--Would be a dramatic statement of continuing opposition to plant.

--Might allow organizing work in jail (if people were jailed together.)

Disadvantages:

--Extended jail terms not practical or desirable for many people, and take time which could be used for organizing.

--May cause resentment in SLO because people feel we are wasting their money.

--Court may be able to collect fines anyway.

--If people reoccupy, those who have served sentences may be treated severely despite having fulfilled sentences.

6. Blockade the front entrance to Diablo on January 8 (three days before next pretrial) or other appropriate date.

Advantages:

--Doesn't violate probation (since nothing is signed yet.)

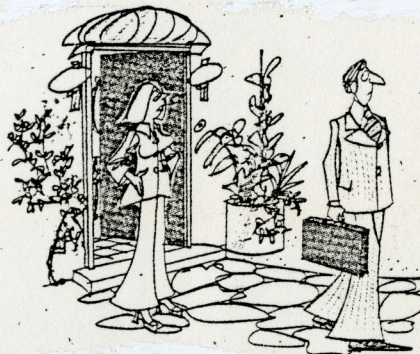
Disadvantages:

--Difficult to organize in time.

--Will generate more legal problems; people may be treated as "second offenders" and dealt with more harshly.

Regardless of the option chosen, we should consider asking for alternative service rather than jail terms if we decide to refuse probation. SLO County Supervisor Dick Kresja (a Diablo opponent) has provided a list of projects we could be assigned to. Taking this course would show our concern for the SLO community, and place the blame for wasting taxpayers' money entirely on Judge Carter if he decides to reject our alternative service requests and send us to jail. On the other hand, it rewards the county for arresting us.

Discussions of these (and other) possibilities have been taking place around the state. There will be a statewide meeting on January 10 in San Luis Obispo for a final discussion before our court appearances on the 11th. People who are unable to appear can make arrangements with their attorneys.



Remember, Rupert, until the meek DO inherit the earth, they are there to be trodden upon.

new STATEWIDE OFFICE: A PROPOSAL

The following is excerpted from a more comprehensive proposal put together by American Friends Service Committee staff and presented at the last Coordinating Committee meeting. The CC decided to have a search committee come up with a tentative job description, which will go into effect contingent on approval by local groups at the next CC meeting on Jan. 7. For questions about the proposal or for complete copies of the job description write to David Hartsough, 2160 Lake St., S.F. 94121 or call him at 415-752-7766. The deadline for applications is Jan. 31.

THE NEED: As a decentralized, statewide organization, the Abalone suffers from lack of good coordination, communication and clarity about what decisions have been made and who will implement them. Our present structure leaves too many loose ends which are not being picked up.

The current AA Clearinghouse has been staffed by two or three part-time overworked, underpaid staff whose mandate was to share information within the Abalone by sending out information packets to local groups. The present staff is leaving and so far no replacements have been found. The San Luis Obispo group currently does not have the energy to do both local organizing and to take on the functions of a statewide office.

We feel it is time to reconsider the role of the statewide office and to select new staff members and a new location.

THE PROPOSAL: We propose that a new statewide office be set up in the San Francisco Bay Area. This would free up SLO folks to prepare for the coming crunch at Diablo. The office would be staffed by two full-time or three part-time staff who would meet with an advisory committee. Staff work with the Abalone coordinating committee.

The statewide office staff would function primarily as organizers and facilitators, rather than as information distributors. This is a significant change from the previous mandate to the AA Clearinghouse.

It would NOT be the role of the Abalone staff to make key decisions or to do all the work themselves, but to make sure that the Alliance has a good process for making decisions and ensuring that the work is done.

RESPONSIBILITIES OF OFFICE AND STAFF:

1. OVERALL COORDINATION, COMMUNICATION AND FACILITATION WITHIN THE AA. This would include:

- a. Making sure all necessary statewide committees are functioning and if not, get the wheels moving so all responsibilities are taken on e.g. strategy, finance, media, outreach, etc.
- b. Working with the AA to help set goals, develop overall strategy and work toward reaching those goals. (This could be facilitated by a strategy committee.)
- c. Helping to facilitate good communication within the AA--e.g. putting out a monthly AA newsletter or facilitating a newsletter committee. (AFSC and a newsletter committee are taking on this responsibility for now.)
- d. Sending out clear minutes and updates of important decisions from all statewide meetings to local groups. This may include information about future decisions.

2. HELP PUT TOGETHER ABALONE CONFERENCES or see that a committee or local group is doing so, and helping to define the purpose and agenda of each conference.

3. WORK TO HELP ACTIVATE AND MEET THE NEEDS OF LOCAL GROUPS. This would include help in organization building, community organizing and direct action skills, resource and information sharing. Realistically the staff would need to visit local areas occasionally.

4. BE A RESOURCE CENTER FOR THE AA or make sure that responsibility is taken on by others for leaflets, posters, bumper stickers, buttons, etc.

5. ATTEND ALL AA COORDINATING COMMITTEE MEETINGS and help strengthen the CC as an AA decision-making body.

6. RESPOND TO INQUIRIES ABOUT THE AA, nukes, alternatives, etc.

Another man claimed that the Abalone Alliance is a group of people only interested in the "sex life of tree frogs." We care only about "birds and trees and animals" and furthermore we are stopping progress.

Diablo 20 defendant Charlie Varon, dressed in a business suit, came to the microphone and complained, "These anti-nuclear people say nuclear power doesn't create jobs. They don't know what they're talking about. What about all the jobs that will be created from leaking radiation? Doctors will be employed in cancer research and nurses in caring for the sick. We'll need statisticians to keep track of the extra birth defects. . . ."

The two days of public testimony were emotional throughout. Applause followed the better speeches. At the first sign of audience reaction, Chairperson Bowers warned us that this was "a judicial hearing and not a townhall meeting" and threatened to move the hearings away from San Luis Obispo County. But by the second day the enthusiasm and emotions were so high that Bowers did not condemn us when we expressed approval of speakers.

In the middle of the first afternoon a balckout occurred. The hearings continued without electricity amid rumors that PG&E was using "scare tactics."

A group from the Ecology Action Club at Cal Poly presented the board with a gift of plutonium wrapped in Christmas paper. An artist from Morro Bay gave them a broken chromosome sculpture and pictures of people suffering from radiation sickness and radiation-induced birth defects. People Against Nuclear Power presented a well-received skit dramatizing an earthquake at Diablo.

A variety of petitions were presented to the board asking that Diablo not be licensed. There were 23 signatures from staff members of the chemistry department at Cal Poly, 26 from pediatricians in San Luis Obispo, and thousands taped together in one large scroll and presented to the board by People Generating Energy.

Steve Leeds changed the atmosphere of the hearings with an impassioned statement highly critical of the commission. Steve finished by leading the room in song. San Luis Obispo County Supervisor Richard Kresja testified that the county has made no arrangements for the treatment of radiation contamination. A Unitarian minister prayed, "Father, how can you forgive us, for we know exactly what we do?"

(cont'd. on next page)



thanx R. Crumb

An Introduction...

If the Abalone Alliance is to grow in effectiveness yet keep its promises of non-hierarchical organization and direct democracy, then It's About Times.

This newsletter is meant to do more than assure you of the Abalone's continued existence. It aspires to be a communication flow
a greaser of wheels
a pollination of ideas
a goad to change and growth
a forum for gripes
a comic relief
a foil to bureaucratization
a treat in your mailbox.

All that? Well, maybe. The four of us who put out this premiere issue had a great time doing it, but we are unable and unwilling to be the sole producers of each issue. Bluntly, we need your time and energy.

If you have or would like to develop newsletter skills, contact us through People Against Nuclear Power. We need writers, editors, typists, cartoonists, artists and good ideas; we need help with the mammoth job of collating, stapling and mailing the 3000 copies of It's About Times.

Also, we hereby solicit articles and other species of contributions. Our target deadline for the next issue is January 20.

This issue indicates some of the areas we've pegged for coverage. Our picture, at this point, includes: summaries of proposals, significant meetings, local group activities, updates on planning for future actions, developments on terrain, political notes, news from national and international safe energy groups, discussion/analyses of Abalone politics and culture.

Finally, we need money. We hope It's About Times will be a monthly. But the bucks for this issue were hard to come by, and it will be impossible to continue for long without your monetary support. We ask a subscription donation of \$5.00; give or take a little if you can or must. Without your help, we may not be able to continue sending you the newsletter. Please--fill out the form below and mail it today.

Many thanks to all the contributors and participants in this issue. Initiation of this newsletter is a project of the American Friends Service Committee. Issue #1 was produced by Marcy Darnovsky, Mark Evanoff, Bob VanScoy, Liz Walker.



subscribe

☐ I'll support Abalone Alliance communication. Here's \$5.00.

☐ I can afford more. Here's my donation of _____.

Name _____.

Address _____.

(zip!)

Make checks payable to It's About Times.
Send donations and manuscripts to It's About Times, American Friends Service Committee, 2160 Lake St., San Francisco, 94121.

Anti-Nuclear Proliferation

On November 30th, demonstrations in twenty cities in the United States, Canada, Australia and Japan were held to protest the export of a Westinghouse nuclear power plant to the Philippines. In the Philippines themselves activists courageously transformed government-sponsored "Heroes Day" parades into anti-nuclear rallies.

The International Day of Protest was called by the Campaign for a Nuclear Free Philippines (CNFP) a coalition of anti-nuclear and progressive Filipino groups, as part of a on-going effort to block the NRC from issuing an export license for the reactor--the last bureaucratic step before the already completed reactor goes on line. All five regional NRC offices, as well as the national headquarters in Washington, were visited by delegations and presented with petitions demanding that the Philippine nuke be refused a license and that no future licenses be issued for any nuclear exports to Third World countries.

As nuclear markets dry up at home, U.S. industries are turning to the Third World--especially to those countries over which we exercise imperial control such as South Korea, Taiwan, Thailand, Iran, and the Philippines--to unload their deadly technology. Unharassed by environmental controls, assured that anti-nuke activity will be promptly suppressed by repressive local governments, and guaranteed a lavish fund of capital through multilateral lending agencies like the World Bank and the Export-Import Bank, the nuclear industries have worked out what is, for them, a quite acceptable trade-off for First World markets.

But as the turnout on November 30 proved, American anti-nuclear activists are not going to let this fish out of their net. Recognizing the global scale of the nuclear industry, activists are building a Pacific-wide coalition of resistance, from Australian aboriginal peoples and Navajos in the American Southwest whose cultures are being disrupted by the mining on their lands of uranium tagged for Taiwanese and Filipino reactors, to the Micronesians whose islands are being considered for a nuclear waste dump. Both the Nautilus Alliance, the anti-nuclear group coordinating information about nuclear proliferation in the Pacific, and the CNFP, as well as *Nucleonics Week*, an elite industry journal, recognize that the Filipino reactor is an important test case. The precedents set by the NRC's decision and the anti-nuclear movement's response will determine whether or not nuclear power will proliferate in the Pacific.

The Philippine reactor project should be of special interest to Abalone Alliance activists because the Westinghouse plant is identical in design to the Diablo Canyon nuke and is on a site of equal seismic activity--nestled between five active volcanoes and a major earthquake fault. This site was chosen because of its proximity to the Bataan Free Export Zone, a sprawling industrial park where Ford, Proctor and Gamble and other U.S. multinationals enjoy plentiful, cheap, non-union labor and a total absence of corporate taxes. In a country where 80% of the homes have no electricity whatsoever, the power generated by the plant will be consumed almost exclusively by these industries, by the nearby U.S. military bases, and by the elite luxury hotels in Manila.

Beside providing the martial-law regime of President Ferdinand Marcos with bomb-grade plutonium, the introduction of nuclear power into the Philippines further compromises Filipino independence by making the country totally dependent on the U.S. for fuel. In spite of massive repression and the Karen Silkwood-style disappearance of anti-nuclear activist Ernesto Nazareno, more than 20,000 Filipinos risked imprisonment and torture by signing a petition urging Marcos to discontinue construction of the plant.

If you are interested in working on the Campaign for a Nuclear Free Philippines or in having a member of the Nautilus Alliance speak to your group on nuclear power in the Pacific, please contact either CNFP c/o Charlie Junkerman, 5463 Manila Ave., Oakland, 94618, 415-652-6046 or Nautilus Alliance, c/o Luba Zarsky, 1523A Josephine St., Berkeley, 94703, 415-843-0973.

Where Will They Get Spare Parts ?

Business Week kisses nukes goodbye

There's a Christmas present in the December 25 issue of Business Week: a "special report" on nuclear power. The article is called "Nuclear Dilemma--The Atom's Fizzle in an Energy-Short World" and opens portentously, "One by one, the lights are going out for the U.S. nuclear power industry."

In the same issue, an article on the nuclear power crisis in Europe and Japan quotes Amory Lovins, who concludes from plummeting nuclear capacity projections that we are witnessing "the greatest collapse of any enterprise in industrial history."

The boys from Business Week seem to be advising th wise to get out while the getting's good. The existing "de facto moratorium" on new nuclear plants means that reactor manufacturers are living off their 131-unit backlog. Only the two giants, General Electric and Westinghouse, can survive more than 3 or 4 years more of slow business. There are a few "brave utilities" still considering reactor purchases, including the federal Tennessee Valley Authority and others in the Sunbelt and the Pacific Northwest where electrical demand is expected to exceed the national average. But for the most part, says a "manager of nuclear information" for a New England utility, "Everyone is holding back. The rules of the game aren't clear."

The quadrupling of oil prices 5 years ago "should have heralded nuclear energy's golden age." But, says Business Week, "soaring construction costs, sluggish economic activity and determined environmentalist opposition" changed the game plan.

Business Week and the Atomic Industrial Forum (see In These Times, 11/29/78) agree that declining electrical demand is the numero uno cause of the industry's tribulations. The "sluggish economic growth that has followed the oil crisis" has also meant shortages of investment capital, increased international competition for limited overseas markets, and huge cost overruns due in part to runaway inflation.

Against this background, nuclear resistance and environmentalist intervention in the regulatory process have been crucial. The Carter Administration is trying to "improve the regulatory climate" with a licensing reform bill that they claim could cut lead time for a plant in half. Some in the industry actively oppose this measure because of its other provisions, notably government funding for citizen intervenors. But Lord Schlesinger has been lobbying hard for industry support, and the nuclear establishment is increasingly coming under fire for its inflexible and rigid stance. Business Week quotes an Energy Department official, "The nuclear prophets just kept sweeping problems aside. That's part of the reason that the industry is in trouble."

The prevalent attitude seems to be that the public is being misled by the "devious" methods of pesky anti-nuclear activists. Dr. Joseph M. Hendrie, chairman of the Nuclear Regulatory Commission, told the winter conference of the American Nuclear Society, "Up to a year ago, I was in the private sector. Now I'm in a more neutral role. You who remain in the private sector know the truth about nuclear power. And if nuclear is to succeed, you must begin to communicate this truth thoroughly and vigorously, or risk losing out to its opponents." So much for Dr. Hendrie's neutrality--and for the NRC's.

Morriss Udall, chairman of the House committee that oversees the NRC and other nuclear legislation also has "doubts about nuclear power" but still wants to "give it a chance." He's worried that it will be viewed "that nuclear was killed by a bunch of zealots who strangled it in paper, demonstrations, and so on." Meanwhile, Udall thinks that the siting of a permanent waste repository should be a "national decision. It seems the states aren't exactly fighting for the privilege of hosting the dump. So Udall wants the 8 or 10 possible sites to bid on it. What'll it be? Real estate tax relief? Guaranteed federal employ-

Abalone Alliance CALENDAR of EVENTS: January 1979

7 su

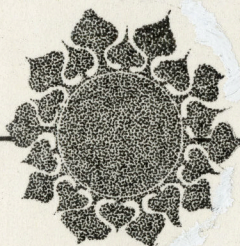
LIFE WITHOUT TRIDENT
TEACH-IN

Laurel Center, Santa Cruz, 7:00 p.m.
Contact People for a Nuclear Free
Future, 408-425-1275.

8 mo

SANTA CRUZ COUNTY PLANNING
COMMISSION HEARINGS ON
TRIDENT

Contact People for a Nuclear Free
Future, 408-425-1275.



18 th

"THE ROCKY HIEROGLYPHIC
SHOW"

The Plutonium Players present political
anti-nuke theatre. Network Coffeehouse
1036 Bush St., S.F., 415-989-6097.
Donations accepted.

27 sa

BAY AREA JACKSON BROWNE CON-
CERT--BENEFIT FOR A NUCLEAR
FREE FUTURE. (Same show as above.)

Oakland Coliseum. Tickets available
through BASS. Contact People Against
Nuclear Power, 415-781-5342.

26 fr

L.A. JACKSON BROWNE CONCERT
BENEFIT FOR A NUCLEAR FREE

FUTURE. Featuring Graham Nash, David
Crosby, Helen Caldicott and others at
the Los Angeles Forum. Contact Irv
Sarnoff, 213-937-0240.



29 mon

SAN DIEGO JACKSON BROWNE
CONCERT--BENEFIT FOR A NUC-
LEAR FREE FUTURE. (Same show as above)
San Diego Sports Arena. Contact Linda
Newsome or Bill Bohomley, 714-295-2084.

30 wed

PROPOSED DEADLINE

for recruitment of 50 participants
for occupation of NRC headquarters in
Walnut Creek. (See "Proposed Call to
Action" in this newsletter.) Contact
People Against Nuclear Power, 415-
781-5342.

MAKE YOUR OWN TIMELINE

What follows is a rough guideline of some possibilities ahead of us as an Alliance. I wanted to get down on paper some of the many ideas Abalones have been talking about, to give us all a sense of what has been decided (asterisked items*) and what needs to be decided. This is meant to be used as a working chart.

Please talk these ideas over with your friends, your affinity group, etc. Add on, subtract or tear this one up and start over. At the January conference we will have time to discuss many of these options.

--Liz Walker

This scenario is based on the following assumptions:

--The Abalone long-term goals to stop nuclear power and to promote alternative energy sources remain the same.

--A year's goal is to "Keep Diablo from going on line in '79." If Diablo does go on line, our goal will be to close it down.

--Our long-term strategy is to raise broad public support for our goals through action and education.

--Our year's strategy is to generate public sympathy for through action and education which exposes the hazards of Diablo and demonstrates that we can use other sources of energy to meet our requirements. We will spotlight the decisionmakers; the NRC, PG&E executives and Governor Brown, as well as the Diablo plant.

.....
● SUMMARY AND EXPLANATION: In January, February and March we will focus on the NRC decision and try to generate maximum on the decision-makers.

● March, April, May and June will be devoted to preparing for the June action and generating support for massive civil disobedience.

● During July to December, we will be generating broad grassroots support through rate-withholding campaign, canvassing, etc. These actions should be planned and started before then, but will be our primary focus in these months.

..... TIMELINE IDEAS

JANUARY

*11th-appear in court for August 6 & 7 actions.

*JACKSON BROWNE BENEFIT CONCERTS--AA spring actions announced, petitions to Brown circulated.

*SLO group visits Brown, urges him to intervene.

ASLB hearings end?

*STATEWIDE CONFERENCE (clarify goals and strategy for next 6 months, begin to seek organizational structure & decision-making process.

FEBRUARY

Training sessions for NRC civil disobedience action.

*Vigil at NRC office? (depending on timing of the decision.)

*Nonviolent civil disobedience at NRC in Walnut Creek & Washington D.C? (2 or 3 days after decision.)

*PGE civil disobedience (after NRC decision.)

Committees begin to form for June action: NV training, media, rally, logistics, etc.

skills sharing workshops for Abalone begin

MARCH

*Mass rallies in SF (2 weeks after decision)

Present petitions for intervention to Brown.

Possible sit-in at Brown's office.

Committees all in operation for June action.

Nonviolence trainers trained around state.

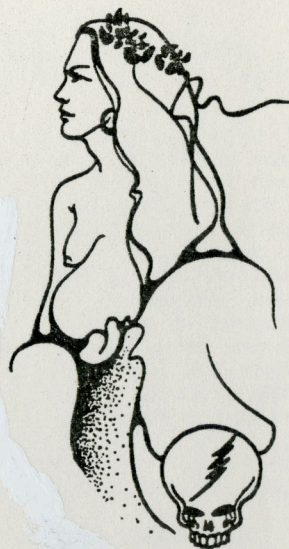
National call goes out for June action is so decided.

Transuranic Presents the Dead

AS IT'S ABOUT TIMES goes to press (er, uh, mimeo) a group of anti-nukers is frantically putting together a New Year's Eve fundraiser that will feature the Grateful Dead via the miracles of modern electronics. The show will be simulcast live on KSAN and KQED TV, and if all goes well, 1000 people will dance in a non-nuclear New Year to the accompaniment of giant TV screens and stereo sound.

The anti-nuke benefit, instigated by Transuranic Productions (otherwise known as the Plutonium Players), will take place in a beautiful old theatre at 1839 Geary St. in San Francisco. Proceeds of the event will go to the Abalone Defense Fund and to the Friends of the Earth Vallecitos Project.

Many thanks are due to everyone working so hard on this rush job (the announcement of the simulcast, followed in short order by the idea for the benefit, came only ten days before New Year's.) Special mention to the Pu Players, of course, and to Olufunmi Presents and the Mission Rebels.



20 Trial (from pg. 1)

who had ruled from the first day that the issue of nuclear power and its hazards was irrelevant to the charges. Thus, our planned defenses of necessity and First Amendment, as well as expert testimony, were never allowed in for the jury to consider.

Dr. John Gofman was on the witness stand waiting to testify to the dangers of low-level radiation when objections from District Attorneys Terry O'Farrell and Sid Findley were sustained by Judge Carter; Joel Primack, physics professor at UC Santa Cruz and Adam Honea, geologist from Humboldt State never got to the stand. Ironically, when each of us spoke to some fact of nuclear power in general and Diablo Canyon in particular, it was ruled out as "hearsay" since we were not experts. The only opening we had for testifying about nuclear power came after many hours of aggressive argument and case citing by our 4 lawyers while the jury was excused--the judge finally agreed to let us state our "beliefs" about nuclear power as formative of our state of mind when we testified. However, he later instructed the jury to disregard the pros and cons of nuclear power in their considerations. "Nuclear power is not on trial here--this is a case of simple trespass." It was obvious, even in its denial, that nuclear power

was always the issue in this trial.

JURY: The jury was selected from a potential pool of 450 residents of the central district of SLO County, many disqualifying themselves prior to "voir dire" process because of financial hardship, personal difficulty, or too vehement bias towards nuclear power, Diablo, or protesters. The D.A. would bump from the panel anyone showing a particularly independent judgment or questions about the validity of nuclear power. We in turn would bump correctional officers (they're legion here,) law and order mind sets, employees, relatives and supporters of the PG&E network that seems to own the town. Decisions as to jury selection, like all decisions during the 7 weeks, were made by consensus between the 18 defendants, 2 pro pers and 4 lawyers.

We were prepared for jury selection by National Jury Project member Lee O'Brian from Berkeley who spent a week guiding us through a shortened demographic study of the community, drive-by of the potential jurors' homes, data gathering from voter registration lists, and factors to consider in the balancing of personalities. At the end of 3 weeks, with pressure to open the trial and no signs of better choices, we found ourselves with a panel of 9 women,



Karen Newhauser used a ball of yarn to illustrate the 250,000 year-long lifetime of plutonium. Unwinding it while she talked, Karen traced events in the history of the earth. The yarn enveloped the entire room, with civilization occupying only a few feet. It is likely that plutonium will be around long after we are gone.

A timid young woman clutching a baby addressed the commission. "It's only natural that I want a good life for my children and grandchildren. I hope I won't live to regret bringing my son into the world."

Dorothy McNeil, spokesperson for the SLO County Democratic Central Committee, called the proposed operation of the reactors "rightfully a political decision. The Constitution of the United States did not give. . . to scientists the authority to make technical decisions for the people as a whole who must wrestle with the problems of technology."

Late on the second afternoon a feisty 69 year old man stepped forward and boomed out, "I commend you for tolerating this play-acting and poem reading. I am stunned by the lack of knowledge about economics and nuclear power. 1.4 billion dollars is shrugged off like a welfare check."

"There are two types of people in the anti-nuclear movement. The first group are opposed to anything new and fear anything they don't understand. Fortunately these people can be saved by education. The greatest danger of radiation is ignorance. The second type of people are more serious. These people cannot function without a cause. Just give them a cause. And they're always switching causes. The Mothers for Peace are an example. Peace was their first concern. Then nuclear weapons and nuclear power became a concern. Finally they got worried about a plutonium worker from Oklahoma."

The highlight of the afternoon occurred when Ede Morris sang "Must Never Be" and the whole room joined in. The stenographer's eyes danced as he tried to sing her song into the official record.

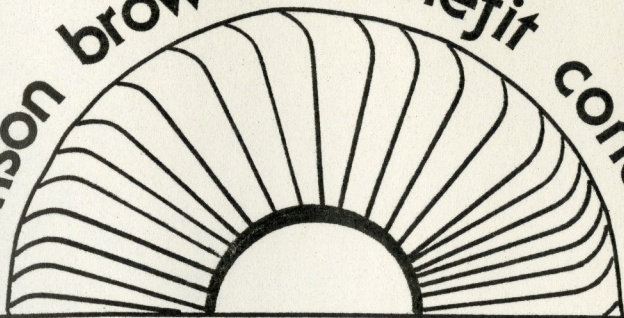
Time soon ran out. At least 50 more people had been waiting all day to testify, but the ASLB didn't want to hear any more. The intervenors' request for more days of public testimony was denied. Chairperson Bowers suggested that written statements be submitted instead.

The hearings will continue throughout January with "expert" witnesses and may extend into February or even March. Then the board members will fly back to Washington and issue a decision in 30 to 60 days.

Although our testimony probably meant nothing to the commissioners, it was heartening for us to come together and see just how well-informed, articulate and impassioned we are. We've already done a lot as an alliance. What's wrong with pissing in the wind together?

BENEFIT FOR A NUCLEAR-FREE FUTURE

jackson browne benefit concerts



also featuring: **GRAHAM NASH,
DAVID CROSBY, HELEN CALDICOTT**

FRI JAN 26

LOS ANGELES, L.A. Forum
for more info. contact
Irv Sarnoff (213) 937-0240

SAT JAN 27

BAY AREA, Oakland Coliseum
contact PANP (415) 781-5342

MO JAN 29

SAN DIEGO, Sports Arena
Contact: Linda Newsome
(714) 295-2084

TICKETS AVAILABLE THROUGH MAJOR TICKET OUTLETS
AT \$8.50, \$7.50 & \$6.50

.....
THIS IS A MAJOR FUND-RAISER FOR THE ABALONE
ALLIANCE, AND WILL HELP TO FUND A NEW OFFICE,
A MEDIA CAMPAIGN, AND OTHER IMPORTANT PROJECTS
IN THE COMING YEAR. PLEASE SPREAD THE WORD.

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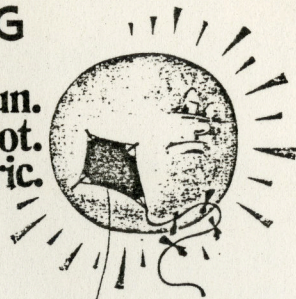
LIES, DAMN LIES and PG+E ADVERTISING

Pacific Gas and Electric's recent anti-solar advertising blitz has blanketed 48 northern California counties at an estimated cost of \$900,000. On radio and TV alone, 1730 spots on 24 stations have been run.

The PG&E ads proclaim that solar is a long way from solving our electricity problems. Although government estimates indicate that solar could contribute 20% of our energy needs by 2000, the PG&E ads say 10%. And they conveniently omit the fact that electricity now used for space and water heating could be replaced by solar heat.

Both environmentalists and the Public Utilities Commission have been irked by PG&E's selective use of the facts. PUC President Robert Batinovich asked PG&E to discontinue the ads, but the utility politely refused to roll over and play dead. Since these ads are paid for by utility stockholders, there is probably little the PUC can do.

The sun.
It's hot.
But it's not electric.



Some solar technology is already here. If you want to heat your home, your water supply or your swimming pool, you can buy solar units today that will do the job. PG&E is currently involved in more than 80 solar projects to help Californians make better use of these heating systems.

But *heat* isn't *electricity*. Manufacturing electricity from the sun's rays is a lot further off. The technology is not yet developed to convert the sun's energy into electricity in an efficient and affordable way. Meaningful amounts of electricity won't be coming from solar sources before the end of the century.

PG&E is working on such projects. For example, we are partners in building an experi-

mental sunlight-to-electricity plant that will produce small amounts of power by the early 1990's. But the cost of this electricity will be about 30 times as much as that from a new conventional plant.

According to government estimates, even by the end of the century, the sun will provide no more than 10% of our electric needs. In the meantime, we'll need government approvals to build conventional plants to help meet your growing demands.

If you have any questions about Solar Energy, write PG&E, Box 3728, San Francisco, CA 94106.

Until solar electricity is ready, we must build other kinds of power plants. **PG+E**

In yet another attempt to coax the corporations to play cricket, a coalition of environmental groups is asking broadcasters for free air time to counter the PG&E ads. The request is based on the federal Fairness Doctrine, which requires broadcast stations to provide balanced coverage on controversial issues of public importance.

PG&E Advertising Manager Ralph Miller counters with studied innocence. "The ads are not meant to be anti-solar," he said. "(Their) purpose is to clarify for the public those ways in which solar energy can be used today and those ways which are still to come." Public Relations VP Lawrence McDonnell is a bit colder. "There were no errors in our recent advertising, therefore there are no misrepresentations to correct." Stonewall 'em, Larry.

Meanwhile in other parts of the country, Westinghouse ads show the 70 "bright spots" (nuclear power plants) in the U.S. and urge people to write their congressmen in support of nukes; Edison Electric Institute ads explain why alternative technologies are very far off in the future; and Southern California Gas Company is advertising the immediate need for liquefied natural gas.

---from an article by Mike Paparian in Energy Clearinghouse
(IT'S ABOUT TIMES takes full responsibility for the snotty tone.)

CALL TO ACTION AT THE NRC

The Nuclear Regulatory Commission is expected to grant an operating license for the Diablo Canyon Nuclear Power Plant, possibly in March. Within three days of an unfavorable NRC decision, about 50 members of the Abalone Alliance will "sit in" at the NRC western regional headquarters in Walnut Creek (near San Francisco.) The Alliance's request that the operating permit for Diablo Canyon be revoked will be presented to NRC officials.

The civil disobedience action will be preceded by a legal vigil and leafletting. During the C.D. action, there will also be a legal picket outside the NRC headquarters. In addition, we hope that there will be a simultaneous action at NRC national headquarters in Washington, D.C. We are in touch with people on the East Coast about this.

Also, we will ask Governor Brown to intervene and stop the Diablo plant. If the nuclear regulatory agency is

not protecting our welfare, the Governor as chief elected official in the state has a responsibility to see that the safety and well-being of the people of California are protected.

We hope that each local group in the Abalone can recruit and select 5 to 8 people from their area to participate in this civil disobedience action. We also encourage each affinity group to send a participant.

If arrested, we hope that defendants might be willing to stay in jail until sentenced. Their being in jail could be a rallying point for further activity on the outside. This decision, however, must be made by those who are arrested.

If you are interested in participating in this action or have further questions, contact People Against Nuclear Power, NRC Action, 944 Market St. Rm. 808, San Francisco, CA 94102. Or call 415-781-5342.

ment? "We'll meet your price." And if need be, states' rights be damned. When pressed, Udall agreed that "we may get down to" federal land.

It would be premature and dangerous to count the nuclear industry out. There is much talk at industry powwows of "vigorous and well-coordinated efforts" and "offensives" against nuclear opponents. Llewellyn King, publisher of Energy Daily, advised the wounded industry to issue a "great bel- low of rage."

Nonetheless, it is not too soon to start thinking about the issue of decommissioning, especially since here in California we may soon be faced with an operating Diablo Canyon plant. Moreover, according to Business Week, PG&E's own Humboldt Bay reactor "may spark the whole decommissioning issue."

If nuclear development is brought to a halt, then other aspects of the energy war and other demands for the social control of production will become more important. It is probable that fossil fuels will be favored for as long as possible, and we must remember in our anti-nuclear battles that cancer caused by coal pollution is no less deadly than cancer caused by low level radiation. In our support for solarization we must keep in mind that the large corporations are already making their play for control of soft energy sources.

The battle for a safe environment and a society based on socially and ecologically acceptable production won't be over when the nuclear industry goes into permanent storage.

--by Tom Athanasiou and
Marcy Darnovsky

10 WE STATEWIDE LEGAL STRATEGY MEETING

AA Clearinghouse, 425 Higuera St., San Luis Obispo, 7:30 p.m.
All occupiers/blockaders final meeting before pretrials.
Contact AA Clearinghouse, 805-543-6614.

11 TH PRE-TRIAL HEARINGS ALL OCCUPIERS AND BLOCKADERS

with cases still pending. Veterans Building, 801 Grand Ave., SLO, 9:00 a.m. Meet with Judge Carter.

19-21 ABALONE ALLIANCE STATEWIDE CONFERENCE

Strategy, goals, skill sharing. Sonoma County. (See announcement in this newsletter.) Contacts: Karen Green, 707-544-4360, Mary K. Moore, 707-874-2248, Camp Emelda (during conference), 707-887-7427. \$10 for the weekend, including 5 vegetarian meals.

27-28 SOUTHERN CALIFORNIA ALLIANCE FOR SURVIVAL MEMBERSHIP CONFERENCE, Los Angeles. Contact Alliance for Survival, 213-937-0240.

27 sa LOS ANGELES RALLY with HELEN CALDICOTT AND OTHERS

Contact Alliance for Survival, 213-937-0240.

31 Thur PROPOSED DEADLINE

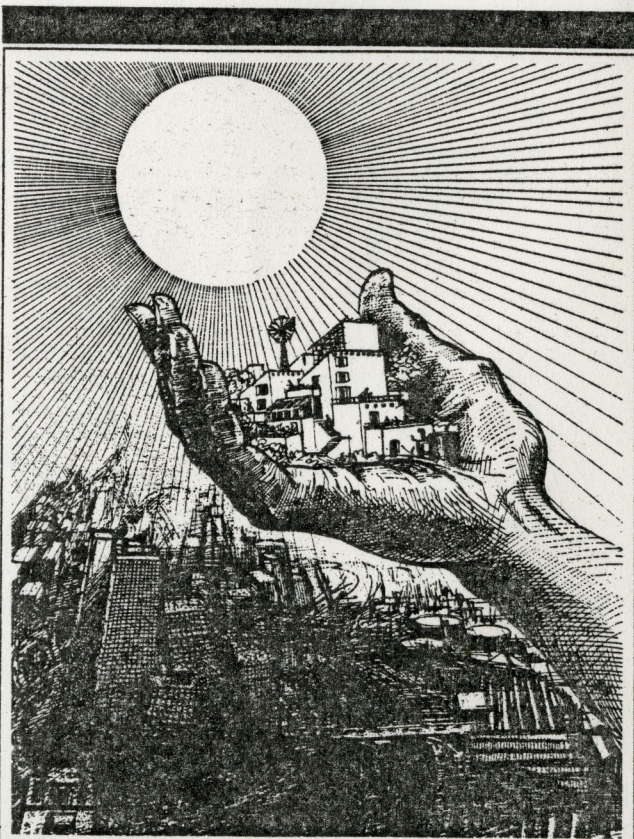
for applications for staff positions in new statewide office. (See "New Statewide Office Proposal" in this newsletter.) Contact David Hartsough, 415-752-7766.

13 SA TASK FORCE MEETING

Resource Center, 515 Broadway, Santa Cruz, 12:00. 408-425-1275.

help !

The Jackson Browne benefit concerts are major fundraisers for the Abalone Alliance and will help to fund a new office, a media campaign and other important projects in the coming months. We need help with posterong and other promotional efforts. Call your local safe energy group (see p. 27.) And spread the word!



Energy and Electoral Politics

Would you rather die in a nuclear or an LNG explosion? Would you rather spend \$100 billion on nukes to generate more electricity or on higher deregulated natural gas prices?

Politics is supposed to give us a choice, but in the case of energy, the choice doesn't leave us much chance for a secure economic future.

The politics of energy becomes crystal clear as soon as one understands that, historically, the natural gas industry has worked through the Democratic Party and the nuclear industry through the Republican Party. Each industry has developed channels of power and patronage through their respective parties and have liberally greased the wheels of legislation with campaign contributions from a grateful corporate hierarchy.

Just look at the facts: The deregulation of natural gas, a move which will cost consumers \$100 billion in the next decade, failed during the Nixon-Ford years, but passed during the Carter Administration with many liberal senators such as Alan Cranston jumping on the bandwagon. Carter has also taken the lead in moving away from nuclear fission processes like the breeder reactor, throwing a kink in the nuclear industry's plans.

Here in California, Jerry Brown has told environmentalists that if they want his anti-nuke stance, they've got to give him LNG. Younger and the Republicans want nukes. Jerry and the Demos want LNG. In the background of Jerry's push is his father's oil com-

pany, Perta Oil, which does business with Indonesia. It was Pat Brown who molded the business/labor coalition which rushed the LNG siting legislation through Sacramento.

If you are an anti-nuke activist, an environmentalist, or any kind of alternative energy enthusiast, this is probably the most important piece of political information you can get. You must understand that there is a political and financial reason for each politician's position and it has nothing at all to do with saving the environment, the quality of life, the dangers of technology, the evils of radiation wastes, or whatever. Money and power and votes. That's where it's at.

With the money Brown is committing to LNG, the state could have a full-fledged solar industry in a decade that would help people unplug from the utilities. But by promoting LNG, Brown is actually holding back the development of solar energy while making sure we all stay plugged in to the gas lines.

We cannot escape the fact that our energy future is wholly tied up in politics, so in order to move correctly we must become aware of what is symbolism--the propaganda used to make us think we are moving towards alternative sources of energy--and what is reality--what is actually happening to keep us locked into the ever-profitable old systems.

--from Campaign Against Utility Service Exploitation Newsletter

APRIL, MAY

Organizing in full swing for June action.

Pressure on PG&E at SF executive offices by actions twice a month planned by affinity groups: "Citizens Right to Know All About Diablo."

Statewide conference considers proposals of what happens after June action.

Rate-withholding campaign begins.

JUNE

Massive civil disobedience action at Diablo and/or at PG&E executive offices.



JULY AND AFTER

Statewide gathering to evaluate action.

Local groups work on canvassing, petitions, educational work in local areas, strengthen ties with labor, third world, etc.

Actions at PG&E offices continue.

Rate-withholding campaign builds.

3 men, no one against us, doubts about a few of them, and not an ideal jury, but as open as we saw we'd get in the circumstances.

As it turned out after the verdict, we learned at the initiative of the foreman and members of the jury amidst their tears that they were also convinced of the anti-nuclear position, but they were allowed no legal basis for an acquittal; thus the strange guilty/not guilty expression of their bind. As one of ours put it, the judge interpreted the laws in as constricting a way as possible. He instructed the jury accordingly. The jury, not surprisingly, delivered essentially the verdict the judge sought. The judge then pronounced a heavy sentence because the jury delivered a verdict that the judge made sure in advance they would deliver. He, of course, described the verdict as expressive of the will of the community.

SENTENCE: 90 days suspended jail term, 2 years probation, \$400 fine. The suspended sentence is a condition of probation requirements: to obey all laws, not to enter private property without permission of owner, to pay the fine within 2 years, if necessary in \$20 monthly payments beginning Feb. 1 (he delayed the first payment some months for the unemployed.) Two, possibly three of the defendants refused to sign the probation agreement and will begin a term of 3 months minus 3 days on Jan. 15. Deterrence of future actions at Diablo is the overt and admitted aim of the sentence.

EXPENSES: The 20 defendants directed a generous donation of \$5000 from an anonymous donor through defendant Frances Stewart towards lawyers' expenses and fees. The donor, needing a tax deduction, put the money into an ACLU account, which, however, cannot be used for legal fees. Thus the lawyers' needs had to be drawn from state area moneys while the ACLU account has paid trial costs: xeroxing, travel of expert witnesses, press releases, phone calls, court reporter bills. A detailed report of finances regarding the defense fund will be issued in January. (Faith Hagenhofer)

APPEAL: There are those within the Abalone Alliance who feel that an appeal of this case is the strongest statement we can make. Those advocating this step feel the need to prove Judge Carter wrong. "We need to set precedents, to have a higher court hear that we were not allowed an affirmative defense. We have that right. We would have been acquitted if the jury had been given any basis on which to acquit us, and many feel there's a good chance with the Bird court. There are those willing to raise the money. What with the power companies' effort to repeal the Nuclear Safeguards Law in California, we need to prove that necessity and First Amendment rights are a justifiable defense for trespass. Not to appeal is to sanction Judge Carter's action." (Steve Mortensen)

PRE-TRIAL HEARINGS: The pre-trial hearing date has been continued to Thursday, Jan. 11, 9 a.m., Veterans' Memorial Bldg. (our arraignment site,) 801 Grand Ave., SLO. It is suggested that remaining defendants meet in their regions to discuss choices:

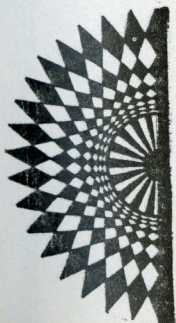
- to plead out
- to set a trial date and mode: proper, lawyers, combinations
- to waive time and ask for a delay
- to create other options

(SLO County Clerk's office: 805-543-1550.)

This fact sheet may seem remote from our goal August 6-7 and every day of this trial--to stop Diablo Canyon and all nuclear power plants. It also does no justice to the life and love and purpose flowing between the 20 plus 4 plus supporters plus those who housed, filmed, cooked for, partied with, endured court days, uncertainty, frustration with us, and all of you who have been also waiting on this trial's outcome. Please contact any of us in your area if we can be of help to you now. Though tired, we are only more deeply energized and determined to expose the life/death issue of nuclear power. United with you in the spirit of August 6-7,

The Diablo 20 + 4

SAFE ENERGY GROUPS - GET IN TOUCH



ABALONE ALLIANCE CLEARINGHOUSE, 452 Higuera, San Luis Obispo, CA 93402,
805-543-6614

ALLIANCE FOR SURVIVAL
5539 W. Pico Blvd.
Los Angeles, CA 90019
213-937-0240

ALLIANCE FOR SURVIVAL
944 Market St., Rm. 808
San Francisco, CA 94102

CHICO MOTHERS FOR SURVIVAL
708 Cherry St.
Chico, CA 95926
916-345-8070

MODESTO PEACE/LIFE CENTER
631 15th St.
Modesto, CA 95354

MOTHERS FOR PEACE
1415 Cazadero
San Luis Obispo, CA 93401

AMERICAN FRIENDS SERVICE COMMITTEE
David Hartsough
2160 Lake St.
San Francisco, CA 94121
415-752-7766

ANOTHER MOTHER FOR PEACE
407 N. Maple, Ste. K
Beverly Hills, CA 90120
213-278-3476

BOLINAS AGAINST NUCLEAR POWER
c/o Gretta Goldenman
Box 361
Bolinas, CA 94924
415-868-1120

CITIZENS FOR ALTERNATIVES TO NUCLEAR
ENERGY
3680 Bryant St.
Palo Alto, CA 94306
415-494-0363

COMMUNITY ENERGY ACTION NETWORK
P.O. Box 33686
San Diego, CA 92103
714-459-4650, 295-2084

EAST BAY ANTI-NUCLEAR GROUP
585 Alcatra, Ste. A
Oakland, CA 94609
415-346-1530

GROUP OPPOSING NUCLEAR ENERGY
c/o San Jose Peace Center
300 S. 10th St.
San Jose, CA 95112
408-298-2299

MARIN CITIZENS FOR POWER PLANNING
c/o Judith Rook
1215 Lincoln Ave.
San Rafael, CA
415-457-4453

OAK TREE ALLIANCE
c/o David Broadwater
6604 Portola Rd.
Atascadero, CA 93422

PELICAN ALLIANCE
c/o Sharon Mooney
Box 573
Pt. Reyes, Station, CA 94956

PEOPLE AGAINST NUCLEAR POWER
944 Market St., Rm. 808
San Francisco, CA 94102
415-781-5342

PEOPLE AGAINST NUCLEAR POWER
Gathering Place
312-1 E. Sola St.
Santa Barbara, CA 93101
805-969-2437

PEOPLE FOR A NUCLEAR FREE FUTURE
515 Broadway
Santa Cruz, CA 95060
408-425-1275

PEOPLE FOR A NUCLEAR FREE FUTURE
c/o 870 Linden Lane
Davis, CA 95616
916-753-3148

PEOPLE FOR SAFE ENERGY
419 N. Fenger
Fresno, CA 93701
209-268-2902

PEOPLE GENERATING ENERGY
452 Higuera St.
San Luis Obispo, CA 93401
805-543-8402

REDWOOD ALLIANCE
North Coast Environmental Center
G St.
Arcata, CA 95521

SO NO MORE ATOMICS
P.O. Box 298
Forrestville, CA 95436
707-887-1716

VENTURA SAFE ENERGY COUNCIL
1441 Greenock
Ventura, CA 93003
805-643-2317

LIVE WITHOUT TRIDENT



Lockheed Missiles and Space Company is seeking permission to expand its production for the Trident II nuclear submarine weapons system. In Santa Cruz, Lockheed produces non-nuclear explosive components for the Trident II missile. The pinpoint accuracy, ocean-crossing range, miniaturized warheads, in-flight maneuverability and explosive impact of the Trident reveal it to be a first-strike weapon and a dangerous escalation of the nuclear arms race.

People for a Nuclear Free Future, Santa Cruz, has taken the lead in mobilizing citizen opposition to the Lockheed work. PNFF has seized on a Lockheed application before the Planning Commission of Santa Cruz County to raise issues related to American nuclear policy, the dangers of Trident and the need for nuclear disarmament.

In a 30 page paper opposing the Lockheed application for Planning Commission approval, PNFF gives an overview of the history of nuclear arms production in the County and of Lockheed's work, and details the pivotal and ominous role which Trident plays in the move from a deterrence to a nuclear first-strike policy. The statement articulates the four bases on which the Planning Commission could lawfully deny the Lockheed application: that production of Trident violates International Law; that use of the Lockheed property for producing nuclear weaponry violates County zoning ordinances; that the facility could be converted to peacetime production and thereby guarantee greater economic advantage to the county and job security to the workers; and that residents have a fundamental right to an informed participation in decisions related to nuclear weapons production in this county.

Since its inception in June of 1977, PNFF/SC has sought to oppose nuclear power and weapons on both a statewide or regional level and, so far as possible, on a local level. It is a rare occasion when Americans are given an opportunity to address issues of the nuclear arms race in a local community setting.

PNFF has discovered that people do in fact have strong feelings about nuclear weapons. When given a meaningful

opportunity to express their opposition to nuclear weapons, people will in fact speak out. The local nature of the issue, the urgency of stopping Trident and the implementation of a nuclear first-strike policy, and the scale of the Lockheed facility all have aided PNFF efforts to "Stop Trident" and "Convert Lockheed" in Santa Cruz County.

PNFF has leafletted workers at the Lockheed plant a dozen times, briefed county officials about the work and its significance, written letters to the

editor, gathered thousands of signatures on letters and petitions, addressed numerous groups and organizations about the issue, distributed bumperstickers, buttons and yard signs, "human billboarded," marched the Trident Monster (a symbolic replica of the 408 nuclear warheads on each Trident sub,) and made disarmament a compelling issue in Santa Cruz County politics. After nearly a year, the issue of Lockheed's production of Trident has come before the County Planning Commission for public hearing and a vote of the commissioners.

Organizing efforts first came to a head November 1st at a public hearing when nearly 600 persons publically demonstrated their opposition to Trident. The Commissioners actively tried to prevent public discussion of all but the narrowest "land use" issues, ruling out testimony on international law, America's nuclear weapons policy or "moral considerations." But the sheer weight of public opinion and the assertiveness of PNFF presence affirmed the right of County residents to address the issue. Less than a dozen of more than 50 persons prepared to address the Commission were allowed to speak. Discussion was carried over to January 3.

PNFF has intensified its efforts to catalyze public awareness and action. 20,000 copies of "Live Without Trident #2," a 12-page newsprint tabloid, have been printed for distribution throughout the County.

Other Trials: Powerline Protestors Acquitted

In a trespass trial very similar to that of the Diablo 20, a jury acquitted powerline protesters in Minnesota. The excerpts below are from a story in In These Times (Dec. 13) by Vicki Lofquist. Following that are some tidbits from the powerline newsletter, Hold That Line, which transmit some of the spirit of the Live Wire Alliance.

The completion of the Underwood, N.D. to Delano, Minnesota high voltage power line hasn't meant the end of protest. On Oct. 29, 20 people were arrested after a rally near the Delano conversion station--southern point of an 800 KV dc power line constructed across western Minnesota. Two weeks later, 10 people were found innocent of trespass charges by a jury trial in Buffalo, Minn. (The 20th was a 13 year-old boy whose case goes to juvenile court.) The defense put the power line on trial.

The crowd of 300 had walked down a road towards the massive hardware of the conversion station where they planned to chain a "condemned" sign and to place a cardboard windmill. The road was blocked by a line of deputy sheriffs; the 20 walked past them and were arrested.

Bail, set at \$500 to \$1000 each was lowered to \$300 after a hunger strike began in protest. Ten who remained in jail fasted until the trial began nine days later. . .

The fight against the power line has planted the seeds of a surprising alliance between the farmers and the American Indian Movement. "The farmers today are the Indian people," said AIM leader Clyde Bellecourt at the rally preceding the arrests. "I know the farmers have the same reverence for the land as we native people."

. . . The alliances formed through the fight against the power line have crossed both ideological and geographical boundaries. Twenty-three states were represented at a recent environmental conference hosted by the farmers. There were workshops on power lines, power plants, pipe lines, and strip mining.

Many risks have been taken in the Minnesota struggle for control of energy development. The recent trial in Buffalo brings the number of arrests related to power line activity to 160. Thirty-two felony charges have been brought against people with 30 of these cases still pending. Two people pled guilty to lesser charges and were given a year probation. The power companies have brought 8 law suits against different farmers ranging from \$50,000 to \$500,000. Two were dropped and the rest are pending.

There have been five jury trials on misdemeanor charges resulting in 35 acquittals and three convictions. No one has gone to jail as a result of being convicted.

Two factors in the court successes are a legal defense team patterned after that created for the Wounded Knee trials and the services of the National Jury Project, which aids in jury selection.

Another factor in the Buffalo trial was that 11 defendants gave closing statements to the jury in addition to being represented by attorney Ken Tilsen. The prosecution presented a simple case--those arrested were on land marked "Private Property, No Trespassing," they were told to leave, and they didn't. The defense presented the case against the power line. . .

Attorney Ken Tilsen argued that power companies don't have the same rights as private citizens over their property and that the defendants had a first amendment right to demonstrate.

The 800 KV dc line is equivalent to the largest line in the U.S. (The other line runs primarily through the deserts of eastern California.) "Comparing most other power lines to this one is like comparing a creek to the Mississippi River," said one farmer who lives under the line.

The main arguments against the high voltage power line are that the farmers and their farms are guinea pigs in determining the health and safety dangers posed by the line; the line isn't needed since electrical demand has fallen; at \$1.2 billion the line is too expensive; and the farmers' civil rights

Welcome to the Majestic Redwoods for the Winter

ABALONE ALLIANCE CONFERENCE

January 19, 20, 21

in Sonoma County

Camp Imelda
Monte Rio, Calif.

ACTIVITIES OF THE WEEKEND WILL INCLUDE:

1. ORIENTATION -- Summary of past events for newcomers (and for the rest of us who can't keep up with the changes)
2. DISCUSSION -- of Basics: Where are we heading? What are the fundamental principles and objectives of Abalone Alliance? Dealing with our "growing pains".
3. WORKSHOPS -- (Legal, Mass Action Task Force, Outreach etc.)
4. PLAYTIME -- (bring instruments)

PREREGISTRATION: IMPORTANT (for the mental health of SO NO More Atomics and so we can give you the best possible conference) PLEASE mail in tear sheet (at bottom) no later than January 10, 1979.

COST: \$10.00 includes Housing, five vegetarian meals for two days, entertainment and childcare.
(Children \$3.00)

WHAT TO BRING: Sleeping Bag, WARM and RAIN clothing, flashlight, towel and cup, bowl, plate and utensils.

TRANSPORTATION: Please carpool whenever possible. Shuttle service will be provided between parking lot in Monte Rio and Camp Imelda. Also shuttle service will be provided between *Old Courthouse Square* in Santa Rosa and Camp Imelda for those wishing to take Golden Gate Transit from San Francisco. Busses arrive in Santa Rosa every ½ hour and we will provide shuttle service on Friday evening between 4:00 and 8:00. Watch for cars and vans with special signs.

DIRECTIONS: For those of you in cars, take Hwy 101 North to River Rd. Turn West toward Russian River Resort Area. Go about 20 miles to Monte Rio. Take left fork at Movie Theatre and go into parking lot there.

OPENING NIGHT SCHEDULE (Friday, Jan 19, 1979)

- 4:00 to 6:00 — Registration (pick up meal ticket and conference packet)
6:00 (around) Potluck Dinner (bring food and drink to share and utensils)
8:00 (around) Entertainment and Welcoming Something

FOR MORE INFORMATION please call : Karen Green (707) 544-4360
Mary K. Moore (707) 874-2248
Camp Imelda (707) 887-7427 (*during conference*)

.....

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LEGAL STRATEGY: What now ?

As reported elsewhere in this issue, the "Diablo 20" trial has recently ended, with each defendant convicted either of trespassing or of failure to disperse. Judge Carter imposed a sentence of 90 days and \$400, with the jail term suspended if the person accepts 2 years probation and agrees to pay the fine. The admitted aim of this sentence was to deter future actions at Diablo.

With the close of this trial, we must again consider the legal options for the remaining occupiers and blockaders, and find the approaches which best advance our efforts to stop Diablo. A number of letters exploring these options have been recently sent out by various folks within the Alliance. In summary, our choices appear to be:

1. Appeal the Diablo 20 sentence Advantages:

--Successful appeal would set a precedent that necessity or 1st amendment grounds are a defense to trespass.

--Would affirm our right to bring moral issues into our defense.

--Would delay other cases, possibly allowing greater freedom of action in period before appeal is decided, cases might eventually be dealt with more lightly.

Disadvantages:

--Expensive; total costs unknown but probably in range of \$15-50,000.

--Unsuccessful appeal might set bad statewide precedent (juries in Berkeley have previously acquitted in similar cases; a loss might make these cases more difficult to win.

--Legal uncertainty may cause hardships for some or inhibit participation in future actions.

2. Go "Pro Per" (represent ourselves individually or in small groups.) Advantages:

--Allows education of a jury panel and jury by each defendant.

--Major burden to SLO court system thus making it less "profitable" to sentence people severely. It is possible that the courts would offer a lesser sentence to encourage others awaiting trial to "plead out."

Disadvantages:

--Requires a time commitment by each person; this time might be better used for other purposes.

--May cause resentment among people in SLO who feel we have already had our "day in court" and are now wasting their money.

--Individual nature of proceedings may make defendants feel isolated from each other.

--Previous pro per cases have lasted only two days total; most people have been unable to introduce nuclear power issues due to legal technicalities.

3. Group trials Advantages:

--Allows education of a jury panel and jury

--Lawyers may be able to "get in" testimony that pro-pers could not.

--More challenges mean better chance of a fair jury.

Disadvantages:

--Would cost Abalone Alliance and defendants money for lawyers' expenses (and possibly for court fees as well.)

--substantial time commitment (last trial took 6 weeks.)

--There may not be enough volunteer lawyers if many people choose this option.

Quotations from Socialist Abalones

For three hours on a Saturday afternoon in mid-December, a group of Socialist Abalones sat and discussed just what they might mean by that. There were many different notions and interpretations, but the sectarian battles for which the left is famous were nowhere in sight.

Perhaps a minimum definition of what everyone could agree upon can be gleaned from the following two statements. The first is from an article recommended by the convenors of the meeting: "Stopping nuclear power without challenging the economic system that bred it would be leaving the underlying problem to create new irrational 'symptoms.'" (Jeff Pector, Socialist Review #42.) Secondly, a quote from a pro-nuclear advertisement in the Boston Globe: "For many the real goal is a major change in American society."

A summary of the discussion would be difficult and probably irreverent, so I have decided to transcribe some hopefully representative comments from my notes.

"To challenge the economics of nuclear power is to challenge the economics of capitalist development."

"The anti-nuclear movement must pursue an anti-corporate politic. This is the way to bring the nuclear issue to people who are concerned with the daily problems of work, health, etc."

"The anti-nuclear movement hasn't attracted workers or third world people."

"We must not mimic the culture and consciousness of the working class. We need to think past the immediate interests that the unions have stood for. It is arrogant to think that we are the only ones who can understand a vision of a transformed world."

"We can enter into coalitions without hiding our agenda or manipulating people. It's important to win on an issue, even when it's one among many."

"Alternative energy technologies can produce enough energy to go around. We can advocate the abolition of a system that routinely produces scarcity. When people tell me that they're fighting nuclear power by not heating their homes, I know why the workers can't relate."

"We should still encourage conservation and recycling."

"We should focus on internal and external education."

"The problem with this discussion of class consciousness is that we are confused about our own."

"Do we want to advocate more jobs or are we really interested in an end to wage labor?"

"Our culture of nonviolence has meant that we ignore real conflicts."

"The anti-nuclear movement is too flaky and counter-cultural."

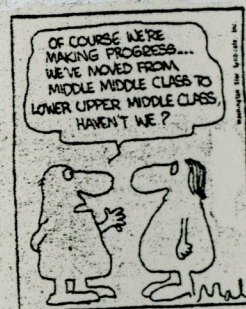
"We have embodied the best and the worst of the counter-culture. We have to stress the importance of the individual, but giving personal witness begs the question. We need material analyses."

"There has been a reluctance in the Abalone to coordinate and to delegate responsibility."

"We have a myth of decentralization. We don't have accountability. We need more coordination, but at the same time we need to firm up our commitment to non-hierarchy."

The next Socialist Abalone meeting will be at 1:00 on Saturday, January 6 at the East Bay Socialist School, 6025 Shattuck Ave., Berkeley. All those left of the Mississippi are welcome. Suggested readings are "Two Notes on the End of the World" and "A Critique of Political Ecology" both by Hans Magnus Enzensberger. Xerox copies can be obtained from Luba Zarsky, 415-843-0973.

--by Marcy Darnovsky



NRC (cont. page 1)

Hosgri fault, not discovered until after construction of the plant had begun, is now considered capable of producing. A new study by the California Division of Mines and Geology states that the Hosgri is connected to the feared San Andreas fault.

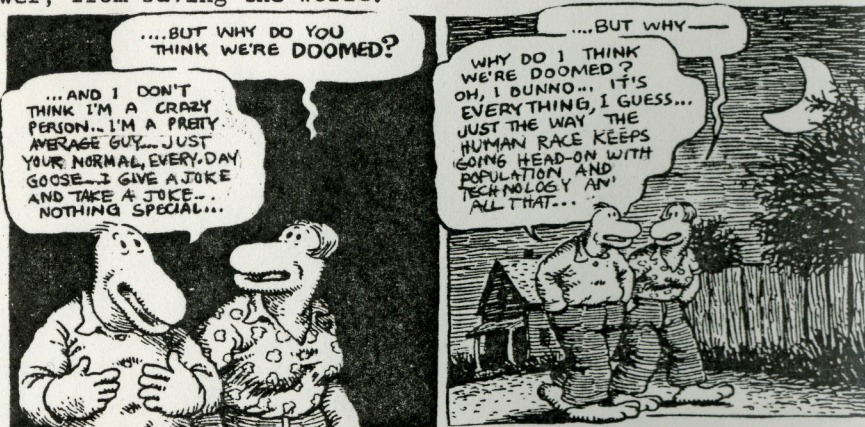
In their opening remarks, the Pacific Gas and Electric Company claimed that "Diablo can withstand more than the Intervenor's say will happen." Representatives from the NRC staff concurred, "There is reasonable assurance Diablo could operate in a safe manner."

However, not everyone working on the NRC study agreed. ASLB consultants Dr. M.D. Trifunac and Dr. J. Henrique Luco took minority positions on the study. But Chairperson Elizabeth Bowers would not allow them to be subpoenaed to testify. A memo from Washington was issued allowing them to do so, but Bowers chose to ignore it.

This denial will form the basis for appealing an unfavorable NRC decision. It is possible that an injunction can be secured against the operation of Diablo until the appeal is heard.

The hearings now have been going on for more than a month, and the legal and scientific haggling continues. Some of the most interesting presentations were made during the first two days of the hearings when the public was allowed to speak in five minute "limited appearances." Almost 200 people spoke out and only 18 were in favor of the plant. The testimony was creative and varied. There were poems, songs and skits. Farmers, students, engineers, grandmothers, academics, ministers, pediatricians, local residents and people from all over the state came to voice their concern about Diablo. People pled with the board, condemned the board, insulted the board. Tommy Renaldo of People Against Nuclear Power told the commissioners, "If you really believe in nuclear power, if you are really convinced that we must go down the nuclear path, then you must deny the license for this plant."

Most of those speaking in favor of the plant were representatives of agribusiness from the San Joaquin Valley, but there were a few colorful pro-nuclear statements from local residents. One middle-aged woman read into the record descriptions of how solar energy is decentralized and gives users control over their energy source. She accused the Abalone of being similar to Karl Marx and equated the Mothers for Peace with "Mothers for a Flat World" who are preventing the hero, nuclear power, from saving the world.



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