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ATOMIC ENERGY COMMISSION
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1/18/73

Memorandum for the Record

MEETING ON CLEANUP AND REHABILITATION OF ENIWETOK

On 18 January 1973 I attended a meeting in the office of the Deputy Assistant Secretary (of the Interior) for Territorial Affairs (DASTA) Stanley S. Carpenter. Attendees were:

Mr. Carpenter	DASTA, DOI
Mr. DeYoung	TA, DOI
CAPT Worthing	DNA
CAPT Schuller	OSD (ASD/ISA)
CAPT Drake	DNA
CDR Wolff	AEC

The principle reason for the meeting was to resolve the apparent difference in interpretation of what DOD and DOI consider "cleanup" and "rehabilitation" to be. The DOD definition of cleanup is "making safe for human habitation", rehabilitation is "making suitable for the Eniwetokese to live." DOI (Mr. Carpenter) holds the view that cleanup includes the removal of all man made objects and structures which the Eniwetokese do not want or that may be unsafe. He cited the precedent in 1969 of VADM Mustin, then Director, DASA, offering the Trust Territory High Commissioner (HICOM) to leave or take away from Bikini whatever the HICOM wanted, after the radiologically unsafe objects had been disposed of. There never was the test of "safe for humans" at Bikini. CAPT Schuller claims that this question was raised at the September 7, 1972 interagency meeting and at that time the DOD definition was agreed to by DOI. Mr. Carpenter does not so remember.

(The minutes of that meeting, on that point, are quoted *(for this record)*):

IV. Responsibilities (Funding, etc.)

Interior

Funding seems to fall into three areas -- (1) Radiological clean-up and surveys, (2) non-radiological clean-up which would include removal of hazardous objects and (3) finally the rehabilitation -- planting of trees, building of houses, etc.)

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The discussion of how far clean-up should go came up several times, but no agreement between DOD and DOI representatives was made.

CAPT Worthing wanted to know where the point of contact was for matters dealing with return of the atoll, DOI or TTPI. Mr. Carpenter said his office was that point, and if TTPI had to be consulted, he would do it.

There was short discussion on the problems caused by Mr. Mitchell. Mr. Carpenter said Mitchell is nothing to worry about, but CAPT Worthing, CAPT Drake, and CAPT Schuller said that PACE had been substantially delayed by Mitchell and that more than \$100K had been spent by DOD to revise the PACE EIS. Mr. Carpenter said for DOD to not worry about Mitchell; DOI was working with OEO to "get at Mitchell."

CAPT Worthing asked if it was assumed by anyone in DOI or TTPI, or elsewhere, that the Joint Statement said that people could come back to the atoll. Mr. Carpenter and Mr. DeYoung said no, but there certainly were pressures to permit the people to return at the earliest convenient date. Specifically, Mr. Carpenter said they would want to go back to Parry and build a few structures where they would live while employed in clean-up activities. I pointed out that it would be unwise to contemplate the return of any Eniwetokese until after the AEC report is completed. Particularly, since it may turn out that it is not advisable to allow any of the Eniwetokese to return, although that is only a remote possibility. CAPT Worthing then stated that if the food chain could not support the people, the U.S. may have to return the people anyway and sustain them with imported food.

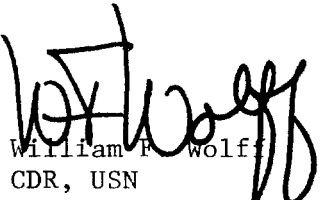
The three DOD representatives brought out their apprehensions of completing PACE after the atoll is returned to the TTPI. Mr. Carpenter said there should not be any problems, but advised that if it were started prior to 1 January 1974, securing a use permit from the HICOM would not be much of a problem. CAPT Drake gave a synopsis of the current legal status of PACE, concluding that PACE legally cannot begin before October 1973. Consequently the trial in Federal Court in Honolulu, originally scheduled for February 13, has been postponed. The purpose of this trial was to determine if PACE was in compliance with the NEPA, and the Government does not want to go to court until it is - and that is what cannot be completed before October.

Mr. Carpenter then stated that existing facilities on Eniwetok will not have a change in status when the atoll is returned to the TTPI. Government interests will be retained as they are now. In addition the DOD could get exclusive rights, through a permanent occupancy agreement, for such

things as the air facility on Eniwetok Island. This agreement would have to be consummated with the HICOM. In this connection, CAPT Worthing wanted Mr. Carpenter's opinion on whether or not it was a feasible alternative to consider putting all debris on Runit or in Cactus Crater, thereby saving considerable money in transporting the debris to somewhere else in the world. Mr. Carpenter seemed to think this was indeed feasible - that the establishment of exclusive areas was within the letter and spirit of the Joint Statement. In response to my question, both Mr. Carpenter and Mr. DeYoung felt that the policing of any exclusion area (by Eniwetokese) would be very effective.

CAPT Worthing asked Mr. Carpenter for an agreement in principle that the Holmes and Narver report should include estimates for the removal of everything, except facilities now in use, whether or not it was "safe for human habitation." This would not require any DOI funds. Mr. Carpenter agreed to the principle.

The final topic was the EIS. CAPT Worthing stated that H&N would write the EIS for DNA. Since it was agreed at the September 7 meeting that DOD would take the lead in on EIS and since the current feeling in OMB is to fund for cleanup and rehabilitation in one package, the H&N EIS would also cover both cleanup and rehabilitation. DNA estimates that the cost of this EIS would be \$200-250K. CAPT Worthing requested that DOI fund for half of the cost - \$100-125K. Mr. Carpenter noted that if any DOI money is to be spent on Eniwetok it has to come from the HICOM's budget. Therefore, he would have to talk to the HICOM about this. Both DOD and DOI talked of this as a "calculated risk" for DOI to come in on the EIS at this time. This was referring to the possibility that the rehabilitation, after DOD cleanup, would not require an EIS. This possibility was considered slight in view of the OMB's apparent desire to fund a single package, making cleanup and rehabilitation a single U.S. Government project, and Mitchell's implied threats to test in court his own opinion that it is a single U. S. Government project.


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