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Three Mile Island Resources

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PANE PILL - JANUARY 1982

PANE MEETING - January 31 - 7:15 p.m.-9:00 p.m. - Frey Village Guest House

PANE VICTORY - It all started in August of 1979 with a truckload of PANE traveling to D.C. to meet Attorneys Karin Sheldon, Eilyn Weiss, and Bill Jordan. This meeting resulted in several more and eventually in September 1979 PANE felt that psychological stress and community fears related to TMI #1 would be our issue to present in the TMI #1 hearings. As you know the NRC in December 1980 (more than one year AFTER our issue was submitted to them) voted NOT to hear the issue. The result was Bill Jordan representing us in the Federal District Court of Appeals--arguing that the Atomic Energy Act and National Environmental Policy Act required the NRC to hear our issue. As most of you know the decision was won by PANE on January 7, 1982. We wish we could say "and everyone lived happily ever after" BUT now more work for PANE lies ahead. Bill Jordan and the law firm of Harmon and Weiss have been with us from the start and will continue to provide us with outstanding legal counsel. PANE will need to gather more funding to pay past legal fees and future legal fees--which can be expected when one tackles the nuclear industry. ALL funds PANE receives are used for legal fees and to print and mail this newsletter. Next month you will receive a special appeal from PANE for financial help to continue the battle and hopefully you will also give PANE some of your time in 1982.

WHAT DOES IT MEAN - The appeals court victory means the NRC must conduct an environmental assessment (EA) of psychological stress and community fears related to TMI #1. (Meanwhile Met-Ed or NRC will probably appeal the decision to the Supreme Court). PANE and you must scrutinize the work of the NRC while they are developing the plans for doing the EA. We must demand the best available mental health professionals and also complete knowledge of the whole EA process and resultant NRC decisions as well as time tables--BEFORE the EA is started. We must demand public input into the planning of the EA and a public comment period following the completion of the EA. NRC could really short change us by doing a poor EA; we need to let them and our elected officials know of our concern and interest in the planning and implementation of the EA. PANE has worked with several nationally known psychologists, sociologists, and psychiatrists who could advise us as to whether the methodology to complete the EA is biased. After the EA is completed, the NRC will have to decide if an Environmental Impact Statement (EIS) will have to be done. The EIS is more thorough than an EA. We fully expect that an EIS will have to be completed to reveal the full extent of local residents psychological stress and community fears related to TMI #1. Plan to attend the next PANE meeting for more information, better explanations, and hopefully questions from you.

PANE MEETING - JANUARY 31 7:15 p.m. - Frey Village Guest House, (Single-story dwelling) on the right as you turn from North Union St. into Frey Village

PUC and TMI - Many times the Public Utility Commission proceedings can be very difficult to understand. Met-Ed and Penn-Elec subsidiaries of GPU won rate hikes totaling 129 million from the PUC Commissioners on January 8, 1982. Here are the highlights: 1. Billing becomes effective January 14, 2. the decision links clean-up funds from customers to a re-start of TMI #1, 3. the vote was 4-0 in favor with Michael Johnson abstaining, 4. On January 14 a 500 KWH monthly rate-payer will owe 43.09 rather than the 37.67 paid in December, 5. 1/3 (25 million) of the Met-Ed increase will go to the clean-up, 6. In June 1981 Met-Ed asked for 212 million, then lowered it to 162 million in November 1981 and finally compromised to 74 million in January 1982, 7. money collected from rate-payers for decontamination will be placed in an escrow account--(who gets and used the interest?). The sad part of this 4-0 decision is that it links GPU use of the ratepayers decontamination portion to a re-start of TMI #1, it appears this will make GPU/Met-Ed even more ruthless in its P.R. campaign which now offends many people. Any plan for financing the decontamination must exclude TMI #1.

LEAKY TUBES - At least 124 of 31,000 tubes in TMI #1 steam generators are leaking and further inspection will be conducted. This type of problem is common among Babcock and Wilcox reactors like TMI.

NRC CHIEF SCORES INDUSTRY - On December 1, Nunzio Palladino, Chairman of the NRC told a group of industry reps, "There have been lapses of many kinds - in design analyses resulting in built-in design errors, in poor construction practices, in falsified documents, in harassment of quality control personnel and inadequate training of reactor operators." As a former Penn State professor, he headed the College of Engineering (Penn State's President is a board member of GPU, owners of TMI).

EPA and TMI - Gamma radiation monitors used by the EPA for off site monitoring at TMI were designed to be used for short periods of time in deserts. The local EPA chief admitted in the Middletown Press and Journal that "the EPA never has had the capability to notify immediately" in the case of an emergency. GPU has the only capability to notify proper authorities immediately in an emergency.

FAMOUS QUOTE HARRISBURG PATRIOT EDITORIAL - 12/16/81 - "Only a system that is morally bankrupt would carry on its ritual of attesting to the innocuousness of nuclear power plants across the ashes of one that says it isn't."

TMI #2 CLEAN-UP TIDBITS- Removal of the damaged core is expected to take place in 1985 . . . After most of the 700,000-800,000 gallons of water is processed by SDS from the basement of TMI #2 the next step is removing loose residue from the floors and walls by scraping, mopping, and scrubbing. . . Removing the fuel core poses a real problem. It is usually removed in one piece but will have to be scooped and vacuumed out and placed in 250 stainless steel canisters. . . The water from the TMI #2 basement is sent to 2 500,000 gallon steel tanks . . . It is estimated 2400 curies of tritium will remain in the processed water

FUNDRAISER - Susquehanna Alliance, a coalition of organizations united against the Susquehanna Nukes is having a benefit on February 20. Bright Morning Star will be appearing in Lewisburg in a benefit for us (PANE). Proceeds will be used to help fund the legal battle to get the NRC to consider psychological stress in their decision about the reopening of TMI Unit 1. More information at next PANE meeting.

MORE ON LEAKY TUBES - NRC staff members said no other reactor designed by Babcock and Wilcox have had "this problem at this magnitude." It is not clear whether sitting idle for two and 1/2 years had anything to do with the problem. It's estimated that metallurgical testing would take 2-3 months (March 1982). The original cracks (124) were discovered after 800 of the 30,000 steam tubes were tested by GPU/Met-Ed. Holes in the tubes produced inadequate steam which equals unreliable power production.

MIDDLETOWN ELECTRIC RATE - Middletown Boro gets about 60% of its operating revenue from re-selling electricity, bought from Met-Ed for 1¢, and reselling it to local citizens. Interestingly, the power comes from a hydro-electric plant not TMI. Met-Ed tried to break the contract in 1974 and failed. The contract will run until 2011; however, Met-Ed will probably haul Middletown into court very soon. At present Met-Ed rate-payers are paying over 5¢ a kilowatt hour to M-town's 1¢ KWH. Since Middletown owns and services its own transmission lines etc., it may be possible to switch to PP&L which powers neighboring Lower Swatara Township. However, no one seems to know if this is possible. If Middletown switched to PP&L, a current monthly bill of \$14.00 for 350 KWH would cost about \$25.00 per month. Perhaps the Borough Council should contact a consultant to lay out contingency plans.

TEE SHIRTS - PANE tee shirts in a variety of colors and sizes from childrens to adult X-large are available - send \$4.50 for each shirt to PANE, P.O. Box 268, Middletown, PA 17057.

A PERSONAL MESSAGE FROM A BOARD MEMBER-

Dear Friends

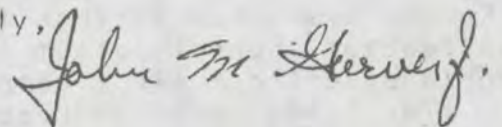
It has now been almost three years since the accident at Three Mile Island. In those three years, PANE has been involved with the Courts and the NRC. The people of PANE have devoted thousands of hours in their struggle to have the plant closed down. All we ask of those who want this to happen is to support us. We have 1000 newsletters per month going out. If each of us would donate \$1.00 a month we would be able to keep going in the Courts and with the NRC.

If we don't get this support, then PANE feels that nobody out there cares what happens at Three Mile Island. I care and I support PANE. DO YOU CARE?

If you do, then \$1.00 a month is not a lot of money. Please put your dollar in an envelope and send it to PANE - WE NEED YOU!

P.S. Every month - just \$1.00.

Sincerely,



GPU CHEATING- 33 individuals took control operator tests in October 1981, because of the April cheating, 12 failed the October test. As a result, only 21 persons are available for the minimum number of 20 slots to operate TMI #1.



You can buy insurance which protects you against loss due to hurricanes, earthquakes and floods. . . .

You can buy insurance coverage for riots, arson and possibly even acts of war. . .



But why—if nuclear power is as safe as its proponents claim—why does your insurance policy include the following disclaimer:

LOSS BY NUCLEAR REACTION OR RADIOACTIVE CONTAMINATION IS NOT INSURED AGAINST BY THIS POLICY. . .



ENVIRONMENTAL POLICY CENTER

317 Pennsylvania Avenue S.E.
Washington, D.C. 20003

POTPOURRI - The network of 79 sirens within 10 miles of TMI cost GPU 2 million dollars . . . U.S. Representative Bob Walker of Lancaster says that a restart of TMI #1 should be tied to "assured funding" of the clean-up of #2. . . GPU filed suit on 12/3/81 to recover over 4 billion dollars from the U.S. Gov't because the NRC was "grossly negligent" . . . Newberry Twp. residents (near TMI) have started a petition drive to switch from Met-Ed to PP&L . . . The average PP&L customer's bill (800 KW a month) will rise 2.27 per month in 1982 . . . In 1981 25 million dollars of utility bills were written off as uncollectible . . . Met-Ed says 140 people purposely with-held payment of their bills in March 1981 . . . Residents of S. Middleton Twp. in Cumberland County are trying to switch from Met-Ed to PP&L . . . It appears the 300 million of insurance money

will last until early 1983 if GPU/Met-Ed continues to "babysit" Unit #2 . . . West Valley New York will be the first national pilot project to solidify and make movable 600,000 gallons of boiling radioactive water. The mess is from spent fuel rods from nuclear power plants used in the 1960's and 1970's. Finally after 6 years the Federal govt. is making an attempt to clean-up the place . . . Safe Harbor Dam in Lancaster County was built in 1929 and 1/3 is owned by PP&L. It took 20 months to build and cost 30 million and produces 230 megawatts. Construction will be completed in 1985 to double its output and cost 120 million dollars . . . 170,000 people live within 10 miles of TMI . . . Moody's Investment Services Inc. suspended the credit rating of 2 nuclear power projects in Washington State on 1/7/82 . . . The American public favors energy conservation (63%) over nuclear power (18%) as a means of solving the country's energy problems according to an extensive opinion poll unveiled 1/4/82 at the AA for the A of Science Meeting. . . 5 school districts within 10 miles of Berwick were told to draw up plans for evacuation before the Susquehanna steam nuclear plant could operate--more business for Ernie Kline. . . A train wreck in California on 1/8/82 revealed a five gallon drum with one ounce of radioactive material in route. It was Americum 241 . . . The now famous Epstein Complaint before the PUC is scheduled for March 1982. The Epsteins, Barney and Evelyn, from SVA charge PP&L is illegally charging customers for costs related to the Susquehanna nuke near Berwick. It is illegal to bill customers for nuclear construction work in progress . . . According to the Union Advocate (Dec. 1981) GPU's Oyster Creek nuke employees had 4 times the exposure to radiation in 1980 than in 1979. The reactor there is about 11 years old - the Advocate also says TMI security people practice their firearms at the Upper Allen Township Police facilities . . . The Guide recently reported a doctor in Grantville (18 miles from TMI) gets high readings whenever there are containment entries and resultant releases of Kr 85.

PANE MEETING - JANUARY 31 - 7:15 - 9:00 p.m. - FREY VILLAGE.
BRING A FRIEND.

Stop *the* restart at Three Mile Island.

ADDRESS CORRECTION REQUESTED

PANE
P.O. BOX 268
MIDDLETOWN, PA 17057

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PANE

A citizens' public interest organization
of the Middletown area

THREE MILE ISLAND
**Clean it.
Close it.**

PANE PILL - MARCH 1982

Dear Friends and Neighbors,

This is a special issue of the PANE PILL, the monthly newsletter of PANE. As you know, PANE is an organization of the TMI area residents who want:

1. TMI cleaned up safely and as quickly as possible.
2. Permanently, close TMI as a nuclear facility.

To this end, PANE has worked for almost three years and will continue to function until the above two goals are completed. PANE's members all believe, that TMI must be closed as a nuclear facility.

This special edition will illustrate the path PANE has taken since 1979 as an all volunteer organization. Please read this newsletter carefully and determine how you and your family can best help PANE to achieve it's goals.

PANE has monthly meetings that are publicized in the newsletter; these meetings are open to the concerned citizens of the TMI area.

If you believe in the goals of PANE, membership is open to you for \$5.00 per year. All funds are carefully accounted for and are a federal income tax deduction.

United, we can be a significant force for the safe decontamination, de-commissioning and shutdown of TMI.

If you have received more than one of these newsletters, please pass it on to a friend. Whether or not, you can afford a financial contribution at this time, please indicate that you share our concern by completing the enclosed form.

Sincerely,
P.A.N.E. BOARD OF DIRECTORS

PANE MEETING - April 4, 1982 7:00-9:00 p.m. Frey Village Guest House, North Union St. (the single story dwelling on the right as you enter Frey from North Union St.).

VICTOR GILINSKY AND TMI

That NRC Commissioner feels because Met-Ed withheld information on March 28 that "this disqualifies that management from operating nuclear plants in the future." Of course we know Met-Ed formed GPU nuclear but Gilinsky feels the same folks are operating the hen-house while the fox (NRC) guards it. At issue is how accurately the utility reported #2 conditions on March 28, 1979. According to a March 6, 1982 article in the Harrisburg Sunday News Congressman Morris Udall accused the NRC staff of making "tortured distinctions" between whether Met-Ed officials "knowingly" or "willfully" "with-held" information. You may recall in March of 1979 when even Lt. Gov. Scranton disclosed that even he was acting on questionable information supplied by Met-Ed. According to the March 6, 1982 article Victor Stello of the NRC agreed with Udall that information on the severity of the accident was withheld and that, "We (the NRC) were misled." So where does that leave you and me? Well if you've followed the events since March 28, 1979 it is very clear that this is just one of a dozen areas that simply prove--we're paying our dues and TMI #1 should be permanently closed.

NEWS SHORTS

There are between 3,000 and 5,000 curies of unremovable radioactive tritium in the 1.5 million gallons or so of accident generated water to date . . . TMI 2 occupational exposure for January 1982 was 15 man-rem . . . An all electric iron foundry in Lancaster County had a 126,000 P P & L electric bill in January--payments for 1981 totaled 1.25 million dollars . . . It is now a federal offense to use two-way radios on the grounds of nuclear reactors that have had accidents during clean-up . . . A pipe cracked on January 13 at a water storage tank near TMI 2 resulting in 50 - 60 gallons of spilled radioactive water.

TMI SIRENS

They are placed at intervals within 10 miles of TMI. 28 are in Dauphin County, 34 in York County, 14 in Lancaster County, 2 in Lebanon County and one in Cumberland County.

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DIABLO CANYON

Harold Denton of the NRC says hundreds of further modifications may be needed at the power plant which was to be opened this year. A large number of design errors have been found. A supposedly "independent study" had previously been done on the plant and its problems--but surprisingly the NRC voted 4-1 to have another study completed. Without a doubt the huge demonstrations held at Diablo Canyon helped to bring the issue to full consciousness by Californians and America and the NRC.

THE GOVERNOR AND UCS

The Union of Concerned Scientists sent Governor Thornburgh a detailed analysis of a review by the NRC. The review by the NRC centered on why TMI #1 was safe to operate. The UCS said the review was grossly misleading. Interestingly enough the "thorough" review by the NRC didn't mention the initial November discovery of the significance of leaky steam tubes. Let's face it the issue of whether TMI #1 should operate is not as complex as Thornburgh would have you and me believe. We live it everyday, we're paying our dues--let's get it cleaned up and then shut it down. You should tell the Governor--call toll free 1-800-932-0784.

NEWS SHORTS

Northern Lebanon County school district and Cumberland County's South Middleton district will withhold March Met-Ed bills . . . An economic expert says P P & L customers have paid an extra 44 million dollars over the past three years because the utility is building a nuclear power plant . . . The Elizabethtown School District will borrow 30 busses from nearby Manheim Township School District in the event of another accident--of course if TMI #1 never restarts, hopefully there won't be any accidents.

DECOMMISSIONING TMI #2 and #1??

A January 22, 1982 Science article shed some light on decommissioning of nuclear reactors such as TMI #1 and #2. Following is a summary of the article. Until recently it was assumed entombment (decontaminated and encased in a concrete structure) was the cheapest and best. However recently it was found radioactive isotopes may remain harmful for thousands of years. The NRC may soon force utilities like Met-Ed/GPU to dismantle reactors (fuel elements are removed and pipes and other internal components are flushed, steel and concrete structures are cut up and shipped to a burial site). A reactor about 25 years old near Pittsburgh (Shippingport) will soon be taken out of service and if it is dismantled estimates range to 40 million dollars, 5 years of work and the generation of almost as much waste as is anticipated from decontaminating TMI #2--yet the Shippingport reactor is only about 1/10th the size of TMI #2. Few utilities have made firm financial arrangements to handle eventual dismantlement/entombment and to date there is no experience in tearing down a large radioactive reactor. Currently there are 78 reactors licensed for operation and 77 with construction permits. Utilities have long favored entombment but long lived isotopes like nickel and niobium may create a need for dismantlement will the utilities have the money available? Decommissioning costs (dismantlement) should be paid for by those who benefitted from the electricity a reactor produced. Do you think that will be the case? At a recent meeting R.C. Arnold of Met-Ed/GPU displayed a chart showing costs are being set aside for eventual decommissioning of #1--Do you think it really is? If it is who benefits from the interest accrued? Estimates show that to dismantle a reactor a little larger than TMI #1 would cost 43.6 million in 1978 dollars. A reactor near Pittsburgh (Shippingport) will be closed permanently at the end of 1982. It is much smaller than TMI's two reactors but has many similar design features. If it should be dismantled, soon, it may give credence to the fact that dismantlement may be possible for our "big time" reactors. A reactor about 1 1/2 times the size of TMI #1 would generate 18,000 cubic meters of contaminated steel and concrete if dismantled. This amounts to 1/4 of the volume of low-level wastes generated annually in the U.S. Something to consider is whether present or future generations should pay for decommissioning of currently operating nuclear reactors. The commercial age of nuclear power is 25 years old, yet decommissioning the large reactors still remains a "what-if" situation.

WHIP-CWIP

As a rule, the Public Utility Commission policy states that utility customers should only pay for facilities that are "used and useful". Investors are expected to assume the financial risks of building new generating plants, because they are the ones who also earn the profits. But in a test case, the PUC has been asked to grant over \$100 million a year in charges for construction work in progress. "CWIP" financing would allow utilities to earn a return on unfinished generating plants. Private sources have become reluctant to finance additional construction activity. Consequently, utilities want to use CWIP

State says NRC is obliged to consider restart stress

(3)

PANE Rep Met With Thornburgh

The Thornburgh administration has taken the position that the Nuclear Regulatory Commission has a legal obligation to consider any psychological stress that reactivation of the Three Mile Island nuclear power plant might cause on people living in the area.

In a brief filed with the NRC by mail Thursday, the state argues that "the psychological health of the residents of Central Pennsylvania must be fully considered in the process of deciding the future of Three Mile Island Unit 1."

The psychic impact of starting up Unit 1 — the undamaged reactor on TMI — could affect the "quality of the human environment," and is thus covered by the National Environmental Policy Act.

The brief was filed at the direction of Gov. Dick Thornburgh under new authority the NRC granted the commonwealth to submit evidence and question witnesses in the forthcoming hearings on Unit 1.

Thornburgh sought that authority as an "interested state" in a petition he filed Aug. 23 with the NRC. The commission agreed to the request on Sept. 21, enabling Pennsylvania to participate fully in the hearings without taking an immediate position on whether the facility in question should be reactivated.

The state is not precluded, under the rules, from taking a position later in the process.

The state's brief notes that the psychological issue "arises in this case in a manner unprecedented in NEPA case law," but cites "a developing body of case law indicating that certain manifestations of psychological distress are already cognizable (covered)" under NEPA.

"The NRC has a duty under NEPA to evaluate, balance and minimize all adverse environmental impacts and should carry out these duties with respect to the issue of psychological stress in this proceeding."

Local groups concerned about the Three Mile Island cleanup and possible restart of Unit 1, met with Governor Dick Thornburgh recently.

The meeting was organized by Limerick Ecology Action and Three Mile Island Alert. People

Against Nuclear Energy (P.A.N.E.) was represented by Middletown resident and Board Member Don Konkle.

The thrust of the meeting centered around the groups voicing that the government was tardy in sensing the needs of local residents and responding appropriately with direct or indirect intervention.

Konkle elaborated by discussing with the Governor the following: 1.) late development by NRC of an environmental impact statement for the cleanup, initiated 8 months after the accident, 2.) Discussions only now culminating for NRC Citizen Advisory Committee, 3.) lack of psychology-psychiatric oriented professionals on the recently convened Union of Concerned Scientists Governors Panel, 4.) The delay in organizing the citizen radiological monitoring program especially when an-

nouncements in March indicated an NRC decision on venting by mid-April (now pushed back), 5.) The Governor (last August) urged the NRC to hear the psychological contention in the August 1980 TMI No. 1 restart hearings. At this time that contention has not yet been accepted by the NRC Commissioners and, 6.) indecisiveness by the NRC in the cleanup, the question as PANE sees it is not whether the high levels of radioactivity should be cleaned up, but rather the process of HOW that is to be accomplished in a well planned, orderly, and safe manner.

Konkle is hopeful that a follow-up meeting can be arranged with the Governor and that he will be more assertive in TMI related activities. It was noted that NRC Commissioner Victor Gilinsky recently stated that Governor Thornburgh's stand on cleanup issues carries considerable weight with the Nuclear Regulatory Commission.

PANE urges all citizens concerned with the cleanup to write to the Governor, Main Capitol Building, Harrisburg, PA 17120 or call the action line at 1-800-932-0784.

HARRISBURG EVENING NEWS 10-5-79

MIDDLETOWN PRESS AND JOURNAL 4-16-80

PRESS AND JOURNAL 6-17-81

PANE Calls For Safe, Quick Clean-up

The credibility of General Public Utilities and the Metropolitan Edison Co., managers of the Three Mile Island nuclear power plant was one of the several topics discussed at the recent board of directors meeting of PANE, Inc., of Middletown.

At the meeting, PANE members related that two governmental investigations have found that the managers of TMI failed to pass on information that showed a deteriorating situation on the morning of the 1979 accident.

The local citizen pointed out that one investigation was completed by the Nuclear Regulatory Commission in early February 1980 which showed a "clear failure" to collect, analyze, and release information about what was going on in the plant's reactor as the accident developed.

The other investigation was done by the House Interior Committee chaired by Representative Morris Udall. The "Udall Report" charges that Met-Ed officials "presented state and federal officials misleading statements... that conveyed the impression the accident was substantially less severe and the situation more under control than what was in fact the case."

operator's training and experience. As a result, the NRC says, they were written off as faulty instrument measurements.

"However Udall's report disagreed," PANE said. The representative's findings stated that Managers did not communicate information in their possession that they understood to be related to the severity of the situation. Udall's main report said, "TMI plant managers were aware of information indicative of a situation much more perilous than was reported to state and federal officials."

"Local Congressman Allen Ertel is concerned about the discrepancies of the two reports outlined above." PANE directors commented as a result, the Congressman has asked the chairmen of the NRC and GPU to respond to the conclusions of both investigations.

PANE has reviewed the various steps required in the decontamination of TMI No. 2 as outlined in the NRC's Environmental Impact Statement. They maintain that much of the work will involve unprecedented procedures and yet-to-be designed equipment. For that reason, PANE feels that all of the engineering expertise of GPU/Met-Ed should be solely devoted to an expedient and safe decontamination of TMI No. 2. First, "After the decontamination is safely completed, then, and only then, should the question of whether TMI No. 1 will operate be considered," they said.

The next scheduled PANE meeting is a board of directors meeting to be held Sunday, June 28 at 7 p.m. in the Frey Village Guest House conference room, North Union Street, Middletown.

PANE Looks Over Year's Activities

P.A.N.E. (People Against Nuclear Energy) of the Middletown Area held a public meeting on April 16 featuring several presentations. President Jim Hurst discussed PANE's year of activities which centered on public education and increased dialogue between public and agency officials.

Barbara Heivly discussed P.A.N.E.'s relationship to the Three Mile Island Legal Fund (TMILF) and TMI Public Interest Resource Center (TMI PIRC). Heivly represents P.A.N.E. in PIRC which is designed to pool all available information from local citizen groups and develop contact with interested local and national experts in various aspects of the decontamination and decommissioning of TMI.

Don Konkle represents P.A.N.E. in the TMILF and is President of the Fund. This group has representatives from all local citizen groups

with several individuals and began to come together last August through the efforts of TMIA and Susquehanna Valley Alliance. The TMILF's function is to review legal activities, funding and dispersal of funds to local groups.

A report on the March 29th rally was presented by P.A.N.E.'s representative to the March 28th Coalition John Garver. Garver was in charge of coordinating logistics for the site of the rally. He reported state and local officials were pleased with the orderliness of the participants and the cleanliness of the site after the rally. The Coalition is already beginning to plan for next year's event.

Barb Heivly and Don Hossler presented various reviews of the NRC Environmental Assessment to vent Krypton and the PIRC response to the assessment.

The next scheduled public meeting will be held May 20. A 90-minute documentary film, just completed, about TMI will be shown. All citizens of the area are invited to attend. Please check editions of the Press and Journal for location and time of the film.

PRESS AND JOURNAL 4-23-80

Court Says NRC Acted Illegally

WASHINGTON — The Nuclear Regulatory Commission acted illegally when it didn't hold a formal public hearing prior to starting the controlled release of radioactive gas from Three Mile Island Unit 2, federal appeals court judges ruled here Thursday.

The unanimous decision by a three-judge panel of the U.S. Court of Appeals in the District of Columbia, according to several knowledgeable NRC officials, means that many more formal public hearings than the agency had hoped will have to be held on nuclear power plant license changes.

The case developed last spring when NRC officials extensively discussed at numerous public sessions plans to vent small amounts of krypton-85 gas from the Unit 2 containment building. But the commissioners decided no so-called adjudicatory hearings were required before taking the crucial step in decontaminating the TMI site.

Federal law allowed them to skip the hearing requirement, the commissioners reasoned, because NRC experts had shown the krypton releases involved "no significant (health) hazard." Although the releases were deemed safe, the NRC formally had to amend the Metropolitan Edison Co. nuclear license because some of the krypton emissions could have momentarily exceeded federal standards.

Giving the public 10 days notice before the venting was to begin, the NRC approved Met-Ed's purge plan and amended its license accordingly on June 12.

Steven Sholly of Mechanicsburg, People Against Nuclear Energy and another anti-nuclear group asked the NRC to reconsider and later also asked for a public

hearing. The NRC formally refused to change its mind and ignored the request for a hearing.

Attorneys for Sholly and PANE filed suit the day before the venting began (June 28), arguing that their right to request a hearing should override the NRC's contention that it could duck the hearing by showing there was "no significant hazard." The D.C. appeals court refused to stop the venting, but agreed to hear the case later on its merits. Arguments were heard Sept. 9, and Thursday the court ruled Sholly and PANE had been right.

NRC officials were uncertain about how the ruling might affect the cleanup at TMI, although the question of holding hearings clearly will be given more consideration in the future, they said. The commission can decide to appeal the court decision by recommending that the U.S. solicitor general ask the Supreme Court for a review. It was unclear Thursday whether the NRC would take that route.

NRC Solicitor Stephen Ellperin had argued at the Sept. 9 appeals court hearing that since the venting had been completed by then, Sholly's and PANE's arguments were moot and no longer worth reviewing.

The court also rejected that argument. By passing up the hearing requirement and making its hearing order effective immediately, the NRC had attempted to evade judicial review, the court said.

"We believe that it is unreasonable for the government to take the position that, in order to seek judicial review of a license amendment, a petitioner must race to the courthouse before the NRC takes an irreversible action," the judges said.

HARRISBURG PATRIOT 11-21-80

THREE MILE ISLAND: Clean it Close it.



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PANE Will Appeal Ruling Against Stress

By Joe Sukle
Associate Editor

The issue of whether the matter of psychological stress should be considered as an issue in the restart hearings of the Three Mile Island Unit-1 reactor was dashed last week by an order from the Nuclear Regulatory Commission.

Last Friday, following a 2-2 deadlock vote on the matter, the NRC decided against telling a licensing and review board that the issue of stress should be considered a condition in the ongoing TMI Unit-1 restart hearings.

Locally, Don Hossler of PANE, People Against Nuclear Energy of Middletown, told the Press And Journal that the group will probably be filing for an appeal on the NRC decision. The local anti-nuclear group, at a recent meeting of their Board of Directors, were unanimous in deciding to file the appeal with the District of Columbia Court of Appeals. The group has, for some time now, worked at establishing the issue of psychological stress as being one that should be considered relevant in the TMI Unit-1 restart hearings as well as with regards to the entire clean-up at TMI Unit-II.

To be successful in filing their appeal Hossler said that PANE will be forced to get an expedited hearing with the Washington, D.C. appeals

court due to the fact that they only have a period of some sixty days to successfully work against the NRC order. "If we don't get the expedited hearing on the appeal of this case," Hossler explained, "the restart hearings on Unit-1 will probably be over."

Hossler outlined that PANE's appeal would move from the appeals court, should they approve, to the NRC where testimonies would officially be placed on record. "I don't think we would win the case with the NRC," Hossler admitted, "probably because about that time President-elect Ronald Reagan's replacement on the NRC would be named and the vote would probably fall 3-2 against us. But then we would move back to the appeals court again and hopefully they would agree with us."

On the stress issue, a down-to-the-wire 2-2 vote split the NRC officials on the matter. Chairman John Ahearn and commissioner Joseph Hendrie voted their opposition to making the subject of psychological stress an issue to be considered in the Unit-1 restart hearings. Fellow commissioners Victor Galinsky and Peter Bradford voted in favor of considering the factor of stress as an argument in the hearings.

Some ten months ago an NRC licensing board also recommended that it be allowed to address the

psychological stress facet during the Unit-1 restart hearings. Area anti-nuclear groups have also pushed the NRC for some time to approve the same issue.

In the ultimate order from the NRC following the split 2-2 voting, Chairman Ahearn said, "An NRC licensing action is not an appropriate forum for psychological stress issues." Ahearn and Hendrie expressed their beliefs that the assurances of proper safety procedures and constant public information reports on the occurrences at TMI would best take care of the avenues of stress and mental anguish with regards to TMI.

"If we go back to the appeals court following a denial of a turnover of the NRC's decision, I think we'll win and overturn the issue," Hossler said. "We're not giving the appeals court a nuts and bolts technical issue to decide upon. Usually the federal appeals court does not like to turn things around for a fellow federal agency but we know that the information is there on this case in our favor."

Hossler further explained that the biggest problem facing PANE in such an endeavor, besides the time limit, is money. "For an appeal to the court in Washington, D.C. we're looking at another \$6,000," he stated. "To go before the NRC another \$10,000 to \$20,000 is added and then if we have to go back to the appeal court, another \$6,000 would be needed."

"In our hearts we're committed but in our minds it's getting difficult," Hossler admitted. He went on to say that the fact that the appeals period will run over the upcoming holiday season further complicates the issue. The NRC licensing board's recommendation on the restart proceedings of Unit-1 at Three Mile Island are expected to be made public this summer. The issue of psychological stress was the final matter that the NRC instructed the Board to address.

TMI Stress Arguments Proliferate

By MICK ROOD
Washington Bureau

WASHINGTON — Three judges on the U.S. Circuit Court of Appeals here raised more arguments than they heard Tuesday on whether Three Mile Island area residents' mental condition should be considered in the restart of TMI-Unit 1.

William S. Jordan III told the panel his client, People Against Nuclear Energy of Middletown, wants the Nuclear Regulatory Commission to make psychological stress an issue in the restart proceedings. Jordan said effects of the Unit 2 accident and anticipation of a Unit 1 start-up were demonstrable, but the NRC had never allowed PANE to present evidence.

"Usually, litigants don't rely on the other side to produce facts," Judge Malcolm Richard Wilkey chided Jordan.

Wilkey pressed the PANE attorney for examples of actual physical impairments due to psychological stress or of people "who have been unable to function on the job." Jordan was unable to come up with such examples in the courtroom, but said they were available.

"At the present time, we just have your contentions and speculations," Wilkey said. The judges said PANE was asking for a "novel" ruling that would affect residents near all nuclear plants considered for start-up or restart.

Nevertheless, presiding Judge J. Skelly Wright and Judge Carl McGowan appeared sympathetic to the PANE case. And all three judges repeatedly asked why the NRC couldn't have required a special environmental impact statement on psychological stress or why the issue couldn't have been considered during restart proceedings.

NRC attorney Peter Crane said Congress never intended atomic safety and licensing boards appointed by the NRC to consider anything but physical health effects in connection with operation of nuclear power plants. Further, he argued environmental impact statements were required only for "major federal actions" and while calling for one might be within the NRC's discretion, determining psychological stress would be "speculative" and difficult to quantify.

The circuit court got the case on appeal after the NRC refused in December 1980 to order the licensing board to consider psychological stress along with other safety issues pertaining to the restart case. The commission's refusal of PANE's original request was a bitterly worded 2-2 decision in which member Peter Bradford said the issue should be broached again when the NRC had five members.

(The NRC operated with only four members for 13 months until August this year when the Reagan administration completed appointments. The psychological stress appeal was never reconsidered.)

At issue is whether Congress intended the NRC to consider mental as well as physical effects in plant licensing matters under either the Atomic Energy Act or the National Environmental Protection Act. Most legal analyses suggest no literal mention of mental health in atomic energy law, but potential for consideration on the environmental act.

As Judge McGowan asked NRC attorney Crane Tuesday, "How could you write an environmental impact statement on a new plant without discussing fears in a community?"

In its overall environmental impact statement on the cleanup of accident-damaged Unit 2, the NRC staff concluded in March 1980 that "for the great majority of people in the TMI community and downstream, no long-term psychological effects are anticipated." Similarly, the President's (Kemeny) Commission on the Accident at Three Mile Island decided mental stress problems arising from the Unit 2 accident would only be short-lived.

How those judgments relate to Unit 1 — a separate issue legally — is unclear. But Judge Wilkey at one point asserted the only "facts" PANE had are the Kemeny commission's conclusion that psychological stress problems would be short-lived following the accident.

Attorney James B. Hamlin representing Metropolitan Edison Co., which intervened in the case, said PANE was unnecessarily asking for full adjudication of the stress issue. Questions about the safe operation of Unit 1 by Met-Ed are now being considered by the licensing board — more than 20,000 pages worth of testimony and documents.

Hamlin said TMI Unit 1 was "not a special case."

MIDDLETOWN PRESS AND JOURNAL 12-10-80

Certificate of Recognition

Presented to

People Against Nuclear Energy

By the ENVIRONMENTAL ADVISORY COUNCIL of MIDDLETOWN for conscientious concern and action performed for the environment of the Borough of Middletown, Pennsylvania. We hereby express our appreciation and recognition.

This 9th Day of February, Nineteen Hundred and 81.



Charles J. Thompson
Chairman



John Bellberg
Secretary



TMI Loses Round on Reactor

By Joanne Oriang
Washington Post Staff Writer

The U.S. Court of Appeals here yesterday ordered the Nuclear Regulatory Commission to keep the undamaged reactor at Three Mile Island shut down until it studies the effect a restart would have on the mental health of people in the area.

The 2-to-1 decision is a major setback for the financially strapped Metropolitan Edison Co., which owns the Pennsylvania power plant, and for the nuclear industry, which sees the case as precedent-setting. The citizens' group that brought the suit, People Against Nuclear Energy (PANE) of Middletown, Pa., was exuberant.

"We can't wait to see [the ruling] and really believe it's true," said PANE board member James B. Hurst. "It means it's time to stop talking about psychological stress around here and to start dealing with it."

The ruling overturned an NRC verdict early last year, which was reaffirmed this fall, that psychological effects did not have to be considered in its pending decision on whether to allow the undamaged Unit One reactor to start up. NRC must now conduct an "environmental assessment" of restart effects on "the psychological health of neighboring residents and on the well-being of surrounding communities."

The NRC must then determine whether the National Environmental Policy Act requires a more detailed environmental impact statement, which would include public hearings on the effects of a restart, the court said. The NRC may not decide on

reopening the plant until that is done, it added.

In a strong dissent, Judge Malcolm R. Wilkey said the court order set up psychological stress as an "impact" which has never before been considered as covered by NEPA. He said it was "yet another example of a court inventing new procedural requirements for an administrative agency in a manner which has enormous substantive consequences."

While the assessment continues, he said, the TMI neighborhood will get no service from the plant, and "it will be a colder winter than predicted."

Unit One was ready to begin operations the day the adjacent Unit Two overheated, on March 28, 1979,

spreading radiation over the area, and has been closed ever since for design changes.

But Met Ed said it feared bankruptcy if it is not allowed to restart Unit One soon and apply the revenues toward cleaning up Unit Two. Issues of structural strength, managerial competence and operator test cheating have been pending, but the NRC had been expected to allow the restart within the next few weeks. Yesterday's decision could delay that several more months.

PANE argued that psychological factors should be included in the Atomic Energy Act's requirement that public "health and safety" must be considered in authorizing nuclear power plant operation.

(5)

TMI foes call ruling 'worth it'

By MARY O. BRADLEY
Staff Writer

A legal fight to get federal regulators to consider the psychological stress on residents of restarting Three Mile Island Unit 1 may end up costing more than \$25,000, but Middletown anti-nuclear activists today said the investment was worth it.

"It's been very costly," said Jim Hurst, a director of People Against Nuclear Energy, the group which has waged a 16-month legal battle to have the psychological impact of the restart considered by the Nuclear Regulatory Commission.

In a 2-1 ruling Thursday, the U.S. Court of Appeals ordered the NRC to prepare an environmental assessment regarding the effects of the proposed restart.

"The commission shall then determine, on the basis of this environmental assessment, whether the National Environmental Policy Act requires preparation of a full environmental impact statement," the court said.

Hurst said the legal fight thus far has cost PANE between \$20,000 and \$25,000 with about \$8,000 spent on its appeal of the NRC's December 1980 refusal to order an Atomic Safety and Licensing Board to consider the stress issue in its deliberations on restart. Hurst said PANE has about \$9,000 in legal bills still outstanding.

"We were just really convinced that the issue is so important," Hurst said, adding it was "very difficult" for board members to commit PANE to a costly fight and "run up debts." He said PANE's financial

See N-PLANT — Page 2



N-plant foes call ruling 'worth it'

From Page One

support came from the public and some grants from national foundations.

"I think a lot of people had a sense of frustration" over the NRC's position. "We tried to say justice would prevail... that the issue would be heard... It was a question of how much money we would have to spend and what level of the court would hear it," Hurst said.

Paula Kinney, also a PANE director, said the ruling is "a landmark decision." She believes it will have wide-reaching consequences because it will require regulators to consider the psychological impact of new nuclear plants on residents.

"We want to see that they (the NRC) bring in good experts for the environmental assessment," Kinney said. She said the assessment will prove "what we've been saying all along — there is definitely stress in the area."

Kinney added, "it's such a good feeling to see that a citizen's group

Wilkey said the court is concerned that the well-being of the TMI communities be assessed, "yet while this is taking place, for the communities near TMI-1, it will be a colder winter than predicted."

Mental Role Ruled TMI-1 Restart Key

WASHINGTON — The U.S. Court of Appeals here ruled late Thursday that the undamaged Unit 1 reactor at Three Mile Island cannot be restarted until the government weighs the possibility of adverse psychological effects upon people living near the central Pennsylvania nuclear plant.

The appellate panel, in a 2-1 decision, said the U.S. Nuclear Regulatory Commission should make that assessment. The NRC should then determine whether federal

law requires a more detailed study of environmental effects of a restart, the court said.

The decision was a long-awaited victory for People Against Nuclear Energy, a midstate Pennsylvania group opposed to restart, and appellant in the case.

"It's an important decision for us," said James Hurst, a PANE director. Hurst said PANE has been fighting to have the psychological

See TMI-1—Page 10

TMI-1 Restart Handed Setback

From Page One

Impact of restart considered since September 1979, when PANE became an intervenor in the restart hearings.

"We hope they (the NRC) use the best mental health experts" to perform the assessment of possible psychological impact, Hurst said. "Mental health is as much health as is physical health."

The mental health aspect of a TMI restart was the lone issue being pursued by PANE, Hurst said. PANE is one of six central Pennsylvania groups opposed to restart at the Harrisburg area plant, he said.

Hurst said PANE's appeal stemmed from a December 1980 statement by the NRC that psychological aspects of restart would not be considered.

General Public Utilities Corp., operator of the plant through GPU Nuclear, had no comment on the appeals court ruling Thursday night.

The ruling was issued too late for GPU to review Thursday, GPU spokesman Douglas H. Bedell said.

TMI's undamaged Unit 1 reactor has not operated since the nation's worst commercial nuclear accident crippled its sister Unit 2 on March 28, 1979. The Unit 1 reactor was down for refueling when Unit

2 suffered a near meltdown of its radioactive core.

In Thursday's ruling, majority Judges J. Skelly Wright and Carl McGowan said that until the NRC complies on the psychological issue, "it shall not make a decision to restart TMI-1."

U.S. Circuit Judge Malcolm Richard Wilkey dissented, saying, "Whether designedly so or not, this order will bar the resumption of furnishing nuclear power from TMI-1, at which there has never been an accident, until such time as the Nuclear Regulatory Commission satisfies this court...."

"This delay is imposed because of the asserted impact on the psychological health of neighboring residents, an impact which has never before been considered as covered by the National Environmental Policy Act," Wilkey said.

"The court is concerned that 'the well-being of the surrounding communities' be assessed, yet while this is taking place, for the communities near TMI-1 it will be a colder winter than predicted," he said.

In mid-December 1981, an Atomic Safety and Licensing Board recommended to the NRC that it consider allowing restart, and at that time it was believed that a restart decision could come by the end of January.

PHILADELPHIA INQUIRER 1/12/82

Court properly orders review of stress at TMI

Experts studying the after-effects of the Three Mile Island nuclear accident agree that the only immediately identifiable health effect was psychological stress experienced by many people living near the reactor. Those experts question whether the start-up of TMI's undamaged Unit 1 reactor, idle since the accident in Unit 2, will produce a new outbreak of such stress.

Is the Nuclear Regulatory Commission required by law to consider mental stress when it decides whether to authorize the Unit 1 start-up? A local citizens' group argued that it is. The plant's owner maintained there was no legal precedent for such a study.

Last week, the U.S. Circuit Court of Appeals for the District of Columbia ruled that an environmental assessment of possible psychological effects was necessary under the National Environmental Policy Act, which requires public health and safety to be considered before any federal action. It is a prudent decision. If it had been made two years ago by the NRC valuable time would have been saved.

The court noted that the public's mental health already had been damaged by the TMI accident and starting up Unit 1 might exacerbate that damage. Thus, in this instance, the court ruled, an environmental assessment is required before any decision is made by the NRC. The court also indicated a similar assessment may be required under the Atomic Energy Act and asked the NRC to address that issue before the court.

The Commonwealth of Pennsylvania strongly urged the NRC to take psychological impact into consideration on any TMI-related decision. The federal Atomic Safety and Licensing Board, which has held extensive hearings on the restart of Unit 1, made the same recommendation, noting that the failure to do so "may produce additional stress in that the public may perceive an attitude that their fears are of no consequence." Public-interest

groups made similar requests. In December, 1980, the NRC, which at the time had only four members, split evenly on the question, thus denying the request. An appeal to the circuit court was filed by People Against Nuclear Energy, a citizens group based in Middletown, Pa., the TMI site.

The court-ordered assessment could delay the planned start-up of Unit 1, which tentatively had been set for this spring by General Public Utilities Corp., owner of TMI. The utility needs revenue generated by the undamaged reactor to finance clean-up at Unit 2.

The need to remove the deadly wastes from the Unit 2 reactor promptly and safely is critical, and the longer that task is delayed, the more dangerous and costly it will be. But clean-up of Unit 2 cannot supercede the problems hanging over the safe operation of Unit 1. A legitimate problem that must be resolved is the public's perception about their own safety if the reactor is returned to service.

The Nuclear Regulatory Commission is reviewing the equipment changes made at Unit 1 since the accident and studying the competence of management at the plant, pending a final decision on licensing the reactor. It is only appropriate that the public's confidence be weighed as well.

In its December, 1980 tie vote on the psychological stress question, former NRC commissioner Joseph M. Hendrie argued against considering it, noting that the Congress has decided "that the country is to have a nuclear power program even if it makes some people uneasy." Resolving every American's uneasiness about the safety of nuclear energy is, of course, impossible. But the people living near TMI have lived through the nation's worst commercial nuclear accident and, as a result, have some undeniable mental scars to show for it. Reducing those concerns is a proper, and unequivocal, responsibility of the NRC.

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Issue Of Stress With TMI Not Finished Yet

(6)

PANE

A citizens' public interest organization of the Middletown area

Due to the recent PANE victory in a Federal Court of Appeals in Washington, D.C., it appears that an eventual Environmental Assessment of the psychological stress and community fears of this area related to any operation of Three Mile Island Unit I will be performed. But PANE also feels that the NRC or Met-Ed/GPU will take the issue to the United State Supreme Court for a final decision.

Plans for the Environmental Assessment began taking shape at a January 22 meeting in Bethesda, MD. The meeting was attended by William Jordan, III, attorney for PANE, and PANE Board members Paola Kinney and Joyce Corradi. Harold Denton of the NRC and several representatives from Metropolitan Edison/GPU also attended the meeting.

PANE has stated repeatedly that it is extremely concerned with the planning on how the Environmental Assessment will be constructed, implemented, and what geographic areas will be studied. PANE spokespersons state that the organization has worked with several nationally known psychiatrists, sociologists, and psychologists for the past 2½ years who could assist the NRC in designing an assessment that will not be biased.

According to PANE, an

assessment completed without its input and continuous scrutiny will only create a situation where further court action will be necessary. "PANE is interested in an unbiased Environmental Assessment that truly reflects the TMI area," a release from the group states.

A PANE spokesperson

pointed out that the organization formally asked the NRC to consider the issue of psychological stress in September 1979. However it took the NRC Commissioners until December 1980 to decide in a 2-2 vote not to review the issue. As a result PANE's attorney took the case to a Federal Appeals Court.

(Continued On Sec. 1, Page 12)

Stress

Continued from Page 1

The Federal Appeals Court ruled in PANE's favor, requiring the NRC to conduct an Environmental Assessment. This court decision comes 28 months after PANE originally asked the NRC to examine psychological stress and community fears in the TMI area.

The PANE spokesperson also added that even though the NRC appears to be planning to do an Environmental Assessment, PANE feels that the NRC or Met-Ed/GPU will eventually take this issue to the Supreme Court with hopes of overturning the lower court decision.

For more information on the matter, interested citizens and PANE members are encouraged to attend a January 31, 1982 meeting at 7:15 p.m. in the Frey Village Guest House conference room, North Union Street, Middletown.

3 Who Can't Vote With Their Feet Are Staying, Battling NRC

President Reagan thinks that people should migrate, like birds. They can, he has often said, "vote with their feet." At his latest press conference, when asked about people who might find themselves in uncomfortable states, he indicated they should just move along.

He was asked twice about people who cannot afford to move. He did not answer. It seems there are people who, like certain birds, do not choose to go to softer climates. No one asks the birds why they don't take wing, why they shiver on wind-dovells waiting for the unreliable hand-outs. They simply choose to stay. People choose to stay in Minneapolis, where the temperature goes to 40 below. They live in Gary, Ind. Some people have a thing for Toledo.

Some even choose to live in Middletown, Pa., under the shadow of two nuclear towers, one of which was the site of the worst accident in the history of commercial nuclear power. Three from Middletown came to Washington this week to carry on their fight with the Nuclear Regulatory Commission, which proposes to reopen TMI-1, the undamaged Three Mile Island nuclear reactor. They are members of PANE—People Against Nuclear Energy.

Linda Lutz, Paola Kinney and Joyce Corradi are not your usual nuclear protesters. They are not paraplegic intellectuals out to save the world from the mushroom cloud. They are working-class women, who want to save their children. Instead of wine and cheese receptions for the cause, they run bake sales.

None of them was politically involved, none ever doubted the words of General Public Utilities or Metro Edison about the safety, cleanliness and efficiency of nuclear power—never, that is, until March 28, 1979, when the sirens sounded and they didn't know where their children were. That day changed their lives. They have been badgering the utility executives and banging on the doors of the Nuclear Regulatory Commission ever since.

Even if they wanted to follow Reagan's advice to clear out, they can't. They can't sell their houses, for one thing. Real estate values are, understandably, depressed in

Middletown. But beyond that, they want to stay because, however hazardous, Middletown is home. The NRC refused them a hearing about the psychological stress and community fears that they claim as reasons

and nuclear power in general, even if it doesn't apply to plants under construction in less populated areas. The president has resoundingly endorsed nuclear energy, but the utilities are finding out that making plants safe is an almost prohibitively expensive business.

In his dissent, Judge Malcolm Wilkey complained that psychological impact was "never before considered as covered by the National Environmental Policy Act."

But the stress, according to the Middletown women, is constant. They received with their township tax bill last year an evacuation plan, which threw them into further consternation. Under its provisions, parents being evacuated were forbidden to go and find their children.

Says Joyce Corradi, the mother of three, "If there is an evacuation, which one of my children would I go for first? They go to three different schools, one of them 25 miles away. Every time we hear a siren, we freeze. People say, 'Is it the island?' The last time we were evacuated I forgot my marriage certificate and the family photos. I have them ready if there's another time."

MARY MCGRODY MIGRATE?

for not restarting TMI-1. But they hired a lawyer and went to court. And they won. A judgment by the Circuit Court of Appeals—it is not yet in opinion form—may make it possible for them to live in their town with easy minds. The court ruled that the NRC could not restart TMI-1 until it makes "an environmental assessment on the psychological health of neighboring residents and on the well-being of the surrounding communities."

The judgment could have a profound effect on the future of Three Mile Island

The startup of TMI-1 is closely related to the cleanup of the damaged reactor, TMI-2, a halting enterprise watched with great trepidation by the community. The utility companies want the reopening for financial as well as symbolic reasons. Resumption of service would help somewhat to defray the staggering cleanup bill, which is estimated at \$300 million.

Sen. Mark Hatfield (R-Ore.), chairman of the Senate Appropriations Committee, is holding hearings in Harrisburg on Gov. Richard Thornburgh's proposal that other states contribute to Congress.

The Middletown women are fearful that friends of the utility industry will introduce legislation to reverse the Appeals Court decision. The utilities are lobbying for such a bill. The NRC has ordered an environmental assessment.

If they're lucky, the women could help make the whole country safer.

Residents' Stress at Restart to Be Eyed

By MICK ROOD
Washington Bureau
WASHINGTON — Under court order, the U.S. Nuclear Regulatory Commission will convene a panel of 13 psychiatrists, psychologists and research experts next month to get their advice on gauging psychological stress among Three Mile Island area residents if the TMI Unit 1 nuclear reactor were allowed to restart.

The trouble is, as NRC reactor regulation chief Harold Denton put it Friday, "I guess what we're all groping through, is, 'What is it?'"

Denton and other top NRC staff members met informally with representatives of TMI owner General Public Utilities and People Against Nuclear Energy, the Middletown area residents' group that raised the issue.

After the NRC rejected in December 1980 PANE's proposal to make psychological stress a licensing issue in the Unit 1 restart proceedings, the group appealed the decision to the U.S. Circuit Court of Appeals here. PANE won on Jan. 7, when the circuit court issued an order forcing the NRC to consider psychological stress as a restart issue.

The court order said the NRC must conduct an environmental assessment on the effect of a Unit 1 restart on "psychological health of neighboring residents and on the well-being of the surrounding communities."

The order also forces the NRC to consider whether a more rigorous and time-consuming environmental impact statement is necessary under federal law. The NRC completed such a review on other environmental factors, concluding that Unit 1 would not endanger the public health and safety.

Residents' Stress at Restart to Be Eyed

PRESS AND JOURNAL 1-27-82



HARRISBURG PATRIOT 1-23-82

The NRC has never had to consider the thorny issue in other nuclear plant licensing proceedings, and it is expected to delay a restart decision at least several months.

Commission officials said Friday's meeting to begin exploring the question was necessary even though the NRC may acquiesce to the court order. If the NRC loses an appeal or decides to acquiesce to the court order, machinery for the unusual environmental assessment will be under way.

Denton said the 13 experts will try to determine if stress can be quantified so a valid prediction can be made on its severity in the event Unit 1 renewed operation. The panel is being convened by Mitre Corp., an NRC-hired consulting firm, and will meet Feb. 4-5 in nearby McClean, Va.

"We want to get the practitioners in this area to come up with the best measurements possible," Denton said. "Otherwise, we're a bunch of engineers thinking about something far outside our normal area."

"It's hard to say what we'll get. We may get 13 different opinions or we may get a consensus," he said.

GPU Nuclear President Robert Arnold and GPU general counsel G.F. Trowbridge protested several times during the meeting that Denton made it sound as if an environmental assessment was necessary, when it could still be explored in court. Both added the experts may find psychological stress unquantifiable in the context of Three Mile Island.

When the NRC originally decided against letting the TMI Atomic Safety and Licensing Board to consider psychological stress as a restart issue, it came on a 2-2 vote. The matter never was resolved even after a vacancy on the commission was filled, providing the fifth and decisive vote.

Arguing for the prevailing side of the tie (a commission order requires a majority vote), then-Chairman John F. Altheimer said the NRC was an "inappropriate forum" for settling the psychological issue. The best way to alleviate such stress, he said, was for the NRC to assure that Unit 1 would be operated safely.

Do you trust GPU?

revenues to complete construction. This forces ratepayers to become lenders, with ZERO INTEREST on their "confiscated investment". Customers should not have to reward mismanaged utilities that build unnecessary capacity with CWIP bailouts.

Philadelphia area industries have testified that customer financing schemes, such as CWIP, could result in the loss of 5,000 to 40,000 jobs. ONce the precedent is established, hundreds of millions of dollars more could be added to customers' bills statewide. How many jobs will be lost then?

Send letters against CWIP to: P.J.C. Commissioners: Jones, Shanaman, Cawley, Taliaferro, and Johnson, Pa. Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17120.

GEKAS RUNS FOR ERTEL'S SPOT

Harrisburg State Senator George Gekas will run, in the May primary, for the U.S. Congress seat now held by Allen Ertel. Gekas says TMI is a priority and that "I will oppose the restart of TMI #1", however he supports Governor Thornburgh's cost sharing plan. Thornburgh's plan has a provision to possibly restart TMI #1 as part of the cost sharing. We should all find out if Senator Gekas really means what he's saying and if he does then he needs to become more vocal about a safe cleanup and shutdown of TMI #1, his district office phone no. is 561-2603.

SDS PROCESSES WATER

The famous Submerged Demineralizer System (SDS) that cost GPU 8 million dollars has processed all but 5 inches of the 8½ feet of water in the basement of the TMI #2 containment building. Even though the water is processed it still holds between 2,000 and 5,000 curies of radioactive tritium that can't be removed. The processed water is stored in 2 - 500,000 gallon tanks and some will be used to spray the containment building walls. 230,000 curies of radioactive strontium and cesium to name a few were removed from the water. About 100,000 gallons of contaminated water remains in the TMI #2 reactor coolant system and will be filtered in May.

PANE MEETING - April 4, 1982 - Frey Village Guest House - 7:00 - 9:00 p.m.
Plan to attend - bring a concerned friend.

SPECIAL EVENTS THIS WEEKEND

- Friday - March 26 - 8 p.m. - Bluegrass and Country Music Bands - Fairview Township Municipal Building - Sponsored by PIRC - Tickets \$6.00. PANE gets \$2.00 for each ticket sold - Call Al Manik 944-4361 for tickets. Admission includes refreshments.
- Sat. - March 27 - Candlelight walk and vigil near TMI sponsored by March 28th Coalition - Call PIRC 233-4241 for more information.
- Sun. - March 28 - noon Met-Ed bill burning - Capitol steps - sponsored by Project David - Call PIRC for information.
- Sun. - March 28 - Afternoon - Disassembly of mock cooling towers near TMI, sponsored by March 28th Coalition, call PIRC for details.
- Sun. - March 28 - 7:30 p.m. - Interfaith Service sponsored by SVA - Call PIRC for directions to the sponsoring church in Lancaster.

NUKE PLANT WORKER DIES OF RADIATION

Toronto (AP)--An Ontario nuclear worker has died because of exposure to radiation on the job, s spokesman for Atomic Energy of Canada Ltd. said today. A second worker at the same plant has won a disability award for cancer also believed to have been caused or aggravated by radiation. Both victims had been longtime employees at the Atomic Energy of Canada Ltd. nuclear reactor research center at Chalk River, Ontario, near Ottawa.

OYSTER CREEK

This nuclear plant is run by Jersey Central Power and Light and GPU nuclear in the parent corporation. They are paying \$1,000 a day fines because the siren system is not installed at this time.

2-17-82
 Press/Journal

A second major shutdown will then have to occur in 1983 or 1984 to replace part of the emergency cooling system that developed cracks. That shutdown is also expected to last 10 months.

In 1981 consultants, hired by the State Public Advocate, found that the operators of Oyster Creek mishandled the refueling and repairs. The consultants said as a result of poor preparation and equipment problems, the outage lasted 124 more days than expected and cost customers \$68 million more than anticipated.

A PANE spokesperson noted that Oyster Creek operators claim the nuclear reactor saved New Jersey customers \$588 million in fuel costs from 1969 to 1980. But PANE points out that the upcoming outage could cost those same ratepayers as much as \$280 million in just 20 months, in order to purchase replacement power, on top of the extra \$68 million paid out in 1981 due to the extended outage.

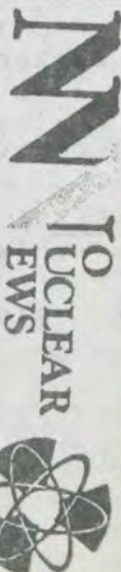
PANE feels money for TMI #1 should only be used to keep that reactor in a safe shutdown mode, while Met-Et/GPU concentrates all of its energy and remaining funds to safely decontaminate and decommission TMI #2.

PANE Feels GPU is In Trouble

In a press release to the Press and Journal, PANE, People Against Nuclear Energy, states that it appears that General Public Utilities is in grave financial trouble because of the large number of problems related to their decision to utilize nuclear power to generate electricity.

PANE has learned that all four of GPU's nuclear projects are in deep trouble ranging from the recent abandonment of construction of the Forked River nuclear plant in New Jersey, to decontaminating and decommissioning the Three Mile Island Unit-II reactor, to serious corrosion problems at TMI Unit-I reactor, and now the revelation that extensive repairs at GPU's Oyster Creek New Jersey nuclear power plant will put that reactor out of service at least 20 of the next 36 months.

Recent Philadelphia area newspaper accounts have revealed that the Oyster Creek nuclear plant in Lacey Township, New Jersey, which opened in 1969, will be shut down this July for refueling and modifications to strengthen and containment structure. The work is believed to take 10 months.



The Only Cooperative Clipping Service
 On Nuclear Power & Weapons

No Nuclear News is a four year old participatory clipping service in the form of a magazine, produced by the all-volunteer NNN collective. Groups and individuals from all over the world—over 30 states in the U.S., and 7 foreign countries—regularly send NNN clippings from their local press. We choose the most important clippings and arrange them in nine categories—Uranium, Opposition, International, Government-Industry, Contamination/Accidents, Wastes, Breeders/Fusion, Weapons, and Alternatives. Each issue also contains references of noteworthy longer articles.

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PANE

A citizens' public interest organization
of the Middletown area

THREE MILE ISLAND
**Clean it.
Close it.**

APRIL 1982

NEXT PANE MEETING, MAY 2, 7-9 p.m., Frey Village Guest House, N. Union St.
BRING A FRIEND

NEXT ISSUE OF PANE PILL will be written May 20 and a special folding, stapling, labeling, and sorting newsletter party will be held May 23, 7-9 p.m. at Frey Village Guest House. We'll sit and chat and fold, staple etc., bring a friend and a stapler, if you have one, and meet some other PANE folks.
MAY 23 from 7-9 p.m. Frey Village-----A real fun time for all.

SHOW YOUR COLORS

We are receiving good response to the cards sent with last month's newsletter. If you support PANE and have not returned the card, please return it or complete the coupon on the next to the last page of this newsletter. If you cannot send money at this time, at least let PANE know you are supportive by returning the card or coupon.

THANK YOU

PANE recently received \$400 from two local environmental groups. \$200 was received from the Susquehanna Alliance based in the Lewisburg/Berwick area. SA is active in opposing the construction of Susquehanna steam nuclear plants near Berwick. The money was raised during a special weekend of activities related to hazardous aspects of life which included nuclear power. The Coalition for Renewable Energy Resources board of directors, based in Elizabethtown, voted to send \$200 to PANE also. The coalition is very active in promoting alternative energy utilization. They are the largest exhibitors at the annual Elizabethtown Community Fair with an educational display on such resource use. THANK YOU. The funds will be used to pay attorney's fees for the continuing battle to have an unbiased and fair environmental assessment completed in the TMI area.

TEE SHIRTS

High quality 100% cotton PANE Tee shirts are yours in a variety of colors in adult/children's sizes for \$3.00 each plus 50¢ for postage. The front of the shirt has a map of the U.S. with all operating reactors and says "We All Live in Middletown." Great buy--send check to PANE, P. O. Box 268, Middletown, PA 17057. Send for yours today.

MAY 18, DEMOCRATS, REPUBLICANS, AND INDEPENDENTS

Yep, Independents can vote in the primary BUT only for the referendum question. So all you registered Democrats and Republicans get the word out to your friends who are registered as Independents. All registered voters can vote on May 18, Independents though are limited just to the referendum. **VOTE NO!!!** If you want more information on why a vote "no" is a good idea, bring a friend to the May 2 PANE meeting--a discussion is planned.

NEWS SHORTS

Have you noticed how Nunzio Palladino in his February 23 tour of TMI and others lately have discussed at length the number of employees working at TMI--shades of the May 18th referendum...The ECNP Newsletter (Feb./March) feels TMI would not be ready for any restart until Jan or Feb. 1983 because of extensive repairs to those tubes...GPU estimates it will cost 125 million just to get at the reactor core of TMI #2...ECNP news reports 10,000 customers of PP & L recently objected to the January energy adjustment charge...In January 1982 only 36 of 77 nuclear reactors were producing electricity at 70% of their rated capacity...The NRC now requires sampling and analysis of Strontium 90 in milk only once every 92 days--there are other problem changes--more later...The Indian Point reactor area with 289,000 persons living within 10 miles is divided into 46 emergency planning areas--each with different directions and as a recent practice drill showed very confusing...

PANE MEETS WITH NRC

Several board members of PANE (Kari Light, Don Konkle, Paola Kinney and Jim Hurst) as well as Attorney Bill Jordan met with NRC experts to discuss the preparation of the required environmental assessment (EA) on psychological stress and community fears. Dr. Robert Holt a nationally known psychologist from New York University also attended and made a presentation on how a study should be conducted to capture current and relevant data on the issue of TMI #1. PANE feels the "Holt Recommendation" deserves serious consideration because, in PANE's view, all data collected so far is dated and not TMI #1 specific. In the future PANE may have to use legal pressure, again, to force the NRC to deal with the TMI area in an unbiased, realistic and specific manner regarding an EA. The meeting also revealed a heavy handed move by the NRC and industry to bring economics into the EA arena--cost to the local economy if TMI closes?, Would rates vary much if #1 were on line?, what about GPU's conservation and load management program? There even seemed to be a trickle of thought on the psychological stress pro-TMI folks would have from a permanent shut-down. The NRC wants all work done by June for the EA--you know PANE will be watching because the need for a current and unbiased study on psychological stress and community fears of the TMI area is needed. Plan to attend the next PANE meeting for an up-date.

THE TMI 2 CLEAN-UP THREE YEARS LATER

As of March 30, 1982 GPU/Met-Ed has spent 230 million of its 300 million in insurance benefits for the decontamination which is expected to top 1 billion dollars. After the 300 million, GPU and others will have to kick-in some bucks. GPU/Met-Ed spends about 5 million a month on clean-up activities. So far 49 Epicor 2 cannisters that contain filters (to process water) and 12 - 15 Submerged Demineralizer System canisters need to be removed from storage on the island. Supposedly the U.S. Department of Energy has agreed to accept those cannisters. Over 1 million gallons of water have been processed to date--as processing continues and more radioactive filters will need to be placed in cannisters and stored on-site. Five "unusual events" have occurred in the last 10 months for a variety of reasons. For the remainder of 1982 GPU would like to treat 100,000 gallons of radioactive water which is presently in the TMI #2 reactor coolant system. GPU is saying the top of the reactor could be removed in late 1983 or early 1984 and the core could be completely removed by 1986. The U.S. Department of Energy is currently developing a plan to take possession of the entire damaged Unit 2 core and move it to a federal facility.

TMI #1

As you know the cheating of the exams is being evaluated following hearings on the subject. A report is expected in April on the rulings of a special master appointed by the NRC to hear the issue. The Union of Concerned Scientists continue to challenge the safety of re-starting TMI #1. GPU is now preparing a plan to fix 1/3 of the 30,000 steam tubes that leak--these plans may require changes in license language and public hearings on the sanity of doing the work. Finally, PANE continues to scrutinize the progress of the NRC's looking into the need for studies on area psychological stress and community fears related to TMI #1.

THE MAY 18th VOTE ON TMI

Will a no vote lead to higher unemployment in the area? Probably not. First of all the vote is non-binding in the primary which means it has no official clout. The NRC said they will take notice, but we all know what they will say--"Well the vote was 77% but the NRC feels an 80% vote "no" would have been more definitive." Now back to our original statement--literature prior to the accident shows about 528 Met-Ed workers were at TMI. The accident will bring the total to over 2,000. Remember, most of those are contract employees

Second, TMI 2 will have to be cleaned up and that will take at least another 4 - 8 years. The majority of the workers work at TMI 2. Specialized TMI 1 workers could keep their jobs here for several years while #1 is being decommissioned

Also there are PP & L divisions in Lancaster and Harrisburg that could take on workers. A "no" vote will not create a massive loss of jobs and second of all--do we really need 2 headaches, TMI 2 is enough of a headache--let's keep TMI 1 shut and concentrate on cleaning up TMI 2. Vote "NO" for your Middletown area friends and neighbors--spread the word. Remember cleaning up #2 is going to take many years and many jobs and also if TMI #1 were to be taken out of operation, that would take several years.

FLASHBACK--TMI

A September 27, 1979 EPA surveillance plan for TMI 2 said the inventory of Kr-85 was 61,400 curies, Cesium 134--208 curies, and Cesium 137--830 curies.

DID YOU KNOW

That a nuclear engineer was allowed to enter auxiliary building, at the time of the initial accident, when radiation levels were too high to be measured by the monitoring equipment provided him, and he received at least 4.175 rems of radiation.

PETITION CAMPAIGN

You may recall that in April of 1979 PANE conducted a campaign to secure signatures to close TMI. About one year later when we checked to see how many had stayed, we discovered about 8% had moved out of Middletown.

WHATEVER HAPPENED TO:

Herman Daniel - a worker for Radiation Management Corporation of Philadelphia hired by the NRC to conduct radiation studies just after the accident. He had been in charge of analyzing the results of radiation checks of every worker at TMI from April to July 17, 1979 when he suddenly disappeared. An article in the July 30, 1979 Philadelphia Daily News says his wife stated "In cases where her husband discovered high levels or unusual kinds of radiation, she said, he had told her of additional pressure from his superiors to review his data and recalculate the results."

Randall S. Thompson - a former "physical chemist" at TMI who disappeared from his New Mexico home in early March 1981. He was supposedly writing a book called "Tales From the Heart of the Beast" and according to the Rocky Mountain News the March 3, 1981 edition, it alleges that TMI officials covered up the severity of danger to the public after the accident.

PANE AND EDUCATION

The October 1981 edition of Social Problems has a very interesting review of Penn State sociologists Ed Walsh's 2 1/2 year study on organizations that have opposed TMI since the accident. He completed research on PANE and all the local organizations. It is very interesting reading.

FLASHBACK--TMI

The attorneys of GPU received 75,000 a month for their services during the TMI #1 hearings, October 1980 to September 1981... In 1977 a valve stuck open at Davis-Besse nuclear power plant in Ohio (similar to TMI 2 accident) but since the plant was at only 7% rather than the 98% power TMI #2 was operating at, it escaped serious problems.

THE MEDIA AND GPU

It is interesting how some local media folks now work for GPU, it makes you really wonder about their reporting before they started with GPU and also reinforces the need to scrutinize current media folks. Dave Osterhout used to write for the New Era, the Lancaster evening paper and of course you remember John Micka who used to be on Channel 27. Doug Bedell used to write for the Philadelphia Bulletin. It is interesting that in March of 1981 Anne Trunk wrote an editorial in The Bulletin. We wonder if her "view" of TMI helped Doug decide to work for GPU?

TMI FLASHBACK

In December 1980 the NRC found the Met-Ed reactor operator training program to be unacceptable for TMI #1 personnel because of "... open book quizzes administered for periodic evaluation"... The August 14, 1979 Lancaster Intelligencer had an article that said Bechtel Corporation (the folks responsible for doing a lot of the #2 clean-up) felt the fuel core would be removed by the Fall, 1981 and TMI #2 returned to operation by summer 1983 and that the water would be removed from the containment of #2 by Winter or Spring 1980.

TMI #1

The NRC staff in a March 1981 paper felt TMI #1 operating would release 7555 curies of radioactive gasses and 2008 curies of radioactive nuclides in liquid annually, if restarted.

ON EVACUATION PLANNING FOR TMI

Clyde Miller, Director of Lebanon County's Emergency Management Agency, was interviewed in the March 29, 1982 edition of Lebanon Daily News. Some of his comments follow:

"It doesn't work--the notification system doesn't work...the first phase of the plan doesn't seem to work and that's the notification." 2 hours after the last low-level emergency began Lebanon was notified. "Going back to March 28, 1979, that started out as an unusual event. We're the ones that should have at least a 4-6 hour grace period for us to activate our forces. I'm very apprehensive whether we're ever going to have that."

HEINZ CLEAN-UP BILL MAKES SOME PROGRESS

The Senate Energy Committee on March 31, 1982 passes the Heinz clean-up bill (12-7). The bill applies only to nuclear utilities and the surcharge would be required by the Government. The nuclear utilities will pay 192 million over 6 years to help decommission TMI #2. However remember this bill has only been voted favorably out of Committee and now must be voted on by the whole Senate--later this year, then the House of Representatives. The amount in the bill represents about 20% of what will be needed to complete the job at TMI 2--does that mean decommissioning also? Supposedly the bill if passed in both houses will have each customer of a nuclear utility pay 20 to 30¢ extra each year. (There are more shares of stock than customers--maybe the shareholders ought to pick it up?)

NEWSLETTER FOLDING PARTY - FREY VILLAGE GUEST HOUSE - 7-9 P.M. MAY 23, 1982

UCS AND TMI

The Union of Concerned Scientists gave a sterling presentation on March 29, 1982 at the MCSO before Congressman Udall, Allen Ertel and others. Robert Pollard of UCS stated that it appears the NRC is overstating the risk at TMI 2 in order to influence the sources of clean-up funding and understating risks of a TMI 1 restart for reasons also related to clean-up funding. John Minnich - Dauphin County Commissioner said, "If the utility can't afford to bear the cost of the accident, perhaps that utility shouldn't be licenced to begin with!"

STEAM GENERATOR TUBES

An NRC staff report says weak steam generator tubes in 40 plants across the U.S. are "virtually impossible to fix", causing higher operating costs and radiation exposure to plant personnel. Of course TMI 1 is on the list. The NRC staff in February 1982 said the problem is responsible for 23% of nuclear plant shutdowns. You may recall in 1981 the NRC warning that 27 reactors faced this problem, now it is 40. GPU/Met-Ed hopes to repair TMI 1 steam tubes they say at a cost of 10-20 million dollars for repair of about 10,000 tubes. 7,000 tubes were "sleeved" (repaired) in California at a cost of \$70 million. Proposed "sleeving" of 3,000 at the Ginna reactor (scene of a recent accident) are estimated to cost \$20 million. Do you think GPU/Met-Ed has got their figures right? Have they ever been right?

GPU SYSTEM DATA

The GPU energy plan Load and Capacity Forecast Program for Balancing Supply and Demand Through the year 2,000 was recently reviewed by PANE. It was published in November 1981. Following is a summary:

1. Because the Forked River Nuclear Plant in New Jersey was cancelled by GPU recently it will be necessary to buy 1000 MW from 1986 to 1995 from Ontario Hydro with a line built under Lake Erie. Additionally 1200 MWH per hour of coal fired energy purchases will have to be made beginning in 1985. Jersey Central Power & Light was the GPU subsidiary that started and stopped construction of Forked River.

2. GPU plans to build a series of 625 MW coal plants starting in 1991.

3. A key to the above and many other items listed is the control of growth in demand through the implementation of the GPU Conservation and Load Management Master Plan.

4. GPU plans to relieve transmission limits through low cost capacitor installations.

5. The unfortunate aspect of the plan is its basis on returning TMI #1 to service and also TMI #2. Certainly is an Alice in Wonderland presentation and unfortunately needs more realism.

6. In order for GPU to begin a 1991 coal unit it will have to get financial commitments lined up by 1986.

7. The ownership of the Ontario Hydro-Lake Erie inter-tie will be assigned to Jersey Central Power Light.

8. This plan assumes TMI #1 to service in 1982 and TMI #2 in early 1988.

9. According to GPU, combustion turbine generation (oil fired) are to be retired when they are 23 - 27 years of age. Steam stations (like coal) are to be retired after 40 or more years service. Nuclear....GPU really didn't say.

10. For Met-Ed there is 2030 MW of total capacity now existing however if you subtract their share of TMI #1 and TMI #2 (828 MW) the total is 1202 MW.

11. Met-Ed's peak for 1980 was 1503 MW in the month of February.

12. York Haven Hydro is rated at 19 MW.

13. Met-Ed owns two coal units which equals 681 MW and operated up to 24 hours a day 7 days a week. (Portland & Conemaugh)

14. Met-Ed has one other coal unit 234 MW (Titus) that averages between 12 and 24 hours a day 7 days a week.

15. Combustion turbines (266 MW) and Diesels (2 MW) are the peaking units meaning they normally operate less than 12 hours a day.

16. The first unit at York Haven Hydro was installed in 1906 and had a rating of .7 MW.

I'm sure this was quite a bit for you to swallow--however taking a look at how utilities generate electricity can be valuable. The point is clear though, as long as assumptions are made on TMI availability, planning and expectations will always fall short.

PANE MEETING, MAY 2, 7-9 P.M., FREY VILLAGE GUEST HOUSE, N. UNION ST., M-TOWN
BRING A FRIEND BRING A FRIEND BRING A FRIEND

FEDS EXTENDS ITS SYMPATHY

On March 29, 1982 Congressman Udall, Ertel and others showed concern by holding a meeting at the MCSO well attended by local folks, Local business persons Jack Stotz and Joseph Krajsa deserve your sympathy. They addressed the Congressional delegation and rightly told of the need to get TMI 2 cleaned up. However they then explained how important TMI was to the area and that the Federal Government has subsidized the tobacco industry etc. and why can't the Feds help us more. If there would not have been an accident, there would only be about 500 people working at TMI. Due to the accident we've got over 2,000 folks working, living, and spending money in the area. Hershey Foods employs over 3,000 people in Hershey permanently. When TMI is cleaned up (?????) TMI will again employ only a couple of hundred workers. For their information the government has heavily subsidized the nuclear industry over 12 billion dollars in the last 20 years. Remember when 13,000 employees were phased out of Olmsted base in the 1960's. C'mon gentlemen let's not let dollars fill the pockets so full. The reality is TMI 2 will have to be cleaned up (5-8 years yet, probably) and about 75% of the workers are involved in that in some sup... way. Shutting TMI 1 would require a year or two if you look at fuel removal and other associated activities to mothball the big machine--or if it must be dismantled then you're talking several more years. No matter what happens at TMI few people would lose their jobs immediately. There is no doubt the accident has pumped up the economy but some day that false economy will have to go back to pre-March 28, 1979 days. The gentlemen seem to infer that nuclear energy and its associated problems are good for you and me. Don't get mad or upset, just feel sorry for these misguided businessmen who allow dollars to do their thinking for them.

NEWS SHORTS - ECNP news(Feb./March) reports the Ginna reactor scene of January 25 accident may not operate till May 1 (the word in Feb. was "any day now.")... Anybody see Rep. Ken Brandt on Newsmakers on April 2, 1982; he dislikes the idea of a referendum--he said he can see the towers from his home and isn't upset about TMI...WHP-TV had some mobile machines at businesses during the March 28, 1982 weekend for persons to record their thoughts on TMI--early figures showed 67% who used the machine want it closed...

- ____ Yes, I support PANE
- ____ Yes, I support PANE and enclosed is a _____ contribution
- ____ Yes, I support PANE and enclosed is \$5.00 for my family membership.

NAME: _____ ADDRESS: _____

PHONE: _____

SEND TO: PANE, P.O. BOX 268, MIDDLETOWN, PA 17057

WHY CAN'T GPU PAY NOW

The published Senate Report of November 8 & 9, 1979 hearings in Washington, DC should be reviewed again, particularly pages 189-191. In summary the pages indicate some statements made by GPU officials to Senate investigative staff. The staff memoranda of an October 19, 1979 meeting with several GPU officials including Treasurer John Graham says in part this "Graham committed GPU to cleaning up TMI 2 no matter what circumstances transpired. He said insurance coverage was being counted upon to pay for 300 million of the clean-up. He said GPU could absorb the clean-up of TMI 2 even if it went to 800 million,..." A later statement could infer that the prior statement was made based on TMI 1 operating however we can only infer that.

TMI--THE REAL ISSUE

Probably the real problem is why isn't the plant decontaminated, yet? It's very clear the accident was mismanaged, the clean-up is barely being managed. The real problem--why must we have the opportunity to go through all of this again with TMI 1--Let's get TMI 2 cleaned up, decommission TMI and then live in peace except for some smokers dying, a few people choking on food, some airplane crashes, auto accidents and maybe some Manley Regan toxic fumes occasionally. Hey life is full of risks--let's try to minimize them----starting with TMI, next buckle your seat belt, next stop smoking (if you smoke), next look both ways before you cross the street and finally eat 5 meals a day so you don't have to gulp your food.

NEWS SHORTS - In 1972 TMI hit an all-time high during on-site construction of over 3,000 employees TMI 1 generated electricity in Sept. 1974 and TMI 2 in Dec. 1978...In 1976 there were 412 Met-Ed employees working at TMI, 1977 it totaled 484 as Met-Ed added folks because they developed their own security force, 1978 the total was 528 Met-Ed employees...The Berwick nuclear plant that PP&L is trying to build has 71,000 people living within 10 miles of the 2 reactors--one of which is supposed to be ready for start-up April or June 1983 ...The PUC is expected to make a decision in December in whether Lukens Steel can switch from Philadelphia Electric Co. to PP&L--Lukens says it could save 17 million a year by switching...The Navy has 5 nuclear subs waiting for burial and is considering sinking them in the ocean because there seems to be a problem of how to dispose of nuclear wastes...Those Rutgers folks had their study in the Press and Journal again on March 24, 1982, that's the one that says a majority of respondents perceived March 30, 1979 as nonthreatening... The two reactors at Limerick are 20 miles N.W. of Philadelphia and are scheduled to go on line 1985 and 1987...Anna Wasserbach of New York writes that only 10% of the contaminated TMI laundry is shipped to a New York State laundry co. The remaining 90% is burned at TMI in a mobile unit...On Friday, March 5, 1982 45 drums of contaminated laundry were shipped to TRI-STATE INDUSTRIAL LAUNDRIES UTICA, NY...Senator Tsongas of Mass. on nuclear power "Curious system where you free enterprise your profits and socialize your losses."...The March 22, 1982 unusual event at TMI 2 resulted in the spilling of 150 gallons of water. It was vacuumed into 55 gallon drums which measured 350 mr/hr.--total personnel exposure was 1 man rem...Unit 2 occupational exposures for Jan/Feb totaled 46 man rem...A mini camera 1 ft. long and 1 1/4 in. in diameter will be used to inspect the mangled core of TMI 2...Herman Deckamp, GPU President, said on March 30, 1982 that costs of TMI 2 work to date are "accident response 95 million, clean-up 25 million, waste shipping and disposal 15 million, operations and site services 110 million, facilities 30 million for a total of 275 million."--if there are good audit trails Jim Hurst has volunteered to audit their books...There is an estimated 133 tons of damaged fuel in TMI 2... Congressman Ertel's testimony to the Kemeny Commission in 1979 is excellent-- just re-read it--if you want a copy send a business size envelope with 40¢ in stamps to PANE, P.O. BOX 268, MIDDLETOWN, PA 17057

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A citizens' public interest organization
of the Middletown area

THREE MILE ISLAND
**Clean it.
Close it.**

MAY 1982

TMI REFERENDUM

The idea was developed earlier this year by several Harrisburg area concerned citizens. Since that time both sides have done considerable posturing. Governor Thornburgh says the referendum vote is too simplified for a complex area like nuclear power, Congressman Ertel felt at voting time he would vote no, Dauphin County Commissioner Larry Hochendoner felt like-wise, GPU said they donot take a position yes or no yet their organization of employees, spouses and stockholders, Friends and Family of TMI, says vote yes. GPU will probably now claim all the "yes" votes as well as those who forgot to vote on the referendum while in the voting booth. Several televised panel discussions occurred and even radio advertisements.

Friends and Family of TMI even took out a May 16, 1982 ad in the Harrisburg Sunday paper (They have a Highspire mailing address??). Their ad emphasizes 2100 employees at TMI and the 14 million pumped into the economy. It appears they were saying serious accidents are good for us----because without the TMI 2 accident only about 400-500 persons would be working at TMI. The ad also states rates will fall 11% if #1 is re-started. Pure speculation based on a theoretical assumption unless one of them has been getting special fate messages concerning our future. They also discuss the 450 people now at TMI who have 4 year college degrees, yet a May 12, 1982 national news account states that indeed those are the people who may be getting the nuclear industry in trouble because of the lack of operating experience. Finally, they say 50 million has been spent on TMI #1 modifications. That's \$50million that could have tremendously advanced the clean-up of TMI 2.

To keep the referendum in perspective let's view a few facts.

Sirens have been placed within 10 miles of TMI. Certainly many persons further away are concerned about TMI, yet study after study reveals the most intense concern within the 10 mile area. If you look at the referendum counties--Lebanon has 2 sirens, Cumberland has one and Dauphin has 28. Interestingly enough York country has 34 sirens, yet did not choose to place the referendum on the ballot.

Met-Ed (one of the three operating companies of GPU and half owner of TMI) provides electricity to 90% of the consumers in Lebanon County. 5% of the consumers in Dauphin County and 7% of the consumers in Cumberland County.

REFERENDUM RESULTS

As this edition of the PANE PILL goes to press, we report the following preliminary voting statistics on the TMI non-binding referendum question that appeared on the May 18 primary ballot in 3 central PA counties. The question, "Do you favor the restart of TMI Unit 1 which was not involved in the accident of March 28, 1979?" The majority of the voters in each of the counties opposed restart--Dauphin County, 72% no; Cumberland County, 65% no; and Lebanon County, 57% no. For our "out-of-area" readers, Dauphin County borders the plant to the East and extends to points 35 miles North of TMI. Cumberland County is to the West, its closest point to TMI being 9 miles and the most distant 45 miles. Lebanon County is to the Northeast, its closest point being 9 miles and extends to just over 30 miles from TMI.

In Dauphin County, only one precinct out of 40 had more yes than no votes (38 vs. 35), and it was located in Lykens Township 30 miles North of TMI. In Cumberland County, two precincts out of 34 had more yes than no votes--9 vs. 4 (Newburg Borough) and 107 vs. 105 (Shippensburg Borough). Both are 45 miles West of TMI. Precinct voting for Lebanon County was not obtained in time for inclusion but will be reported in the next PANE PILL.

GPU's reaction to the resounding No vote was that voter turnout was too low to draw any meaningful conclusions. This primary had no contested battles for elected positions. Despite that, in the five precincts in Dauphin County closest to TMI, an average of 40% of the voters cast ballots.

PANE views the vote as a clear indication that area residents remain unconvinced by the assurances of General Public Utilities (TMI's operator) and the NRC that the public's health and safety will be served if TMI 1 is restarted.

GPU STOCKHOLDERS MEETING

200 Stockholders attended GPU's annual meeting in Erie on May 6. According to the Erie Morning News on May 7, 1982, should #1 ever come on line ". . . PENELEC (one of the 3 GPU power companies) customers would experience only a slight reduction in rates. GPU officials also said they could never guarantee that another nuclear accident would not occur." Erie is the largest city served by the GPU system. GPU hired off-duty Erie police officers, some who stayed in the building all night, to make sure security was not breached. GPU says since the accident common stockholders have foregone 300 million in dividends and market value of stock only fell from \$18.00 to \$5.00 per share. GPU says its earnings from April 1, 1981 to March 30, 1982 were 31.1 million; however, write-offs associated with cancellation of a GPU New Jersey planned nuclear power plant and other factors created a loss of 5.3 million. Erie Attorney George Schroeck called for a proposal to abandon TMI #1 and was voted down. Sources - May 7, 1982 Erie Times and Morning News.

EASTER TOURS OF TMI AND RADIATION WASTE DISPOSAL

A publication by GPU "TMI - Information/Up-Date" dated March 30, 1982 was offering Easter Sunday tours of TMI for employee families. Another article was entitled "Unit 1 Cleanliness Program". One must remember that a radioactive reactor began operating at TMI in September 1974 and began producing radioactive wastes. The article discusses the objective of this program is to ". . . keep "clean" (uncontaminated) trash separated from any radioactive contaminated trash. Trash barrels will be established in the Auxiliary Building for three different kinds of trash. Each employee is being asked to be responsible for placing trash and laundry in the proper barrel"-----Truly amazing, we often talk about competence on TMI-----8 years nuclear generation of radio-active wastes and now a "new" program. One can get rather apprehensive about what's been going on down there.

OPEN-BARREL OF TMI WASTES ARRIVES IN WASHINGTON STATE

A TMI load of waste arrived at Hanford, Washington on May 5, 1982. The load consisted of 68 barrels and six boxes of low level waste. One barrel opened sometime during the journey when a weld on a locking ring broke. The barrel contained plastic shoe coverings, plastic bags and rags. As a result the Hanford low level waste repository banned all shipments from TMI for one week.

PANE MEETINGS-mark the calendar

June 6 - 7:00 p.m. and June 20 - 7:00 p.m.
all meetings are held at the Frey Village Guest House,
the single story dwelling on the right as you turn from
North Union Street into Frey Village.

PANE AND YOU

PANE needs some ideas and people willing to work on fund-raising projects. Because of the likely probability that the NRC will require us to go to court AGAIN in order to get them to do an unbiased, thorough, and current review of psychological stress and community fears related specifically to TMI #1. Please plan to help by attending a June meeting.

REMEMBER

Hard work by people and organizations with very little money has kept the issue of TMI #1 alive and made others scrutinize what occurs on the island. Referendums are fine but hard work must follow by persons just like yourself. Let PANE know you will help with your time and/or financial contributions.

LIVING IN THE SHADOWS

As we all know real estate near TMI is not selling well except to GPU employees. An article in the April 21, 1982 Harrisburg Evening News quotes local real estate person Don Shearer "Less people are buying in the immediate impact area where they can see the cooling towers."

WHP SURVEY

The WHP stations commissioned a survey conducted in late March in which a total of 4357 people answered questions at computer terminals set-up in 12 locations in Dauphin, Lancaster and Cumberland counties. 75% of the respondents live within 25 miles of TMI. 37% said they'd consider moving if TMI #1 was reopened. 77% said they are concerned about their personal safety because of TMI. 18% said they consider evacuating when unusual events are announced at TMI (4 so far this year). 64% were opposed to the restart of TMI #1.

CANADIAN POWER FOR JCP & L

GPU consists of three companies--Pennsylvania Electric (North and west of TMI) Met-Ed (South and East of TMI) and Jersey Central Power and Light (JCP&L). JCP&L cancelled the Forked River Nuclear plant and now is going to put up 325 million to pay for a line to go under Lake Erie to get power from Canada, according to the April 28, 1982 Wall Street Journal.

TMI 2 CLEAN-UP

An area known as the East Dike (a closed catch basin for natural run off water) showed elevated levels of tritium in February 1982 twice the natural background concentration of tritium in surface water in the TMI area (natural background is about 300pCi/l). When the Reactor Coolant system (RCS) water is processed the chemistry of the water injected back into the RCS will have to be closely controlled to reduce the possibility of corrosion of materials in the RCS. Total 1982 TMI 2 occupational exposure January-March 101 man-rem. On April 14 a health physics technician received 89 MR because he could not activate the door to exit the TMI 2 reactor building. The technician worked for 63 minutes until he opened the disabled door and accumulated 89 MR of exposure. 16 entries were made into the TMI 2 reactor building from July 23, 1980 to September 24, 1981 for a total of 199 man hours and 63 total man rems. 39 entries were made from October 27, 1981 to March 31, 1982 for a total of 507 man hours and 115 total man rem hours. (If you have trouble with some terms or concepts used in the newsletter attend the next PANE meeting and ask questions and you will get answers). In July 1982 a television inspection of the TMI 2 upper reactor vessel internals and summer of 1983 reactor vessel head removal. The NRC says perhaps 3,000 gallons of water has leaked from a borated water storage tank and resulting in higher than normal levels of radioactivity in that area is groundwater.

MONEY FOR THE CLEAN-UP

The NRC advisory panel for the TMI clean-up recently asked the PUC to transfer \$24 million of long term debt service funds held by GPU to a special clean-up fund. Don't forget the PUC held out the carrot earlier this year saying if TMI #1 restarted then Met-Ed could bill its customers accordingly so an additional \$36 million would be made available. It now costs about 5 million a month to work on the damaged Unit 2 reactor which is considered "baby-sitting."

PANE AND THE CANDIDATES

PANE will soon be meeting to determine the construction of a questionnaire related to TMI which will be sent to persons who will appear on the November ballot. If you are interested in helping develop this questionnaire check the June newsletter for the date and location of the meeting.

WATER AND PURITY

Naomi Jacobson of Land Inc., a Wisconsin environmental organization, writes to PANE about the amount of water necessary to purify water laced with one curie of strontium 90. She quotes a Smithsonian Magazine source April 1974.

"The standard unit of measurement for quantities of radioactivity is a curie, and one way to express the pollution potential of a radioactive substance is in the amount of water required to dilute one curie to drinking water purity. The amount necessary for one curie of strontium 90 is about 10 billion gallons of water for an example?"

PANE STRESS CASE--IN WRITING

The Federal Appeals Court in Washington, DC released the full written decision of the PANE case on Friday, May 14 (such great timing). You will recall our attorney William Jordan III of Harmon & Weiss in Washington, DC made presentations in November 1981 to the 3 judge panel as to why the NRC must review environmental assessment psychological stress and community fears before

any decision is made on the future of TMI #1. The 3 judge panel issued a short written decision (2-1) on January 7, 1982, that said the NRC must do the review (EA). However attorney Jordan, the NRC, Met-Ed, and PANE have been awaiting the detailed final order. The May 14 issuance merely gives the NRC and Met-Ed the basis to file an appeal (which is likely). Meanwhile the court-ordered environmental assessment (EA) is being conducted by the NRC. PANE has followed the progress and has doubts the NRC will produce a thorough and current EA that is TMI #1 specific. Attorney Jordan has utilized the expertise of psychiatrists, a psychologist, several PANE members, a study on the effect of rates by a TMI re-start written by Steve Brooks as well as many others to help the NRC understand that more detailed work must be done to determine what effect a re-start of TMI #1 will have on local residents.

The NRC expects to complete the EA in June or July and then the NRC commissioners will review it and vote whether a more thorough Environmental Impact Statement (EIS) must be done.

PANE has indications that the EA will be woefully inadequate and that an EIS is necessary. If the NRC Commissioners feel an EIS need not be done then PANE will have to go the civil courts again!!!!

CHEATING AT TMI

As you know the NRC investigated the TMI #1 operator cheating in tests that occurred in April 1981. The results of the investigation were released on April 29, 1982 and once again point to the incompetence of management at TMI. The judge who presided over the 6 month investigation says GPU permitted an attitude to develop which caused the cheating to occur. He also recommended that criminal charges be brought against two plant operators who cheated. The judge said GPU ". . . failed to meet its obligation" to check test results for cheating and described its testimony concerning another incident as "not credible." He felt GPU had ^{NRC}responded adequately to an NRC order of August 9, 1979 for re-testing of all plant operators. The April 29, 1982 release of this information makes an NRC decision last August, that maintained GPU had met basic management requirements to operate TMI #1, seem ridiculous. The NRC was even advised by the Atomic Safety and Licensing Board (a group that heard other TMI #1 evidence) that TMI #1 could operate at 5% power after the cheating hearings were completed. Robert Arnold of GPU nuclear said operators have successfully passed tests taken in October 1981 and February 1982 and seems to imply that whatever wrong-doings discovered prior to October 1981 are water over the dam. What do you think???

The cheating in April 1981 occurred in the middle and upper ranks of the operations staff. The judge recommended that the two operators who cheated be subject to criminal charges; they have since been fired and it is rumored that one of them is working at a Virginia nuclear power plant. 2 other plant operators identified as J. Banks and D. Mayhue were recommended by the judge to be barred from operating TMI #1. A fifth operator identified only as a man named "Shipman" was recommended by the judge to be barred from operating the unit until he identifies a person who asked him for information about a test. The judge, also known as the special master, Gary Milhollin also reported that a supervisor identified as Michael J. Ross bragged to fellow employees about keeping a proctor out of an examination room while employees were tested. Ross denied knowledge of the incident but Milhollin said testimony from others and an investigation led him to believe Ross did it intentionally. On May 6 the Atomic Safety and Licensing Board (ASLB) to which Judge Milhollin reports to said Ross, a top supervisor, is innocent. The ASLB said Ross unintentionally kept the proctor from the room. The Milhollin investigation also found evidence of cheating on weekly quizzes administered during operator training programs at TMI. Louise Bradford of TMIA also said another cheating incident also surfaced during the recent hearings because an exam was turned in, in the handwriting of both men who were involved. Milhollin said GPU's response to this incident was one of a lack of candor with the NRC. Milhollin also said the content of the April 1981 exam was inadequate. He said employees memorized passages from testing manuals but showed no comprehension or long time retention of the material. Milhollin feels procedures recently instituted should prevent future cheating IF they are followed. It is clear that GPU's response to the TMI 2 accident has been inadequate. Do you really think everyone understands this. Write your legislators today---we can't allow TMI #1 to operate. Also devastating was the fact that one of the two operators who was guilty of cheating and fired was unrepentant for his action which could have caused a threat to public health and safety. The NRC staff of Robert Purple is reviewing the Milhollin report and will recommend to the Atomic Safety and Licensing Board whether something like all new re-training and testing will have to take place etc., then the ASLB will make a recommendation to the NRC Commissioners who will have the final say---or will you or I.

Funky Winkerbean

Post 4/5/82



LEAKY PIPES?--DO SOMETHING!!

As you know the people at TMI say they want to fix those steam generator tubes. Did you know \$94 million was allocated for TMI #1 for 1982 by GPU. GPU says they'll use \$25 million of the 94 million to repair the tubes. Do you really think it will cost just 25 million? That's 25 million or more that could be spent on the clean-up----right!!!! Write your Congressman, state senator and representative--this is incredible. You may remember that in April GPU was saying about 1/3 (10,000) of the steam generator tubes would have to be repaired. Their story has, of course, changed. In early May it was announced that repair work would be conducted on almost all of the 31,000 tubes. GPU wants to start work in "mid-summer". Also you should know, GPU says, 500-700 of the tubes will be plugged and taken out of service, thereby reducing the efficiency of TMI #1 and if other leaks occur further jeopardizing power output. A GPU spokesperson was quoted by Associated Press on May 5, 1982 as saying about half (15,000) of the tubes showed signs of corrosion and therefore "it would be more efficient to repair all of them". The process they plan to use will do 30 tubes at one time. Perhaps its really faster not so much more efficient. Finally, there is reason to believe this whole steam tube problem would not have occurred if the nuclear industry really understood nuclear technology. Don't just sit there call Governor Thornburgh 1-800-932-0784, Congressman Ertel 564-8963, State Senator Gekas 561-2603, State Representative Rudy Dininni 564-6201, and U.S. Senator Heinz 233-5849, County Commission Chairman Minnich 255-2741.

WHOSE TO PAY FOR CLEANING TMI 2?

You may recall in September 1981 the Edison Electric Institute, a mouth-piece for nuclear representing U.S. utilities recommended contributing \$192 million toward the clean-up. It has not appeared and is unlikely that it will. One reason--that \$25 million or so that GPU wants to use on the steam tubes. The huge Tennessee Valley Authority recently said it was unfair for their electric customers to contribute to the clean-up, at this time. P.S.--that Edison Electric Institute recommendation would also have Met-Ed customers kick-in \$700,000. As you know our friendly Public Utility Commission has approved allowing GPU to eventually charge its customers up to 300 million, what about the nuclear vendors (Babcock & Wilcox, Westinghouse, etc.) and what about GPU, so far they have only used insurance money. By the way, did you know Senator Heinz got \$1,250.00 in a political contribution from GPU's political action committee? Also a large New York investment firm that holds large numbers of GPU stock contributed \$500 to our Pittsburgh Senator and finally \$200 was given to Heinz by the Babcock and Wilcox political action committee (they designed the famous steam tube generators). Source Mick Rood column, April 25, 1981, Patriot.

DID YOU KNOW?

1. An NRC task force report on the clean-up of TMI 2 reported in Feb. 1980 that re-starting TMI 1 was a higher priority for GPU then clean-up of TMI 2.

- 2. In June 1979, less than 3 months after the START of the accident, GPU announced it would be prepared to restart TMI #1 on or about August 15, 1979.
- 3. In 1980 GPU was fined \$155,000 for its actions before and during the accident.

BLOOM COUNTY



BLOOM COUNTY



4. Have there been any power shortages since TMI 1 & 2 are down?

5. GPU has proposed and an NRC licensing board has given a preliminary decision to defer numerous safety improvements until after re-start of TMI #1.

6. The scope of the now completed TMI 1 hearings was limited by the NRC Commissioners to bar specific and critical safety issues related to that reactor.

7. The accident at TMI 2 showed that unresolved safety problems can lead to an accident.

8. During the TMI #1 hearings many NRC staff witnesses were ill-qualified on the relevant subjects and had little technical understanding of the sequence of events at TMI 2.

9. Positions of NRC & GPU, during the hearings, were virtually indistinguishable.

10. Some NRC testimony was altered, deleted or replaced by the NRC that would have agreed with independent technical analysis.

Sources: May 2, 1982 Sholly article in Patriot & Union of Concerned Scientists testimony of March 29, 1982 to Udall Commission in Middletown.

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PANE PILL

JUNE 1982

Tell your Legislator - "NO CONSIDERATION OF A TMI #1 RESTART - UNTIL TMI #2 IS DECOMMISSIONED AND DECONTAMINATED"

Next PANE meetings- July 11 and July 25 - 7 p.m. Frey Village Guest House, North Union Street.

Tell your Legislator - "Don't allow GPU to waste \$25 million on TMI #1 steam tube repair - Rather spend it on TMI #2."

Psychological Impact of TMI #1

As you know on May 14, 1982 the final written PANE Court victory that orders the NRC to review the impact on our health if TMI #1 were restarted was released. Following is excerpts of a paper prepared by our attorney William Jordan III, of Harmon & Weiss, Washington, DC regarding the importance of the Federal Court ruling.

On May 14, 1982, the U.S. Court of Appeals for the DC Circuit issued its decision in People Against Nuclear Energy v. U. S. Nuclear Regulatory Commission, in which the Court ordered the NRC to determine

"whether, since the preparation of the original environmental impact statement for the nuclear facility at Three Mile Island Unit 1 (TMI-1), significant new circumstances or information have arisen with respect to the potential psychological health effect of operating the TMI - 1 facility."

In addition, the Court ruled that the reference to the "public health and safety" under the Atomic Energy Act does not extend to psychological health. This decision is extremely significant to the development of the law under the National Environmental Policy Act (NEPA), and to the efforts to prevent the restart of Three Mile Island Unit 1.

The most obvious significance of this decision is that it establishes for the first time that NEPA protections extend to the potential damage to human psychological health. No previous case has explicitly addressed this point, although several have used language indicating that psychological matters would not be considered under NEPA. This case is important in drawing the distinction between potential medically recognizable psychological health damage and lesser concerns such as anxiety about the location of a prison or the relocation of a military base.

In addition to this decision's significance in terms of the substantive application of NEPA, it contains extremely broad and useful language related to when the federal agency is required to undertake an environmental analysis under NEPA. As discussed on pages 18-23 of majority opinion, the Court adopted the principle that the Commission's ongoing regulation of and responsibility for the operation of nuclear reactors constitutes a major federal action such that the Commission has "a continuing obligation to comply with NEPA." This decision does not depend upon the fact that a restart of the reactor is involved, but apparently hinges on the fact that PANE alleged significant new information concerning psychological health damage. Using this logic, it can be argued that any federal agency must do a supplemental environmental analysis of a project for which it has ongoing responsibility if significant new information has developed concerning the environmental impact of that project. It would at least require a responsible federal agency to keep the public aware of the environmental impacts of its project, even if those impacts change after the project has been approved. In the nuclear context, for example, this would arguably require the Commission to take into account changes in forecasts of need for power. Had this requirement been in effect over the last decade, it could well have resulted in the cancellation, forced or otherwise, of a number of reactors throughout the country.

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The need to support this decision derives not only from the affirmative benefits that it provides, but from the fact that an adverse decision on rehearing or appeal could severely limit the scope of NEPA, both substantively and procedurally. Judge Wilkey's dissent is extremely strongly written and clearly designed to appeal to the political bias of the Supreme Court or the conservative members of the DC Circuit. It is also dangerous in that it charges Judges Wright and McGowan with acting out of political bias themselves, when nothing could be clearer than the fact that Wilkey's decision is based not on the law, but on his personal support for nuclear power. It would be devastating to have either the DC Circuit, en banc, or the Supreme Court overturn this decision on the grounds that it was political rather than legal.

The Atomic Energy Act issue presents in some ways a more interesting situation. PANE lost its argument that the concept of health under the AEA extends to psychological health, although we got a very good dissent from Judge Wright on the issue. Certainly it is an atrocity that this Court should rule that the term "health" does not extend to psychological health, when there is really nothing whatsoever in the legislative history to indicate that the language should be so narrowly construed. In addition, if a strong factual showing of damage to psychological health can be made, the Atomic Energy Act would offer a far stronger handle with which to attack a nuclear reactor, because it simply prevents licensing for reactor operation that threatens health, while NEPA allows the agency to decide to go ahead and operate despite the extent of health damage that may be involved. Accordingly, there are strong reasons for an appeal.

However, there is a more interesting; and perhaps more telling argument against an appeal. First, there is, in reality, little question that the Nuclear Regulatory Commission would find a way to allow the operation of a nuclear reactor regardless of the extent of psychological damage that might be involved. That is particularly true at Three Mile Island, where the damage does exist, but it is stretching things to argue that the damage is truly severe or even that it is clearly diagnosable in terms of recognized medical conditions. Accordingly, I expect that the NRC would be upheld at least at Three Mile Island in a decision that the reactor could be allowed to operate even if the Atomic Energy Act extended to psychological health. Second, and most important, this decision means that the Nuclear Regulatory Commission does not have jurisdiction over psychological health damage caused by a nuclear reactor. Therefore, under the principles of preemption, including particularly the fact that preemption is not found unless it is clearly established, the Nuclear Regulatory Commission does not preempt state or local powers with respect to psychological health damage. Today, the town of Middletown, Dauphin County, or the State of Pennsylvania could ban the operation of Three Mile Island Unit 1 on the grounds that it would cause excessive psychological damage. There would obviously be a legal challenge by the NRC and utility, but the likelihood of defeating that challenge is great if the principle of preemption is properly applied. For these reasons, PANE's having lost the Atomic Energy Act issue may well constitute a major victory.

This decision is significant with respect to Three Mile Island itself because it is the only restart-related effort that has had any success to date. PANE is pursuing the NRC's environmental assessment with expert submissions. As a result, PANE should win any court challenge if the NRC should try to avoid preparing an environmental impact statement by concluding that there is no significant new information on psychological effects at Three Mile Island. In addition, PANE should be able to obtain a full adjudicatory hearing on the psychological effects of the accident and the restart, and that hearing should last well beyond the currently proposed restart date of October 1982. If PANE has the resources to continue the fight.

Pay for the Clean-up?

Senator Heinz and Bradley have a bill to fund the decontamination of TMI #2. It purports to charge other nuclear utility customers across the U.S. about 12 to 62¢ a year. Unfortunately many national legislators see it as a bail out and wonder why those who benefit can't pay for it. It may soon be ready to be voted on in the Senate. A similar bill in the House has received the same criticism. GPU/Met-Ed rate-payers should not forget that they will have to pay for the decommissioning, no matter who pays for the decontamination. George Mitchell, a Senator from Maine, said, "This bill prolongs the safety problems, the best thing the Senate could do for the health and safety of TMI area residents would be to "kill the bill right now and allow the P.U.C. to pass the full cost of the clean-up on GPU rate-payers."

High Quality PANE Tee-Shirts - Send \$3.50 for each plus 50¢ postage to PANE, P.O. Box 268, Middletown, PA 17057. All sizes available but colors limited (Send several choices).

TMI #1 and the Welder

The Senate Labor Committee in Washing, DC has revived charges that unqualified welders helped build #1. A witness claims persons bought union cards rather than earn passing test grades. About three w-eks after the charges were revived the NRC launched an investigation (5/22/82). The witnesses say they have the names of 34 persons who participated in the corrupt practices.

Why TMI #1 Should Not Be Restarted

There are several excellent reasons; Today, we present one. Following are direct quotes, taken from a transcript of testimony, the top TMI official Bernard Snyder gave to a U.S. Senate Committee on May 20, 1982. Because of space limitations, we have selectively extracted portions. Read it and you decide whether GPU should operate and clean-up two reactors that are side-by-side.

Our principal responsibility (NRC) is the protection of the health and safety of the public, including the work force at the site, as well as protection of the environment. We are concerned that if the pace of the cleanup is not accelerated, the capability for continued maintenance of the health and safety will become more uncertain.

Virtually every exposed surface of the floors, walls and equipment in the reactor, auxiliary and fuel handling buildings was contaminated to varying degrees. We know that the reactor core suffered significant damage. It is probable that small particles of fuel and cladding, along with control rod and core structural material were distributed throughout the reactor coolant system, with some materials ending up in the lower level of the reactor building. No one knows the actual conditions within the reactor vessel, but realistic estimates suggest that the upper half of the core contains a rubble bed of damaged fuel and other materials. Additionally, some of this material and individual fuel assemblies are suspected to be fused together. It is important to note that the plant has been in a condition for which it was not designed. This situation causes us increasing concern.

Within several weeks of the accident, the decontamination of the floors, walls, and equipment in the auxiliary and fuel handling buildings was initiated. At present, approximately 70 percent of the contaminated area in these buildings has been cleaned up, but this represents removal of only 10% of the radioactivity since some of the most contaminated and difficult areas were bypassed and remain to be cleaned up.

Approximately 750,000 gallons of moderately contaminated water from auxiliary building tanks and 600,000 gallons of highly contaminated water from the reactor building basement have been processed; however, none of this water has been permitted to be disposed of and it is currently stored in on-site tanks.

A great deal of difficult work remains to be done. About 5% of the highly contaminated water (approximately 30,000 gallons) and an unknown quantity of contaminated sludge remain in the reactor building basement, and still need to be removed and processed. Another 90,000 gallons of highly contaminated water remains in the reactor coolant system and will require processing. Containers of highly radioactive resin (49) and zeolites (6) remain on-site until steps are taken to make these safe for shipment, considering the hydrogen being generated. The balance of the most contaminated floors and surfaces in the auxiliary building remain to be cleaned up. Although a large-scale experimental program for gross decontamination was conducted over large portions of the reactor building, preliminary results indicate that general area radiation levels have not been reduced sufficiently to support large scale cleanup activities in the building. The entire building will have to undergo further detailed decontamination. Reduced radiation levels in the reactor building is a pre-requisite for the most difficult task ahead -- the defueling of the damaged core. The defueling will be a long, carefully controlled effort, which is not anticipated to be completed for at least several years. Following defueling, the reactor coolant system surfaces will require decontamination. The processed accident-generated water will require ultimate disposition. The higher level radioactive solid waste resulting from water processing and other decontamination activities will require offsite shipment to a commercial or federal facility for disposal or research, as appropriate. Finally, all fuel assemblies and packaged core debris and internals will require shipment offsite for research and/or disposal. We are extremely concerned about the future status of the plant and the licensee's capability for maintaining the plant in a stable condition to adequately protect the on-site work force and offsite public over the long term.

Over time, as equipment deteriorates the probability of incidents involving radiation leakage and subsequent exposure to workers and the public will increase.

In 1979, leakage of highly contaminated water in the auxiliary building resulted in overexposure to several workers during subsequent maintenance efforts to contain the leakage. In 1980, another leak of highly contaminated reactor coolant caused high airborne levels and contaminated several workers. This past year, an inaccessible valve in the reactor building in a line connected to the reactor coolant system started leaking during testing, increasing the normal system leakage by about a factor of ten until the source could be identified and the valve reseated. During each of the first four months of 1982, separate incidents have occurred. In January, workers inserted an air hose in a contaminated floor drain and spread radioactive material into the auxiliary building atmosphere. This caused alarms on local radiation monitors within the building, as well as alarms on the effluent release monitor in the plant exhaust stack. In February some portable instruments used to sample the containment building atmosphere indicated the presence of combustible gases, possibly hydrogen. These readings were subsequently shown to be erroneous, but not before the licensee declared an "unusual event" (the lowest level in their emergency response plan) and made the required offsite notification to local officials. In March, another "unusual event" was declared when increased makeup water was noted to be going into the reactor coolant system, indicating a possible leak. It was determined that a valve was leaking which resulted in spillage of about 150 gallons of water onto the floor when contaminated filters from the reactor coolant purification system were removed. Just two weeks ago, a health physics technician was unable to exit the containment building because the airlock doors were jammed shut. It took nearly an hour before the doors could be opened.

Inevitable, as the result of restricted access to areas of the facility in which high radiation levels persist, maintenance will continue to be limited and equipment will continue to deteriorate. There is also an exceedingly small, but not zero, probability for a criticality accident in the reactor vessel. There is even some small potential for a criticality event outside of the core because of the unknown quantity of fuel materials which were transported out of the reactor pressure vessel.

While the incidents to date have been of a controllable nature, it is not inconceivable that a future leakage incident could result in an unisolable leakage from the reactor coolant system. Reactor system valves and other components have the greatest likelihood of failure. However, we are also concerned about the condition of the 52 instrument tubes which penetrate the bottom of the reactor pressure vessel and constitute a part of the reactor coolant system boundary. These tubes were submerged in the highly contaminated and possibly corrosive water in the reactor building basement for approximately three years. Corrosion and subsequent leakage through any of those tubes would be unisolable. If an incident of this type occurs prior to completing defueling of the core, the cleanup would be setback and become even more difficult than presently anticipated.

Experience has shown that delays in cleanup cause radioactive contamination to be more difficult to remove from surfaces and equipment. Radioactivity tends to "soak into" concrete surfaces, and rusting of metallic surfaces compounds the problem. For this reason, the cleanup will be more costly in terms of worker radiation exposure as further delays result. The mechanical deterioration of components and systems over time may reduce the plant's ability to respond to natural phenomena (e.g., tornados), and other adverse events (e.g., fire) thereby posing potential threat to continued successful containment of TMI-2 contamination and stored waste.

It is simply imperative that the pace of the cleanup be conducted in an expeditious manner and that the financial problems which are hindering this pace be resolved as quickly as possible. In the interests of protecting the health and safety of the site workers and general public we would support any initiatives to expedite the cleanup.

Denton Says TMI Was A Biggie

John Kovalic gave us the transcript of an ABC-TV Nightline show of Jan. 25, 1982 following the Ginna reactor accident. Because of copyright laws we can't quote from it but Harold Denton when comparing Ginna to TMI said TMI was a real risk to the public health. There is also discussion about steam tube repairs. If you need to know more come to the next PANE meeting.

TMI NEWS

Do you want to know what's the latest GPU propaganda that the 35 public relations people have developed? John Micka famous Channel 27 newscaster is now the GPU announcer on a propaganda tape of what's happening - call 948-8888 anytime - for those of you out of town dial 1-717-948-8888. He really cleaned up his voice---lookout NBC & ABC, that Micka's making a move for the big time.

TMI REFERENDUM--What Are The Results??

In the May PANE PILL we reported that voters in the three central PA counties which included the non-binding question on the ballot rejected TMI-1 restart by a 2-1 margin (40,783 no vs. 20,035 yes). As expected, General Public Utilities (owners of TMI), shaken by the overwhelming No vote, fumbled around with feeble explanations. One was that voter turnout was too light to draw any firm conclusions about majority opinion. Another offered by John Micka, former local T.V. celebrity now employed as a GPU public relations staffer, was that the issue was too complex to be answered with yes or no.

On the voter turnout issue, PANE's analysis revealed a three-county average of 34%. By comparison, voter turnout in the two other central PA counties --Lancaster and York--which did not have the referendum question on the ballot, averaged 18%. Residents in the York County borough of Goldsboro, just across the river from TMI, were excluded from the TMI vote when York County Commissioners chose not to put it on the ballot. However, Goldsboro officials placed a special ballot box outside the boroughs polling place to allow residents to speak their piece about TMI. The Goldsboro voter turnout was 41%, twice as great as the county average. The vote was 77% NO.

GPU's attempts to minimize the significance of the vote drew strong criticisms from Dauphin County Commissioner Larry Hochendoner and PA State Senator George Gekas. In a letter to GPU Chairman William Kuhns, Hochendoner attacked the company's citing of low voter turnout by stating the issue is not the number of voters but that "the people have spoken in the most legitimate, organized, traditional and intelligent of forms (the ballot box) and have resoundingly stated their opposition to the restart of TMI-1." Senator Gekas, in his letter to GPU President Robert Arnold, stressed "the results showed an overwhelming desire on the part of residents of our area against continuing TMI as a nuclear power plant."

PANE agrees with the observations of both of these local officials. It seems clear that they each recognize the vote as an expression of the will of the people. What each of us must now do is to make that point clear with all public officials and aspirants on election day. We elect them to carry out our wishes. It is our responsibility to hold them accountable. Before you vote in November (and thereafter) know where the candidates stand on the TMI issue. The results of the referendum spelled out clearly that the people do not want TMI-1. That is an important starting point; but the real gains will come only when we hold each elected official accountable to carry out that mandate.

TMI SECURITY--How Secure??

Every nuclear power plant requires stringent security practices to assure the protection of the plant and the surrounding residents. Inadequate security could result in the wrong person getting into the wrong place and endangering plant integrity. Now, if the nuclear plant has had a serious accident and large amounts of highly radioactive materials have been dispersed throughout the reactor system, the need for flawless security is created. Such is the case of TMI.

Remember back to February 1980 when a local newspaper reporter was hired at TMI as a security guard? In his story he related how he had gotten into numerous areas that should have been inaccessible to him. He also discovered in his research of TMI security that the company had been fined twice, once in 1974 and again in 1976, by the NRC and the Atomic Energy Commission for poor security practices. It is most disturbing to local residents to hear about incidents such as these. Maintaining Unit 2 in a safe condition is ticklish enough without adding complications caused by unauthorized individuals turning the wrong valve or flicking the wrong switch.

Met-Ed's response to the 1980 security incident was to assure residents that the company's plans and personnel were uniquely qualified for the task at hand. We all wanted to believe those reassurances and hoped that Met-Ed had really assembled a group of superhuman individuals to protect TMI, and thereby the local residents. In the April 14, 1982 Press & Journal, a small article reported that a security supervisor from TMI was found dead in Middletown on April 12. The cause of death was a handgun wound to the head. The article further stated that confidential sources informed the local newspaper that the victim had left one or two suicide notes. No other information about this incident has been released. Does this raise any questions (again) regarding the integrity of TMI security?? PANE is hopeful that additional information will be forthcoming (maybe an NRC investigation) to answer the many questions of how this relates to TMI security. Watch for more on this in future issues of the PANE PILL.

PLAN TO ATTEND THE NEXT PANE MEETINGS-- JULY 11 & 25--FREY VILLAGE GUEST HOUSE

Cartoon taken from the Susquehanna Alliance May newsletter



TMI Sirens

You may recall GPU spent over 1 million dollars to have sirens installed within 10 miles of the nuclear facility that has the damaged TMI #2 and the "undamaged" TMI #1. Well we all know how badly they have performed. Malfunction after malfunction at individual siren locations. It creates huge problems when families are separated and the siren wailing starts. As a result county and Middletown communication centers get flooded with calls. Dauphin County Commissioner Lawrence Hochendoner feels the malfunctioning is more trouble than its worth. GPU installed the system. The sirens increase stress with their eerie different tone than normal emergency sirens for fires. Local persons according to Hochendoner are exposed to undue stress and anxiety. The director of the county emergency management agency says after a false sounding his department spends hours just responding to public calls about the alarm. Hochendoner has concluded that the system is either "poorly designed or built with unreliable equipment." This idea of poor design and unreliable equipment doesn't surprise those of us in PANE; it seems to be the trade-mark of a GPU/Met-Ed product. Tell your legislator - the only solution is to clean #2 and close #1. Don't repair the steam tubes in #1, cleanup #2.

This and That

WHP's Ron Carney had some GPU folks on in early June, the GPU guy said 1200 people work at the island, however the Friends and Family of TMI ad, before the referendum, in May newspapers said 2100 work there...Did you know California, Maryland, Oregon, Connecticut, Maine, Montana, and Wisconsin have laws restricting the construction of new nuclear plants until there is a means to dispose of high level nuclear waste...Councilman Jim Grim was quoted in The Times Leader of Wilkes Barre on May 19, 1982 "I'm pro-nuclear but they've lied to us so much, I'm frightened"...Grim was a vocal vote "no" supporter in the recent referendum. Thanks Jim...York County West Shore communities had an informal vote on restart- Goldsboro 50 no, 15 yes; Fairview Township 129 no, 29 yes; these communities are within 3 miles of TMI...GPU says they want to start resealing the 31,000 steam generator tubes in TMI #1 beginning in mid-summer--did you call your elected officials about stopping this ridiculous way to waste more than 25 million dollars while the health and safety of this area is held hostage to TMI #2 cleanup lack of progress.

BULK RATE
U.S. POSTAGE
PAID
MIDDLETOWN, PA 17057
PERMIT NO. 43

PANE
P.O. BOX 268
MIDDLETOWN, PA 17057

PANE

A citizens' public interest organization
of the Middletown area

THREE MILE ISLAND
**Clean it.
Close it.**

NRC Balks

Harrisburg Patriot News
7/20/82

Won't 'Decide Expeditiously' Whether Review Of TMI Area Residents' Mental Health Needed

By MICK ROOD
Washington Bureau
WASHINGTON — The Nuclear Regulatory Commission has balked at a General Public Utilities Nuclear Corp. request to "decide expeditiously" whether an environmental review of residents' mental health is needed before the restart fate of Three Mile Island Unit 1 is resolved.

The utility had wanted the review, called a supplemental environmental impact statement, completed by the NRC on July 15, if federal regulators thought it was necessary at all. GPU Nuclear also wanted no hearing held on the review, another procedure that would slow the restart process.

In refusing GPU Nuclear's motion, the NRC agreed with its staff that such procedural ques-

tions should be deferred. The NRC staff has reported it is "not now in possession of enough information on the psychological health of residents..." to even say a review should be conducted.

An NRC spokesman said Monday the staff is not expected to recommend "for months" whether an environmental review should be conducted. The actual review could take another six months.

Rejection of GPU Nuclear came in a closed-door NRC session last Thursday. The NRC is allowed to meet secretly if the topic is directly concerned with ongoing court action. A U.S. Circuit Court of Appeals order forced consideration of the psychological stress issue in January. The court issued a clarifying decision in May, explaining

that the environmental review would have to be considered only if new circumstances warranted it.

Commissioner Victor Gilinsky, the only consistent nuclear power skeptic left at the NRC after three appointments to the five-member body by President Reagan, said in a separately issued statement that GPU's request for a prompt decision should have been granted.

He said his four colleagues were "more interested in keeping" the court case "a live controversy" so the U.S. Supreme Court will have a chance to reverse the circuit court order, which GPU appealed July 1. The high court has yet to say whether it will rule on GPU's appeal.

Gilinsky said the NRC staff already has spent more than six

months and \$250,000 "to obtain the advice of a wide array of psychologists and other experts."

Given that, "it is either disingenuous or a confession of managerial failure for the commission to say that it 'does not at present have enough information' for a decision, Gilinsky said.

People Against Nuclear Energy, a Middletown, Pa., residents' organization, took the matter to court after the NRC ruled in August 1980 psychological stress would not be considered in the Unit 1 restart case.

Gilinsky said the NRC's refusal to expedite the stress review was "ironic" because the commission originally had avoided the stress issue to speed up the restart decision.

Court Asked to Overturn TMI Neighbors' Stress Ruling

WASHINGTON (UPI) — The Reagan administration Monday appealed to the Supreme Court to overturn a ruling making "psychological stress" on Three Mile Island neighbors a factor in whether to restart an undamaged unit at the nuclear plant.

The appeal, filed by U.S. Solicitor General Rex Lee for the Nuclear Regulatory Commission, challenges an April 2 decision by the federal appeals court in Washington.

The ruling for the first time would require the NRC to take residents' mental stress into account before making a nuclear plant licensing decision.

Some neighbors of

the TMI plant near Harrisburg, Pa., scene of the nation's worst nuclear plant accident in March 1979, contend they would suffer "severe psychological stress" if TMI's undamaged unit No. 1 is restarted.

The No. 1 unit was closed for refueling in 1979 when the accident occurred within TMI No. 2 unit, spurring the evacuation of children and pregnant women living near the plant.

In arguments filed with the justices, the government claimed the appeals court is reading too much into a law that requires agencies to assess the "environmental impact" of federal actions.

Harrisburg Patriot News
8/31/82

TMI Stress

Psychologists' Group Agrees With Area Nuclear Power Foes

By MICK ROOD
Washington Bureau
WASHINGTON — The U.S. Supreme Court would be "premature" if it ruled on whether or not nearby residents' psychological stress should be considered in restarting the Three Mile Island Unit 1 nuclear reactor, the American Psychological Association said yesterday.

In a brief to the court, the 50,000-member group sided with Middletown, Pa.-based People Against Nuclear Energy, which is defending a federal appeals court decision forcing the Nuclear Regulatory Commission to study stress effects before deciding on a Unit 1 restart.

The NRC and TMI owner General Public Utilities Corp. have appealed the 2-1 January decision of the District of Columbia Circuit Court of Appeals to the high court. The APA agreed with PANE that the appeals should be dismissed.

Attorneys for the psychologists said GPU was wrong when it argued area residents' stress wasn't "cognizable" under federal environmental laws. (If PANE is eventually upheld, the case would set a

precedent since courts have never clearly ruled that non-physical health effects must be studied before licensing a nuclear plant.)

GPU has claimed consistently that psychological stress cannot be measured, even in the wake of the March 1979 accident at Unit 2 of the nuclear plant in Londonderry Twp., near Middletown.

"The possibility that psychological stress at TMI is, in fact, measurable is quite substantial," the APA argued, citing numerous studies.

As for the NRC's contention that there is no cause-and-effect relationship between physical effects of a restart and the mental state of nearby residents, the APA argued that the NRC is still gathering evidence.

Responding to the circuit court decision, the NRC began in July to evaluate how serious stress levels were, whether stress could be measured and whether it should stop GPU from restarting Unit 1.

The psychologists claim the NRC should finish that task, which commission spokesmen say is still several months from completion. APA said "considerable research"

had been gathered by the NRC since it decided to appeal the case — information that will have a bearing on the question of cause and effect.

"In these circumstances, consideration of the legal issue raised by the commission would be premature," the APA said in its brief.

The NRC began wrestling with the difficult subject of psychological stress shortly after the TMI Unit 2 accident. Its general counsel warned in the summer of 1979 that mental health might be something the NRC would have to look into when conducting an environmental review of the Unit 2 cleanup.

The commission staff concluded then that stress was significant, but would recede, especially if Unit 2 was expeditiously decontaminated.

As the Unit 2 cleanup dragged on for lack of GPU finances, the NRC ignored the advice of its atomic licensing board considering the restart of undamaged Unit 1 and refused to consider stress in Unit 1's case.

PANE appealed the NRC decision, which eventually was overturned by the appeals court.

Harrisburg Patriot News 10/6/82

TMI mothers' anxiety still above normal

By PATRICK YOUNG
Newhouse News Service
CAMBRIDGE, Mass. — Thirty months after the accident at the Three Mile Island nuclear power plant near Harrisburg, Pa., mothers who evacuated their young children continued to suffer higher-than-normal levels of severe anxiety and depression, according to a new study.

But the study cannot tell to what extent the mental problems were related to the March 1979 accident or to other factors such as the current economic recession, according to psychologist Herbert C. Schulberg of the University of Pittsburgh, one of three researchers directing the continuing study.

While the level of anxiety and depression had declined slightly among TMI-area mothers from that of a year after the accident, episodes of these mental problems more than doubled in a comparison group of women living around the Shippingport and Beaver Valley nuclear plants near Pittsburgh.

Among TMI-area mothers interviewed 30 months after the nuclear reactor accident, 12.4 percent had experienced severe anxiety or depression in the previous year, compared with 17.7 percent of the mothers living near the other two nuclear facilities.

"The rates at this time are not the matter of the TMI group going down, but the rate of depression and anxiety in the comparison group going up," Schulberg said.

He blamed that rise largely on fears generated by a sharp increase in unemployment in the Pittsburgh area.

The psychological scars left by the accident at the TMI-2 reactor — the worst ever in a U.S. nuclear power plant — have remained a major issue.

A presidential commission that investigated the accident concluded its most damaging and lasting health effect was "on the mental health of the people living in the area."

In January, a U.S. Circuit Court of

Appeals ruled that the Nuclear Regulatory Commission must consider the mental health of area residents in making its decision whether to allow the undamaged TMI-1 unit to resume operations. The Supreme Court has agreed to decide whether to uphold or overturn that order.

The study being conducted by Schulberg, Evelyn J. Bromet and David K. Parkinson began in late 1979 with funds from the federal government's National Institute of Mental Health.

They interviewed 311 mothers of young children who lived within 10 miles of Three Mile Island at the time of the accident nine and 12 months after the event. The number was increased to 413 during interviews last fall, 30 months after the accident, and another round of interviews is now in progress.

Final data from the 30-month interviews were compiled Monday, and Schulberg reported the findings Thursday at a science writers' seminar sponsored by the non-profit

Council for the Advancement of Science Writing.

Schulberg said the study was designed not to measure the lingering psychological effects on all area residents, but on two groups considered at high risk of suffering mental problems — mothers who evacuated and workers at TMI. Results of the 30-month worker interviews will be released later.

The women interviewed were asked a series of questions about their perceptions of TMI.

Among the TMI mothers, 50.2 percent said they thought Three Mile Island was currently dangerous; 52.7 percent said it was unsafe to live within 10 miles of a nuclear power plant; 58.8 percent said it was unsafe to live that close to TMI; 48.7 felt their family's health would be affected by living near TMI; and 42.8 percent thought the accident would cause health problems or abnormalities in future generations.

Neighbors find TMI a strain

By Marc Kaufman
Inquirer Staff Writer

MIDDLETOWN, Pa. — It was when their pet guinea pigs started to die last year that Ruby and Kelly Zeager realized they could no longer take the pressure. It was time to move.

Living in the shadow of the Three Mile Island nuclear power plant, they had struggled since the March 1979 accident with doubts about remaining in their "dream house" overlooking the Susquehanna River, the house where their daughter was born and had spent all of her 14 years.

They read the many reassuring government reports and thought they could stick it out. But the huge TMI cooling towers, the first thing they saw each morning as they

opened their bedroom shades, remained a daily reminder of their chaotic evacuation during the accident, and of the invisible threat they still felt from the unrepaid plant.

Then Ruby Zeager began finding dead rabbits under the bushes, began noticing that once-common blue jays were no longer to be seen and, finally, watched 10 of their 12 guinea pigs mysteriously die.

"Already, I was wondering, every time I heard someone was sick, 'Could it be radiation?'" said Mrs. Zeager, who was born and raised in the Middletown area. "But the guinea pigs' dying was so strange, I just can't believe it's anything but that."

"Especially with all the talk about restarting the plant again, we decided it's just not worth the worry living here anymore. We have our daughter to think of."

So, although there still is no documented evidence that TMI radiation has caused people or animals any physical harm, the Zeagers put their dream house up for sale, and recently a man involved with licensing nuclear plants bought it. Soon, they will leave their friends and relatives for "the unpolluted woods of Perry County."

By all accounts, the Zeagers' decision to move away because of TMI is not typical; studies have shown that although many who leave the area cite TMI, there has been no mass exodus since the accident. But the stress and constant worry that led to those decisions, researchers have found, remains quite strong for many of the people of Middletown and its surrounding areas.

In fact, several studies have found that increased stress

was the major health consequence of the accident — stress that is believed to be causing abnormally high levels of severe anxiety and clinical depression in the TMI area for certain "at risk" groups, and which may ultimately have serious, debilitating effects on many more people who now live with "low-level but chronic" stress.

And with the Nuclear Regulatory Commission (NRC) about to decide the hotly debated question of whether the undamaged TMI Unit 1 reactor is safe and well-managed enough to be restarted, the extent and nature of the "psychological stress" on people like the Zeagers has become not only a major community health issue but a major legal issue as well.

It has become a legal issue because a group of local residents calling themselves People Against Nuclear Energy (PANE) sued the NRC several years ago to force the agency to consider the impact of TMI-induced stress on residents before deciding about Unit 1. Because the NRC is charged with safeguarding the "general health" of those living around TMI, the suit contends, the agency must measure and protect "mental health" as well. And the community's mental health, PANE contends, has barely suffered, and will suffer more if Unit 1 is restarted.

A federal appeals court ruled last winter that a stress study was indeed required — the first ruling of its kind — but the NRC and General Public Utilities Corp. (GPU), which owns TMI, appealed. The U.S. Supreme Court has agreed to hear the case, probably early next year.

Although the NRC cannot issue a final decision about Unit 1 because of the suit, it is still committed to giving a conditional ruling by Friday. As a result, already intense emotions in the TMI area are becoming supercharged again.

For example, when the five NRC commissioners came to Harrisburg last month for their first public meeting there ever, they were met by more than 1,200 residents — a sizable majority of whom were opposed to restarting Unit 1. Many of them were quite adamant about it. The greatest ovation of the evening went to a fiery young activist named Randy King.

"I am telling you right now," he told the commissioners, "that if you allow that plant to restart, we are going to occupy the headquarters of GPU in New Jersey, we are going to block that plant down there, we are going to occupy your offices in Bethesda, and we are going to occupy your offices in Washington."



The cooling towers of Three Mile Island cast a shadow of uncertainty on the Susquehanna valley

Philadelphia Inquirer 12/5/82

Most of the audience — elderly people, men in business suits and homemakers with their families — stood and cheered.

"Unless you've lived out here the last 3½ years, you just can't know what it's like — the constant stress, the frustration, the lies, the strain," said Joyce Corradi, a mother of five, after she had spoken at the meeting. "For most people, the accident ended a couple days after it began. For us here, it's just never really stopped."

"A technical agency cannot and should not be expected to devote its resources to developing expertise in the categories of psychological stress alleged to be peculiar to the particular technology which that agency regulates. . . . We do not believe that the public well-being, including psychological well-being, would be benefited in any meaningful way if the commission were to take on the task of weighing, in one licensing proceeding after another, the essentially unprovable claims and counter-claims of competing arrays of mental health experts."

This statement, contained in the NRC's response in March to the federal appeals court's psychological stress study order, sums up much of the federal and utility opposition to the PANE suit. Ordering a stress study at TMI, they argue, would be to set a terrible precedent that would allow groups opposed to all nuclear plants — as well as prisons, public housing and other government-funded or sponsored projects — to block them on the ground that they would cause psychological harm to residents.

What's more, they argue, there is no proven, scientific way to measure stress.

But despite its opposition, the NRC already has begun exploring how to measure stress in the Middletown area, should the Supreme Court rule for PANE. And it has found a large body of research in place.

Twelve researchers, in psychology, psychiatry and epidemiology, many of whom had already done work at TMI, were invited by the NRC to a weekend workshop last February. Together, they concluded that although they could measure the current "mental health" of the community with a substantial degree of accuracy, they could not project with any scientific certainty what might happen if Unit 1 were restarted.

The researchers agreed that there was a substantial increase in measurable stress reactions, such as insomnia, irritability and loss of appetite, immediately after the accident. They also agreed that the greater stress continued for months, although they disagreed on the length of time, and that it was accompanied by a major loss of trust in those who run and regulate nuclear plants.

There were important differences, however, in the experts' research tools, and in their conclusions about the far more complex question of whether mental health in the area is being undermined now by TMI.

• A major study by former President Jimmy Carter's Commission on the Accident at Three Mile Island, which issued its report late in 1979, analyzed interviews of 2,500 people within 20 miles of the accident in an effort to measure levels of anxiety, depression and fear that are associated with a clinically demoralized population. The study found that al-

though the levels, as measured by answers to 26 questions, were high soon after the accident, they had returned to normal within four months.

• A continuing study by psychiatric epidemiologists at the University of Pittsburgh has found that levels of severe anxiety and depression among mothers near the TMI plant remained "substantially" higher than normal as late as last fall. The research, supported by the government's National Institute of Mental Health, found through interviews of 413 mothers that 12.4 percent of them had experienced significant episodes of mental illness within the last year, compared with a national average of 8 percent. The research also found that 58 percent of the mothers believed it was unsafe to live near TMI, and 48 percent felt that their family's health would be affected by living near the plant.

• In addition to asking the kinds of questions posed by the two previous research efforts, social psychologist Andrew Baum of the Uniformed Services University of the Health Sciences, outside Washington, also tested 44 TMI area residents. Those tests including the monitoring of blood pressure and measuring levels of catecholamines (a family of hormones that are secreted during times of stress) in the urine of subjects. Baum's conclusion, based in part on the abnormally high levels of cate-

cholamines found, was that about 30 percent of those tested — and, therefore, possibly of the population of the TMI area — were suffering "chronic, low-level" stress. The long-term effects of this chronic stress, Dr. Baum said, are quite damaging, and could leave the sufferers prone to a wide range of diseases.

• Even more disturbing predictions have been made by a researcher with the Radiation Research Institute in Berkeley, Calif., who has worked with American servicemen exposed to radiation during atomic weapons testing from 1945 to 1958. According to this researcher, Dr. Henry Vynner, preliminary research has shown that a high percentage of TMI area residents he has studied have developed strong signs of having the same "radiation-response syndrome" that he has found in many of the "atomic veterans."

This syndrome, he has said, is based on the sufferer's strong belief that he has been harmed by radiation, whether it is supported by medical diagnosis or not. Vynner found in the veterans, that this belief led over the years to an increased preoccupation with health, major personality changes, the gradual disintegration of family and social ties, and an ultimate lapse into depressed isolation.

Vynner has recently completed a foundation-sponsored 400-person study of the syndrome in TMI, and, he said, preliminary results confirm

his earlier pilot project findings that perhaps 20 percent of the area's residents have clear signs of the syndrome. But it will take years, he says, before it is known whether residents ultimately suffer the same debilitating effects as he has found in many of the veterans.

The man already selected by the NRC to conduct the stress study, if it is ordered, is Dr. George Warheit, a psychiatric researcher who worked on the initial President's Commission report on TMI.

But many area residents and even some researchers believe Warheit was selected because he is

expected to find that there has been little stress in the area. The belief is based on Warheit's role in the commission report, which found no lasting stress reaction from the accident.

Warheit has said he will enter the study with complete scientific objectivity. Asked recently, however, if he felt that any research done since the commission report had persuaded him that the stress had indeed lasted longer, he replied, "I see no evidence to suggest that the findings of the commission were incomplete. I do not believe [that later work] would get through rigorous scientific re-

view."

An advertisement in the Nov. 22 edition of the Harrisburg Evening News contained a picture of a potassium iodide pill called Iosat. Beside it were the words: "If You Live in Harrisburg, This Could Save Your Life. It's True. A Tablet That Could Save Your Life in A Nuclear Accident."

The next day, the Harrisburg Patriot ran a Funky Winkerbean comic strip about a turkey with three drumsticks. The punch line: "They come from a turkey farm near Three Mile Island!"

To TMI spokesman Douglas Bedell, it is this kind of constant, and he thinks irresponsible, playing off the supposed dangers of the accident that is causing much of the stress now in the TMI area. He said that GPU understood that there was stress in residents about the proposed restart, but that the company had been frustrated in its efforts to address it.

"The company that the anti-nuclear people are battling does not exist any more," he said emphatically. "GPU was chastened by the accident — there is no question but that safety is now the paramount consideration. "Yes, there is lingering concern out there, exacerbated now by the very discussion of stress and by people who say they are stressed. In discussing stress, people stress others."

"I really don't know how anxious residents can be reassured now. But the long-term answer to public concern is clearly the safe operation of the plant."

And producing electricity at Unit 1, he said, would generate more money for the cleanup of Unit 2, where the accident happened.

Bedell pointed to a large array of government health studies to support his view that the anxiety is

unwarranted; that the initial release of radiation in 1979 did not cause physical harm. But he also knows, he said, that the credibility of both the company and the NRC took a beating in the first days of the accident — when contradictory and misleading information was given out — and that many TMI-area residents simply no longer believe what the experts tell them.

It has also become apparent to many that the absence of an effective political avenue for their feelings has added to the anxiety and resentment. At the recent public meeting, many speakers railed against the NRC's lack of obligation to take into account the 40,000 TMI-area residents — out of a total of 60,000 — who voted against a restart in a May referendum and the majority of local governments who also have voted against it.

Citing this federal preemption of all nuclear decision-making, the one NRC commissioner who has supported the call for a stress study, Victor Gilinsky, said it was needed to give some weight to the feelings of residents.

"Call it stress or call it the voice of the people, those around TMI deserve a real hearing," he said after the hearing. "The absence of it will

just add to their sense of being misused."

That sense was quite apparent during a recent gathering of the Concerned Mothers of Middletown, at the home of Joyce Corradi. An articulate woman who, like many other current anti-TMI activists, was totally apolitical before the accident, Mrs. Corradi's advice has been privately sought even by the NRC because of her credibility in the community.

"We are mostly very patriotic people out here," she said. "We believed it when experts told us there couldn't be an accident at TMI, and even after the evacuation we just assumed the government would quickly clean everything up."

"It's 3½ years later and Unit 2 isn't anywhere near being cleaned. We've had krypton venting, we've had crazy evacuation plans that can't work, and we've seen many people getting more and more upset rather than less. How would you like to have radiation falling down on your dress?"

Fellow "Concerned Mother" Paul Kinney interrupted: "Now they tell us the Unit 1 should be restarted. They decide to do it, you'll see, they will be bloodshed."

Solemnly, the other mothers nodded in agreement.

Court To Rule On PANE's Stress Victory

By Pamela Fry
A U.S. Supreme Court decision to hear a case involving the psychological affect of the

restart of Three Mile Island Unit I nuclear reactor on the nearby residents has evoked mixed feelings from the parties involved.

A GPU Nuclear spokesman from the TMI office told the Press and Journal that the company is "pleased that the court has acted promptly in determining that it will review the decision of the court of appeals. We believe that it presents important issues which should be resolved as soon as practical."

Both GPU Nuclear and the Nuclear Regulatory Commission petitioned for the Supreme Court review after a District of Columbia Circuit Court of Appeals had ruled that the NRC must evaluate the psychological stress issues before any restart plans are finalized.

B. Karl Light, a board member of the local group PANE (People Against Nuclear Energy) commented that the decision was not the one the group was hoping for. "If the Supreme Court had not agreed to hear it," she commented, "the issue would be solved once and for all." If the high court had not agreed to hear the case, the court of appeals decision would stand.

There is a positive side to it however, Light added. "We'll have the opportunity to have the whole idea looked at by the highest law possible."

Representatives from PANE will be present with oral arguments from their attorney and expert witnesses, but according to Light, "it will be a long difficult road." Their participation in the court hearings will cost the group of approximately 175 families upwards of \$25,000. That cost, coupled with the \$27,000 in legal fees they already owe is sure to raise some concern among the group members.

"They will, however, Light noted, try to raise the money through "contributions from like-minded individuals who aren't able to be physically or mentally involved." She also said that the group will continue to raise money through bake sales and craft shows.

Although Light was unsure as to what PANE's course of action would be, she noted that the group has obtained well-known, design-oriented psychologists to testify before the high court in its behalf.

The American Psychological Association has also filed a "friend of the court" brief stating that the psychological stress referred to by PANE is indeed measurable, and the tools for such a study are available.

The Justice Department, who represents the NRC, submitted a brief to the court, which argued that under the court of appeals ruling, federal government plans for the construction of urban low-income housing, military bases, dams, prisons and even air traffic control facilities would be subject to psychological impact assessments. The department labeled such studies as both "burdensome and subjective."

All of these arguments will be heard by the federal court when it schedules the oral arguments, which could reportedly occur as early as March of next year.

GPU spokesman John Fidler noted that the term of the high court runs through April, with decisions rendered thereafter. "The restart of the Unit I reactor at the TMI facility would not be allowed until the Supreme Court renders its decision."

It's "too early to tell what, if any, affect the case will have on the restart schedule," Fidler added. The deciding issue on restart, he concluded, is when the repairs on the corroded steam generator tubes will be completed.

Restart of the Unit I reactor is currently scheduled by GPU for the first quarter of next year, four years after this country's worst commercial nuclear accident took place at TMI's Unit II reactor.

If the Supreme Court upholds the lower court's ruling, the NRC would be required to examine the psychological, or perceived risk, as well as the actual health risk prior to the restart of the undamaged reactor.

Haunted by Nuclear Nightmare

By Alan Fidler
Newbury Staff Correspondent
Middletown, Pa. — The four massive cooling towers loom over the landscape like bold exclamation points. They dominate the life of this community just as they dominate its skyline.

It has been almost four years since the accident at Three Mile Island, the nation's most serious commercial nuclear mishap. On the surface, Middletown residents say, life here is not very different from the way it was before. People did not move away in a mass exodus, as many expected. Property values did not plummet. State and federal studies predict no significant long-range health effects from low levels of radiation released during the accident.

But when Suffolk County legislators, who are evaluating a proposed emergency plan for the Shoreham nuclear power plant, visit this plain, well-scrubbed, red-brick borough of 10,000 people this week to learn about Three Mile Island, they will find a community scarred by the events of March 28, 1979, and the ensuing days that followed.

The accident occurred when a combination of valve failure and human error allowed the reactor to lose cooling water and overheat. Radioactive gases escaped through vents and a dangerous hydrogen bubble formed. The reactor is still out of service. Beneath its casual, friendly, small-town exterior, Middletown is deeply polarized. One faction remains terrified by the presence of the still-contaminated reactor; the other faction, with family and friends who work at the nuclear plant, says no one was injured and the accident showed that backup systems worked. The debate, more muted now than immediately after the accident, remains vigorous.

"We've been living through four years of hell," said Middletown Mayor Robert Reid. "People are going about the same way they always have, but it is in the back of their heads all the time that that thing is down there and we don't know exactly what shape it's in. They don't always talk about it, but there's a lot of stress on the people living in the borough."

"I certainly caused a split in the community," said James Hurst, a director of People Against Nuclear Energy, a local antinuclear group formed after the accident. He said many residents have longtime friends who work at the plant, and it has strained relationships. Hurst, a 57-year-old state budget analyst who has lived in Middletown most of his life, said, "It's also caused strain within families."

Before the accident, fewer than 600 people worked at the mammoth plant on the Susquehanna River, three miles south of Middletown's downtown. Recently, as many as 2,100 workers have been at the site as the cleanup efforts continue, said John Fidler, a spokesman for General Public Utilities Nuclear Group, which operates the plant. Many of these employees live in Middletown.

The cleanup won't be completed until 1988, company officials said last week. It will cost about \$1 billion and the utility, whose financial condition is shaky, is seeking aid from the federal government, the states of Pennsylvania and New Jersey, and the nuclear industry.

In January, the utility settled a \$4-billion suit against Babcock and Wilcox, the plant's manufacturer. The utility will get \$37 million in releases for goods and services purchased in the next 10 years from the firm.

Members of Hurst's group, which claims about 800 local supporters and several thousand sympathizers, said many here no longer trust utility or government officials. Nor do they believe state and federal studies showing no serious health effects from radioactive gases released during and after the accident. "They're lying," said John Kovacic, an electronics consultant. "Everybody will deny the radiation levels we were exposed to."

Late Kovacic, many repeat rumors of dogs and cows that died mysteriously after the accident. They claim the infant death rate soared afterward and talk of many deformed infants born in the last few years. State health officials insist, however, that no significant changes have been observed since the accident. In House hearings on the accident in 1980, a subcommittee concluded that while the amount of radiation released was "insignificant," the greatest harm from the accident was its "severe emotional impact on the public."

Presidential and Nuclear Regulatory Commission studies on the accident released in 1980 both recommended fundamental changes in the way nuclear power plants are operated and regulated.

Members of People Against Nuclear Energy are fighting to prevent the reopening of TMI Unit 1, the reactor that was closed for routine maintenance at the time of the accident that occurred in Unit 2. Unit 1 wasn't damaged, but it has not been reopened. The local antinuclear activists are preparing to argue before the U.S. Supreme Court next month in a suit they have brought that asks federal officials to take into account the possible psychological harm to residents before deciding if Unit 1 should be reopened.

"We have experienced something that no one else has experienced," said B. Karl Light, a psychological therapist from Middletown who also was a director of People Against Nuclear Energy. "It's like almost drowning and after that it's a different feeling going into the water again."

In a nonbinding referendum last spring, residents in the three counties around the plant voted by a 2-1 ratio against restarting Unit 1.

Miss Light, like many aroused into nuclear opposition by the accident, contended that those who still support TMI are pressuring their fears about the plant. That helps account, she said, for the long-term depression and other signs of stress found among Middletown mothers in a study by a University of Pittsburgh researcher.

For their part, the supporters of TMI insist that damage from the accident was limited to the reactor itself, proving, they say, that nuclear power plants pose no danger to the people who live near them.

"There is here what we call a wild fringe, a lunatic fringe, if you will... that is appealing to an emotion, a kind of person," said Joe Hoffman, a retired engineer from Middletown who is president of a group called Friends and Family of Three Mile Island.

His group, which has about 300 local members and another 300 from across the county, is busy defunding General Public Utilities, Hoffman said. It also supports reopening Unit 1.

"I think there's something to be afraid of," said Anne Trunk, a mother of six who is the only local resident among the 12-member presidential commission that studied the TMI accident.

Fear of TMI at the time of the accident prompted 144,000 people living within 15 miles of the plant to leave their homes, even though the state advised that only 2,500 people — pregnant women and pre-school children living within 5 miles of the plant — evacuate. And that peak at the heart of one of the key issues the Suffolk legislators will address this week during their visit: whether it is possible to develop a feasible emergency plan to deal with a nuclear plant mishap.

On that issue they will find surprising unanimity in Middletown. With few exceptions, most people here think the local emergency plans are unworkable.

Both supporters and detractors of TMI said emergency plans devised since the accident by state and Dauphin County officials are inadequate. Like many Long Island residents critical of Suffolk's draft emergency plan, people here said the road will become clogged with traffic and people may panic. They also said there won't be enough buses to remove schoolchildren and not enough ambulances to remove the sick and disabled.

"On paper it looks good," said Howard Minnick, acting superintendent of the Shelton-Highspire School District, just north of Middletown. "But there is no doubt in my mind that they will not work. Still, you have to plan to the best of your abilities."

Mayor Reid and Michael Wertz, director of Dauphin County's Emergency Management Agency, contended that evacuation is possible, provided they get a few hours notice.

The county's plan is very detailed, with each town and school district assigned to communities outside the area for evacuation. Children and parents know where to go. Mayor Reid has even published a book that specifies evacuation routes from Middletown.

And while most don't think the plan is feasible, they also said they may have to give it a try. They believe they do not have an alternative. With TMI Unit 2 still highly radioactive, many residents live in fear that the reactor's nuclear core will become unstable and require an evacuation. Despite such fears, few said they were ready to leave Middletown permanently.

"This is an old community," said Miss Light, who has lived here for most of her 39 years. "And for a lot of us, this is where our history is and this is where we're going to stay."

PANE

A citizens' public interest organization
of the Middletown area

THREE MILE ISLAND
**Clean it.
Close it.**

SEPTEMBER 1982

PANE Meetings

SUNDAY, OCTOBER 10, 1982----7:00 P.M.

SUNDAY, OCTOBER 24, 1982----7:00 P.M.

Both will be held at the Frey Village Guest Home, 1020 N. Union Street,
MIDDLETOWN

Legal Update

PANE's legal battle began in September 1979, when we requested the Nuclear Regulatory Commission to consider the psychological health impact on area residents of restarting TMI-1. The NRC made no decision on our petition for 15 months. Finally, in December 1980--two months after the TMI-1 hearings began--the NRC decided that the consideration of psychological health impacts would not be given in the hearings.

Convinced that the NRC had a legal obligation to hear this issue, PANE appealed to the U. S. Court of Appeals in Washington, D.C. Oral argument was presented by PANE's legal counsel before a 3-judge panel of the D.C. court in November 1981. Both the NRC and General Public Utilities (TMI's owner) presented counter-arguments. In January 1982, the federal court ruled in PANE's favor, requiring the NRC to prepare an environmental assessment of the psychological health impact on TMI's neighbors before making any decision regarding restart of TMI-1. The assessment was targeted for completion this past June but has yet to be released.

On July 1, GPU petitioned the U. S. Supreme Court to overturn the lower court ruling on the grounds that it was "an unprecedented and unwarranted extension" of the National Environmental Policy Act. The nuclear industry opposed the court's decision out of concern that it could paralyze the development of nuclear power by delaying NRC licensing activities. The NRC directly addressed this concern when, on July 15, the agency sought to avoid broadening the appeals court ruling by declaring it would not consider possible psychological harm during licensing hearings unless a plant has had a "catastrophic" accident, such as at TMI. On that same date, the agency requested the U. S. Justice Department to file a Supreme Court appeal on its behalf, thereby joining GPU in asking the high court to reverse the appeals court ruling. On August 30, the Reagan Administration filed the appeal for the Nuclear Regulatory Commission.

By the end of September, PANE must file a reply to the GPU and NRC petitions. We will request that the Supreme Court not hear the case because the lower court ruling was correct. PANE's filing will be joined by a brief from the American Psychological Association also requesting that the Supreme Court allow the lower court ruling to stand. By the end of October, the Supreme Court should decide whether or not it will hear the case.

All of this case preparation and presentation requires much time on the part of PANE's legal counsel and the mental health professionals who support the case. We, and they, do everything possible to hold costs to the minimum without endangering the case. We are in continuing need of additional funds. If you have not supported PANE with a recent donation, please do so now so that we can keep the case moving. Important victories have been won. More lie ahead!! We need your financial support to achieve our goal of keeping TMI closed permanently as a nuclear facility.

Please watch future PANE PILLS for more information on the legal case.

CRAFTS ***** SEPTEMBER FUNDRAISER RESULTS ***** BAKED GOODS

On September 17 & 18, PANE took part in a craft and bake sale at the Harrisburg East Mall. Special thanks to Dale Hoyt who organized the event and to the many other faithfuls who helped raise \$255.00 for the PANE legal fund. Many positive comments were heard from those who bought items.

TMI UPDATE

During the past summer, technicians at TMI performed a series of maneuvers in preparation for the insertion of an underwater camera--12 inches long and 1½ inches in diameter--down into the damaged core of TMI-2. The look was the first since the March 1979 accident and was expected to confirm the degree of core damage. Estimates of the damage have been inconclusive because little information, except temperature readings during the accident, has been available.

In late June, technicians began preparations for the camera by attempting to insert into the reactor's core 8 rods called axial power shaping rods. These 12-foot long rods, used during normal operations to ensure even usage of the uranium fuel, were withdrawn about 3 feet from the core at the time of the accident and have remained there since. The rods are located at various locations around the top of the core. Of the 8, 2 could not be moved at all, one moved only 3 inches, three went most of the way into the core, and only two could be fully inserted. As expected, even though only two performed as designed, a GPU spokesman said, "We have a lot of good vibes...."

In mid-July, technicians uncoupled a 24-foot long screw and removed it from the reactor. The resulting 1½ inch opening provided a hole for insertion of the camera. The \$25,000 camera was designed by Westinghouse for use under water in high radiation areas. It has its own internal light source to illuminate the viewing area. The inspection, estimated to cost \$2 million, will help plan for the tools and other equipment needed to remove the 133 tons of damaged fuel scheduled for 1985.

On July 21, the camera was lowered 30 feet into the core, and a 1½ hour videotape was made. The next day The Washington Post quoted William Hamilton, head of TMI Unit-2 advisory group on decontamination, as saying, "the uranium oxide fuel had melted" during the March '79 accident. His comments were based on viewing of the videotape. Hamilton, who is not employed by GPU or the NRC, further observed that "fuel elements were badly damaged, and the rubble was badly broken up in small particles. Some of it appeared to be congealed together. The center of the core was very badly damaged." The next day, James W. Thiesing, an engineer with Bechtel Corp. and project manager for core removal at TMI-2, said, "We have no information now that would cause us to conclude there was melting of fuel material." At the same press conference, GPU Nuclear President, Robert Arnold, said, "We're not saying there was no melting of fuel"... However, he added, "We're clearly not of the opinion there was melting." Meanwhile, NRC's Lake Barrett said, "I didn't see anything that looked like (fuel) melting. I'm sure some control rod material did melt.there may have been some localized melting of the fuel inside the (uranium) pellets." (Are you feeling a bit confused???) The matter was clarified by GPU spokesman, John Fidler, who stated that additional camera inspections of the core will have to be made before it can be determined if there was a meltdown. Fidler commented on the previous Washington Post quotes of William Hamilton stating, "Hamilton said at the briefing that melting is the wrong word, that damage is a better word to describe what was seen. It was clear to me, anyway, that Hamilton never used the word melt."

There was general agreement that a 5-foot section of fuel assemblies in the top center of the core had crumbled into a "bed of rubble." More camera inspections are under consideration, but the real evidence will not be available until the fuel can be removed for analysis. NRC's Lake Barrett made the most astute observation when he stated, "It raises more questions than it answers, but it is a significant first step." * * * * *

36-YEAR OLD TMI WORKER DIES OF LEUKEMIA

James Rogers, a 36-year old decontamination worker at TMI died on July 21, 1982, of leukemia. He had been employed as an electrical engineer by GPU in its Lebanon, PA office since 1966. In April 1979, he volunteered for decontamination work because of better pay and for a break from the routine of his regular job. He worked from May until October 1979 in the plant's highly radioactive auxiliary building. Because he was small, he was often hoisted

(CONTINUED on PAGE 3)



"We finally looked into the reactor and happily the damage isn't as bad as first thought. We should have it back in operation at least 85 years ahead of schedule!"

TMI DECONTAMINATION WORKER DIES (continued from bottom of page 2)

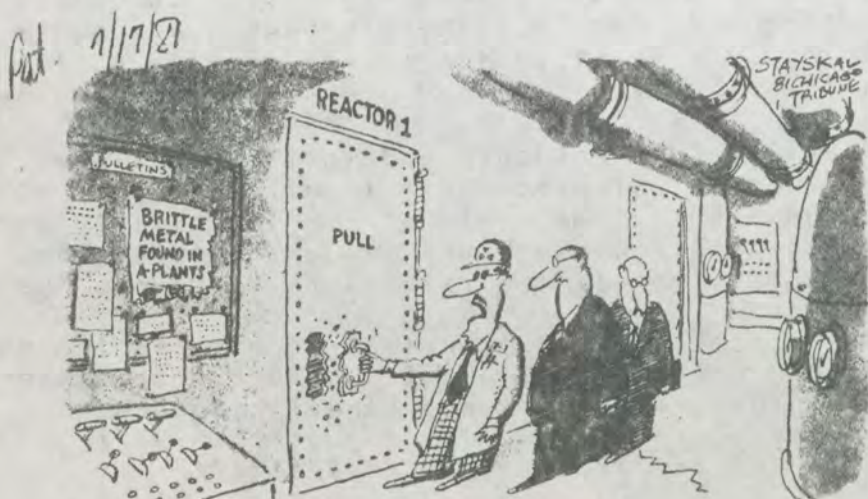
in a sling to take contamination samples from remote sections of the walls and ceilings. He suffered a back injury in October 1979 and had been off work since that time. The leukemia was diagnosed in January 1980.

His father, a retired Air Force jet pilot trained in handling nuclear weapons, told local reporters, "I blame it on radiation and job-related period." The father said that Dr. James Ballard of the Hershey (PA) Medical Center told him there was a 50-50 chance the illness was caused by radiation. The hospital, which is affiliated with Pennsylvania State University (the President of which sits on the GPU Board of Directors), declined to allow Dr. Ballard to be interviewed. A nationally known cancer expert, Dr. Robert Miller of the National Cancer Institute in Bethesda, Maryland, said that the leukemia probably did not result from radiation exposure. He stated that most latency periods run about five years, and that Rogers' apparent latency period of nine months "would be a new Olympic record for shortness of latency period." The really sad part of the story is that no one can ever tell the parents and the two surviving children that their son's (father's) death was definitely not the result of his work at TMI. Is it really true that no one died as the result of the TMI accident???

TMI WORKER FIRED; INSISTED ON WEARING A RESPIRATOR

A TMI worker, who worked in the decontamination room stripping the top layer of protective clothing off personnel exiting the TMI-2 reactor building, was fired on August 30th because he insisted on wearing a respirator. He had been employed by Catalytic, Inc., a contract firm doing work at TMI. On August 13, GPU (TMI's owner) instituted a new rule that stated it was unnecessary to wear the breathing device because radiation levels in the undressing room were well below federal limits. 25 workers had signed a petition, along with the fired employee, requesting that they be given the option of wearing respirators. The petition was presented to TMI supervisors by the discharged employee, William D. Pensyl of Shamokin, PA.

Lake Barrett of the Nuclear Regulatory Commission supported the firing stating that the harmful effects of breathing the air would be equivalent to smoking a cigarette. He further observed that "it is technically probably more harmful to the body to wear a respirator" if it's not needed "because the body has to work harder. People can't wear what they want to wear just because it makes them feel better." The fired employee commented, "It's only basic common sense that if you're ripping off someone's clothes and if radiation is airborne, you're going to breathe it in." Since no one knows the effect radiation has on humans, "I don't want to take that chance."



SAFETY OF TMI-1 REACTOR VESSEL DOUBTED

The Nuclear Regulatory Commission last year listed TMI-1 as one of 8 U.S. reactors considered most vulnerable to cracking under certain conditions. This topic was discussed by NRC engineer, Demetrios Basdekas, at a September 18 meeting hosted by the Susquehanna Valley Alliance in Lancaster. Basdekas explained that the reactor vessel is 60 feet high, 12 feet in diameter and is made of 8 inch thick steel which holds the uranium fuel core. The vessel, along with the large system of

'I assure you, gentlemen, reports on how brittle the metal has become are exaggerated . . . Oops.'

pipes welded to it, comprise the primary cooling system which keeps the core from overheating.

Basdekas, who has worked in the nuclear industry for a number of years, has become very concerned that this serious problem is being overlooked. Over time, which research has shown to be much shorter than originally calculated, the intense radiation makes the 8-inch thick walls of the vessel and the welds that hold it together increasingly brittle. If an embrittled reactor, which operates under tremendous pressure, was suddenly flooded with cold water, as

(CONTINUED On PAGE 4)

SAFETY OF TMI-1 REACTOR VESSEL DOUBTED (continued from bottom of page 3)

it would be during many types of accidents, the stress could crack the vessel. The cooling water would leak out, and the uranium fuel would melt with devastating consequences for the surrounding area.

The problem can be lessened by placing shielding around the outer edge of the core. However, according to Basdekas, that would mean a reduction in the power output of the reactor and the amount of money earned by the utility. He readily concludes that the price is cheap considering the consequences. He related that the NRC and the utilities have generated reams of paper on this problem; but, since it surfaced in 1976, little more than that has been done. When he first testified to the U.S. Congress about this in 1976, he was transferred from the Licensing Branch of the NRC to the Research Branch. In that way he was prevented from allowing his concerns to stand in the way of reactors being licensed. He confesses that he is considered a "malcontent" by his fellow NRC engineers, but he explains that he feels a strong moral commitment to do all he can to prevent the serious accident he fears if a reactor vessel should crack. He recognized those in the audience who were working hard to keep abreast of the TMI situation and encouraged us to keep insisting that our voices be heard.

HARRISBURG, PENN. AND MIDDLEBURY
#1982 Copy News Service



"JUST TO SET THE RECORD STRAIGHT"

Local TV and radio ads have been airing in the Harrisburg area since mid-summer. Based on the comments I've heard, the ads usually provoke responses ranging from nausea to rage. Many residents have called the stations to express their disgust with things like Dr. Leonard Sagan (the ad's human dynamo) stating that the granite in the Lincoln Memorial exposes one to much more radiation "than standing right here at this operating nuclear plant." (If poor ol' honest Abe only knew)

If cost assures worth, Doc Sagan might beat E.T. to the top box-office hit of 1982. The ads,

developed by the nuclear industry-backed Committee for Energy Awareness (CEA), will require between \$25 and \$42 million "to set the record straight." In view of the straightening that needs to be done, that might be a bargain!! In the words of CEA staff director, Bill Harris, "there's been a misunderstanding about nuclear power which is evident in the recent drop in public support." The misunderstanding results from some bad press the industry has received.

CEA was formed shortly after the TMI accident, and in 1980 consisted almost entirely of utility execs who volunteered their time. Today, it boasts a 14-member Board of Directors and a full-time staff of 9. The utility companies who financially support organizations such as CEA can classify the payments as operating expenses, and ultimately the ratepayers reimburse the company through higher rates.

For our readers in central PA, call the station that broadcasts the next "record straightener" and tell them how you feel about the ads. For those readers who have yet to have the pleasure, stay tuned--they're headed your way. (Thanks to the Critical Mass Energy Journal, July 15- August 15, 1982)

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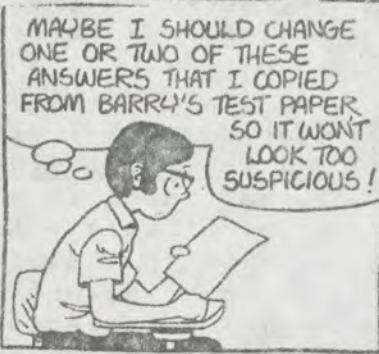
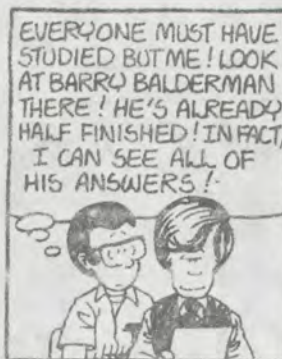
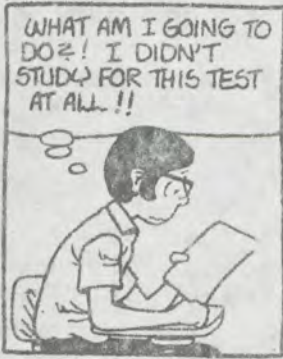
"SILKWOOD"--a one-act play with playwright-actress Jehane Dyllan
SATURDAY, OCTOBER 23, 1982--Forum, PA EDUCATION BUILDING-- 8:30 PM
Commonwealth Ave. & Walnut Sts., Harrisburg, PA

Presents the life of Karen Silkwood, mother of 3 children, who died in 1974 in a controversial auto accident while enroute to meet a union official and a N. Y. TIMES reporter. She was delivering to them documented evidence of missing plutonium and falsified safety tests by Kerr-McGee Co., owner of the nuclear fuel processing plant where she worked. In 1979, an Oklahoma jury awarded \$10.5 million in damages to her children. The judgment was overturned in 1981 by a U.S. Court of Appeals. The court case and the mysteries of her death continue. TICKETS are \$7.50. PANE gets \$3.00 from each sold. Send to: PANE, P.O. Box 268, Middletown, PA 17057, ATTN: TICKETS.

Sponsored by I.L.G.W.U., Local 170, Harrisburg, PA.

Funky Winkerbean

Post 4/5/82-



LEAKY PIPES?--DO SOMETHING!!

As you know the people at TMI say they want to fix those steam generator tubes. Did you know \$94 million was allocated for TMI #1 for 1982 by GPU. GPU says they'll use \$25 million of the 94 million to repair the tubes. Do you really think it will cost just 25 million? That's 25 million or more that could be spent on the clean-up---right!!!! Write your Congressman, state senator and representative--this is incredible. You may remember that in April GPU was saying about 1/3 (10,000) of the steam generator tubes would have to be repaired. Their story has, of course, changed. In early May it was announced that repair work would be conducted on almost all of the 31,000 tubes. GPU wants to start work in "mid-summer". Also you should know, GPU says, 500-700 of the tubes will be plugged and taken out of service, thereby reducing the efficiency of TMI #' and if other leaks occur further jeopardizing power output. A GPU spokesperson was quoted by Associated Press on May 5, 1982 as saying about half (15,000) of the tubes showed signs of corrosion and therefore "it would be more efficient to repair all of them". The process they plan to use will do 30 tubes at one time. Perhaps its really faster not so much more efficient. Finally, there is reason to believe this whole steam tube problem would not have occurred if the nuclear industry really understood nuclear technology. Don't just sit there call Governor Thornburgh 1-800-932-0784, Congressman Ertel 564-8963, State Senator Gekas 561-2603, State Representative Rudy Dininni 564-6201, and U.S. Senator Heinz 233-5849, County Commission Chairman Minnich 255-2741.

WHOSE TO PAY FOR CLEANING TMI 2?

You may recall in September 1981 the Edison Electric Institute, a mouth-piece for nuclear representing U.S. utilities recommended contributing \$192 million toward the clean-up. It has not appeared and is unlikely that it will. One reason--that \$25 million or so that GPU wants to use on the steam tubes. The huge Tennessee Valley Authority recently said it was unfair for their electric customers to contribute to the clean-up, at this time. P.S.--that Edison Electric Institute recommendation would also have Met-Ed customers kick-in \$700,000. As you know our friendly Public Utility Commission has approved allowing GPU to eventually charge its customers up to 300 million, what about the nuclear vendors (Babcock & Wilcox, Westinghouse, etc.) and what about GPU, so far they have only used insurance money. By the way, did you know Senator Heinz got \$1,250.00 in a political contribution from GPU's political action committee? Also a large New York investment firm that holds large numbers of GPU stock contributed \$500 to our Pittsburgh Senator and finally \$200 was given to Heinz by the Babcock and Wilcox political action committee (they designed the famous steam tube generators). Source Mick Rood column, April 25, 1981, Patriot.

DID YOU KNOW?

1. An NRC task force report on the clean-up of TMI 2 reported in Feb. 1980 that re-starting TMI 1 was a higher priority for GPU than clean-up of TMI 2.

- 2. In June 1979, less than 3 months after the START of the accident, GPU announced it would be prepared to restart TMI #1 on or about August 15, 1979.
- 3. In 1980 GPU was fined \$155,000 for its actions before and during the accident.

4. Have there been any power shortages since TMI 1 & 2 are down?

5. GPU has proposed and an NRC licensing board has given a preliminary decision to defer numerous safety improvements until after re-start of TMI #1.

6. The scope of the now completed TMI 1 hearings was limited by the NRC Commissioners to bar specific and critical safety issues related to that reactor.

7. The accident at TMI 2 showed that unresolved safety problems can lead to an accident.

8. During the TMI #1 hearings many NRC staff witnesses were ill-qualified on the relevant subjects and had little technical understanding of the sequence of events at TMI 2.

9. Positions of NRC & GPU, during the hearings, were virtually indistinguishable.

10. Some NRC testimony was altered, deleted or replaced by the NRC that would have agreed with independent technical analysis.

Sources:
May 2, 1982 Sholly article in Patriot & Union of Concerned Scientists testimony of March 29, 1982 to Udall Commission in Middletown.

BLOOM COUNTY



BLOOM COUNTY



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PANE

A citizens' public interest organization
of the Middletown area

THREE MILE ISLAND

Clean it. Close it.

November 1982

CONSERVATION, MET-ED AND LEBANON COUNTY

Lebanon County installed an energy management system in two county-owned facilities in early 1982. Lebanon County is serviced by Met-Ed (half owners of TMI). The system cost \$80,000 and in 4 months saved 259,000 Kilowatt hours compared to 1981, yet the county's overall electric costs increased \$9,000. Met-Ed rates have increased 10 to 15% since 1981.

THE FOX AND THE PROMOTER SURVEY THE HEN-HOUSE

The NRC (Fox) conducted its first routine aerial survey of a 25 mile area surrounding TMI (henhouse) from Oct. 10 to Oct. 20. The last routine survey was done in 1976. The Dept. of Energy (promoter) also assisted. Helicopters fly at 150 ft. altitudes to conduct the survey. Although the results are not out yet, rumor has it that the Press Release has already been written and it says in part---"To set the record straight the TMI area suffers from no more radiation than someone who lives in a brick home, drinks wine, smokes cigarettes or has the money to fly to Colorado." PANE suspects the venting for the whole month of September was conducted to decrease the output during the October radiation survey. If you want to be a real cynic you could also question the value of the biggest promoter of nuclear power (Dept. of Energy) assisting the fox that guards the henhouse (NRC and utilities) to conduct the survey. Please note also that the survey began October 10 and the first time we knew why helicopters were flying low was a news article in the October 17, 1982 Patriot News. We also could question why the survey extends 25 miles, which only tends to "water down" the close-in readings---which means poor Abe in the memorial may be getting zapped less than us. Another cynic might add that the government chose the "right" weather conditions to do the survey. Enough, Enough.....

LET'S SET THE RECORD STRAIGHT!

The medical waste stream in the U.S. represents 25% of the volume of solid waste and contains less than 1% of the total radioactivity disposed of annually. Therefore the toxicity of medical waste is far less than that of nuclear power plant waste. Moreover 97% of medical waste has a half-life of less than 60 days and 60% of hospital waste has a half-life of 6 hours.

The Waste Paper, Spring 1982

DAUPHIN COUNTY COMMISSIONERS UNLOADS ON GPU

The September 1, 1982 edition of The Beacon stated the county received 6 shares of GPU stock as a result of an estate settlement. "It was suggested that the stock be liquidated, a move which was promptly and unanimously passed."

PEMA/FEMA

The September 29, 1982 Pittsburgh Post Gazette says a federal official for the Federal Emergency Management Agency felt a February 17 drill around the Duquesne Power Light plant at Shippingport was not adequate to protect the public. So Dewitt Smith Director of the Pa. Emergency Management Agency called the FEMA Philadelphia regional office. That FEMA regional official countermanded the negative recommendation of his field staff. The regional director, according to the paper, left the state off the hook. It makes one wonder about the quality of the FEMA/PEMA drills conducted around TMI.

REAGAN SAYS "LESSONS LEARNED AT TMI" ARE LEARNED (THOUGH NOT APPLIED)

Would you like the safety regulations for TMI and other existing nuclear plants to be eased? President Reagan has proposed this method to help the nuclear industry rebound from its financial and social problems. This appears to be the pro-nuclear backlash to the "lessons learned at TMI #2." Essentially it appears Reagan is saying the industry will decide what is safe.

Those of us living around TMI have realized everyday since March 28, 1979 that the nuclear people need to learn alot more about their method of producing electricity and understanding people. At this time all TMI #2 lessons learned have not been applied to TMI #1 and many may not be. Write to Heinz, Specter and Ertel and tell them how you feel.

TMI CHEATING

Now the NRC in a 4 - 1 vote has decided to review whether GPU should be fined 100,000. They feel it may not be justified. You may recall a special judge heard the cheating case involving the April 1980 cheating. That judge, in his report to the NRC, said at least 10 employees had participated in cheating going back three years. Two were fired and 2 were suspended for 2 weeks. The judge also felt 2 shift supervisors be criminally prosecuted. He basically found management inadequate. As a result, there is a strong feeling among local residents that justice has not been equally applied. Additionally, the NRC concluded that a station manager and a Met-Ed vice president had certified that an operator had scored higher than he did on part of an NRC exam. Victor Gilinsky, an NRC Commissioner concerned about safety, said his other 4 colleagues refuse to "...confront the issue of whether GPU is competent to operate TMI #1." PANE hopes you will be in the audience on Nov. 9.

RADIATION AND THE TMI ACCIDENT

The radiation devices stationed by the Nuclear Regulatory Commission at Three Mile Island had their data (gamma and beta) processed and analyzed by a private company, Radiation Management Corporation that was founded by 8 private electric utility companies which included GPU, the holding company of TMI. This data "...served as the foundation for the Commission's later figures on radiation exposures to the public," reports Critical Mass Journal June 1979. The CMJ continues that the NRC did not turn to radiation processing labs which are operated by the U.S. Dept. of Energy and the Environmental Protection Agency. Ralph Nader is quoted in CMJ as stating, "...very substantial conflicts of interest problems are raised by the use of the Radiation Management Corporation at Three Mile Island." CMJ, June 1979.

HOW FAR ALONG IS THE DECONTAMINATION OF TMI #2?

Harold Denton of the NRC sent a letter on September 8, 1982 to GPU's Bob Arnold. The letter asked for specific decontamination information and also revealed that an awfully lot of work needs to be done yet, a summary follows: "activities to date (clean-up) represent only limited progress toward total plant clean-up"; containers of highly radioactive resins remain on site pending efforts necessary to make them safe for shipment with more waste additionally forthcoming if the clean-up progresses; "Removal of the reactor vessel head for examination and subsequent removal of the vessel internals and fuel have yet to be accomplished. Only limited planning, engineering and preparations have been initiated to carry out this task"; "highly radioactive demineralizer resins from the reactor coolant purification system, in place since the accident, must also be removed and shipped off the site. The balance of the most contaminated floors surfaces in the auxiliary building remains to be cleaned up and the entire reactor building will have to undergo further extensive decontamination."; "It is clear that this remaining work represents the majority of the total clean-up project..."; Denton then asked GPU for further information. Bob Arnold of GPU responded on September 21, 1982 and basically said GPU, Bechtel and others are working on reassessing the degree and amount of work necessary to complete many of the tasks mentioned. Arnold further said in December of 1982 about 40 million of spendable cash will remain from the original 300 million of insurance. In 1983 GPU is counting on 34 million from customer revenues, 5 million from PA 2 million from NJ, using 19 of the 40 million of insurance, 2 million from the Electric Power Research Institute and 14 million from U.S. Dept. of Energy. Arnold asked the NRC to try to get more from the Dept. of Energy for the clean-up. Also the customer revenues for 1983 are anticipated to be 14 million higher than 1982 because GPU will file with the PA PUC for a rate hike in January.

GOOD READING

Make sure you get a copy of the October 1982 edition of Psychology Today. An excellent article on the psychological impact of a TMI #1 restart and with specific mention of PANE. If you can't get a copy, come to the next meeting.

REMEMBER THE REFERENDUM!!!

NOVEMBER ELECTION

PANE encourages you to telephone your local representatives regarding their stand on TMI #1 and its future. We urge you to look over the League of Women Voters Election Guide soon to be published and distributed in newspapers to determine which of your representatives are running for re-election and who the opposition is. Telephone both and find out how they feel about TMI #1. The League's telephone number is 234-1576.

TMI #2

What happens when TMI #2 is decontaminated? GPU threatens to try to put a new core in and operate it---how ever they aren't real sure. If it's to be decommissioned will it be dismantled?, safe storage (fuel and liquids removed and guards for 100 years)?, or entombment, (encased in a concrete structure, and fuel and liquids removed)? OR if GPU has enough money accumulated to decommission will they try creative accounting to refuel TMI #2 OR will the decontamination continue for the next 15 years? Who knows, but next time you go to public meetings, ask GPU.

ELECTION OF PANE BOARD MEMBERS

It is time again to nominate persons for the Board of Directors of PANE. Any member of PANE is eligible. The November newsletter will feature a ballot of those persons desiring to be board members. Send your name and phone number to PANE, P.O. Box 268, Middletown, PA 17057 to be considered in the November election of board members.

MONEY MAKER AND PARTY/MEETING

A suggestion by a PANE board member was to give blood in order to raise money for PANE. The winter season increases the need for blood and this is one way we could raise legal funds. If you are interested, telephone a board member and come to the November 7 meeting/party at Joyce Corradi's, 2 South Nissley Drive, Shope's Gardens. The meeting begins at 6 p.m. with a social to follow; call a board member if you can bring something to eat or drink.

PANE MEETINGS

November 7, 6 p.m. - 2 S. Nissley Drive, Shopes Gardens
The Corradi Home 939-0345 - Meeting/Party

November 21, 7 p.m. - Frey Village Guest House, Conference Room
North Union Street, Middletown

PLAN TO ATTEND THE NOVEMBER MEETINGS.....

TMI LAUNDRY

A laundry from New York State (Tri-State in Utica, NY) is no longer doing TMI #1 and 2's "wash". Their mobile laundry decontamination facility and ventilation unit were returned on September 9. Now Interstate Laundry, New Kensington, PA are handling "the wash".

NOVEMBER 9 - 7 P.M.

PANE hopes you have a car full of people ready to go to the public meeting. This meeting should be a MUST for you and your friends. If you need a ride, call a board member today.

REMEMBER - "... Metropolitan Edison failed to exhibit the requisite competence for handling the accident on its aftermath" Do you feel they should have another opportunity?

REMINDER - Every time local safe energy organizations have gone from the NRC administrative process to courts of law, the courts have ruled in our favor. (PANE-Sholly Krypton 85 hearing case, SVA water case and PANE Psych. case).

AMERICAN PSYCHOLOGICAL ASSOCIATION (APA) AND PANE

Our attorney, William Jordan, III of Harmon Weiss has secured the help of the APA. The APA legal counsel filed a brief with the Supreme Court for PANE that says the Supreme Court should not hear the Psych impact case, yet. APA feels PANE has alleged certain circumstances but the NRC has not allowed such evidence to be heard. APA says the alleged areas can be measured and therefore should be heard.

GPU SUED BY NUCLEAR WASTE TRANSPORTER

General Public Utilities, owner of TMI, is being sued by a Louisiana couple for paid and suffering from exposing then and their 3-year old daughter to high levels of radioactivity from allegedly improperly packed nuclear wastes. The couple were contracted in April 1980 to haul a tractor-trailer loaded with spent nuclear fuel from the Oyster Creek Nuclear Plant in New Jersey to a waste dump in Nevada. Several defendants, in addition to GPU, were named on the suit including Tri-State Motor Transit Co. of Joplin, Missouri. That company hauls large quantities of nuclear materials throughout the U.S. (Keep your eye open for their trucks when you're on the road--there's a lot of them around!:) Source: Sunday Patriot News, 8/8/82.

LEAGUE OF WOMEN VOTERS MEETING ON TMI

A meeting was held by the League on 9-28-82 in Hershey. The League has a position that places a priority on other forms of energy then nuclear. A slide and lecture presentation was given by GPU and NRC persons. The presenters have really polished their act and now are very aggressive but at the same time accepting some of the blame. A safe energy advocate or two on the panel would have helped. A few facts from the meeting; 1) 60 liners of radioactive waste have to be moved, two have been removed to date to Washington state and Ohio---and of course more will be generated through the cleanup. 2) Containers are now being designed to hold the above waste for 30 years????? 3) The average dose to containment worker at TMI is about 180 millirems an hour when inside---the worker is allowed 3000 millirems each quarter. 4) According to EPA the normal amount of KR 85 in the air for this area is 18 to 30 picocuries. 5) The Dept. of Energy has said they will take the entire core. 6) The core will probably be removed in pieces and require 300 steel cans. 7) It is estimated that there will be 40 million dollars left at the end of 1982, which means 500-600 million will have to be found somewhere. 8) 60-80 million dollars a year is now being spent on the clean-up. 9) GPU may ask for a rate increase in January.

For the past 3 years Bob Arnold of GPU has been saying that work, at the present rate, is considered "babysitting". Even though GPU toots their horn about water clean-up and "Quick Look" there is alot of difficult work yet to be done. If you recall NRC's Bernie Snyder was quoted in our June newsletter about the slow progress of the clean-up and dangers which exist. It's truly amazing that GPU is going to spend more than 25 million to repair the steam tubes in TMI #1 while the crippled TMI #2 sits as a symbol of nuclear ineptitude while funding and progress drag on.

One side-light, Jack Devine of GPU says the venting of gas in 1980 was done legally and was safe. Unfortunately because of the structure of the meeting we had to let our comments stay inside our heads. However, if you ever have an opportunity, try to educate the "poor fellow." Also Bill Kirk, the EPA guy for TMI, stood up and said he dropped in because he only lives a block or two away from the site of the meeting. His comments gave the meeting a kind of folksy you can trust your neighbor tenor as he sat in the audience in his civilian clothes.

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Court To Rule On PANE's Stress Victory

By Pamela Fry

A U.S. Supreme Court decision to hear a case involving the psychological affect of the

restart of Three Mile Island Unit I nuclear reactor on the nearby residents has evoked mixed feelings from the parties involved.

A GPU Nuclear spokesman from the TMI office told the Press and Journal that the company is "pleased that the court has acted promptly in determining that it will review the decision of the court of appeals. We believe that it presents important issues which should be resolved as soon as practical."

Both GPU Nuclear and the Nuclear Regulatory Commission petitioned for the Supreme Court review after a District of Columbia Circuit Court of Appeals had ruled that the NRC must evaluate the psychological stress issues before any restart plans are finalized.

B. Kari Light, a board member of the local group PANE (People Against Nuclear Energy) commented that the decision was not the one the group was hoping for. "If the Supreme Court had not agreed to hear it," she commented, "the issue would be solved once and for all." If the high court had not agreed to hear the case, the court of appeals decision would stand.

There is a positive side to it however, Light added. "We'll have the opportunity to have the whole idea looked at by the highest law possible."

Representatives from PANE will be present with oral arguments from their attorney and expert witnesses, but according to Light, "it will be a long difficult road." Their participation in the court hearings will cost the group of approximately 175 families upwards of \$25,000. That cost, coupled with the \$27,000 in legal fees they already owe is sure to raise some concern among the group members.

They will, however, Light noted, try to raise the money through "contributions from like-minded individuals who aren't able to be physically or mentally involved." She also said that the group will continue to raise money through bake sales and craft shows.

Although Light was unsure as to what PANE's course of action would be, she noted that the group has obtained well-known, design-oriented psychologists to testify before the high court in its behalf.

The American Psychological Association has also filed a "friend of the court" brief stating that the psychological stress referred to by PANE is indeed measurable, and the tools for such a study are available.

The Justice Department, who represents the NRC, submitted a brief to the court, which argued that under the court of appeals ruling, federal government plans for the construction of urban low-income housing, military bases, dams, prisons and even air traffic control facilities would be subject to psychological impact assessments. The department labeled such studies as both "burdensome and subjective."

Middletown Press & Journal 11/3/82

Haunted by Nuclear Nightmare

By Alan Flinder
Newday Staff Correspondent

Middletown, Pa. — The four massive cooling towers from over the landscape has told exclamation points. They dominate the life of this community just as they dominate its skyline.

It has been almost four years since the accident at Three Mile Island, the nation's most serious commercial nuclear mishap. On the surface, Middletown residents say, life here is not very different from the way it was before. People did not move away in a mass exodus, as many expected. Property values did not plummet. State and federal nuclear plants do not significantly impact health effects from low levels of radiation released during the accident.

But when Suffolk County legislators, who are evaluating a proposed emergency plan for the Shoreham nuclear power plant, visit this plain, well-scrubbed, red-brick borough of 10,000 people this week to learn about Three Mile Island, they will find a community scarred by the events of March 28, 1979, and the same days that followed.

The accident occurred when a combination of valve failure and human error allowed the reactor to lose cooling water and overheat. Radioactive gases escaped through vents and a dangerous hydrogen bubble formed. The reactor is still out of service. Beneath its casual, friendly, small-town exterior, Middletown is deeply polarized. One faction remains terrified by the presence of the still-contaminated reactor at the nuclear plant, with family and friends who work at the nuclear plant, says no one was injured and the accident showed that backup systems worked. The debate, more muted now than immediately after the accident, remains vigorous.

"We've been living through four years of hell," said Middletown Mayor Robert Reid. "People are going ahead the same way they always have, but it is in the back of their heads all the time that that thing is down there and we don't know exactly what shape it's in. They don't always talk about it, but there's a lot of stress on the people living in the borough."

"It certainly caused a split in the community," said James Hunt, a director of People Against Nuclear Energy, a local anti-nuclear group formed after the accident. He said many residents have longtime friends who work at the plant, "and it has strained relationships." Hunt, a 57-year-old state budget analyst who has lived in Middletown most of his life, said, "It's also caused strains within families."

Before the accident, fewer than 600 people worked at the mammoth plant on the Susquehanna River, three miles south of Middletown's downtown. Recently, as many as 2,100 workers have been at the site as the cleanup efforts continue, said John Fidler, a spokesman for General Public Utilities Nuclear Group, which operates the plant. Many of these employees live in Middletown.

The cleanup won't be completed until 1988, company officials said last week. It will cost about \$1 billion and the utility, whose financial condition is shaky, is seeking aid from the federal government, the states of Pennsylvania and New Jersey, and the nuclear industry.

In January, the utility settled a \$4-billion suit against Babcock and Wilcox, the plant's manufacturer. The utility will get \$37 million in rebates for goods and services purchased in the next 10 years from the firm.

Members of Fidler's group, which claims about 600 local supporters and several thousand sympathizers, said many here no longer trust utility or government officials. "No do they believe state and federal studies showing no serious health effect from radioactive gases released during and after the accident. They're lying," said John Kovacic, an electronics consultant. "Every body will deny the radiation levels we were exposed to." Like Kovacic, many repeat rumors of dogs and cows that died mysteriously after the accident. They claim the infant death rate soared afterward and talk of many deformed infants born in the last few years. State health officials insist, however, that no significant changes have been observed since the accident. In House hearings on the accident in 1980, a subcommittee concluded that while the amount of radiation released was "insignificant," the greatest harm from the accident was its "severe emotional impact on the public."

Presidential and Nuclear Regulatory Commission studies on the accident released in 1980 both recommended fundamental changes in the way nuclear power plants are operated and regulated. Members of People Against Nuclear Energy are fighting to prevent the reopening of TMI Unit 1, the reactor that was closed for routine maintenance at the time of the accident, that occurred in Unit 2. Unit 1 wasn't damaged, but it has not been reopened. The local anti-nuclear activists are preparing to argue before the U.S. Supreme Court next month in a suit they have brought that asks federal officials to take into account the possible psychological harm to residents before deciding if Unit 1 should be reopened.

"We have experienced something that no one else has experienced," said B. Kari Light, a psychologist therapist from Middletown who also was a director of People Against Nuclear Energy. "It's like almost drowning and after that it's a different feeling going into the water again."

In a nonbinding referendum last spring, residents in the three counties around the plant voted by a 2-1 ratio against restarting Unit 1. Miss Light, like many aroused into nuclear opposition by the accident, contended that those who still support TMI are representing their fears about the plant. That helps account, she said, for the long-term depression and other signs of stress found among Middletown mothers in a study by a University of Pittsburgh researcher.

For their part, the supporters of TMI insist that damage from the accident was limited to the reactor itself, proving, they say, that nuclear power plants pose no danger to the people who live near them. "There is here what we call a wild fringe, a lunatic fringe, if you will. . . that is appealing to an emotion of kind of person," said Joe Hoffman, a retired engineer from Middletown who is president of a group called Friends and Family of Three Mile Island.

His group, which has about 300 local members and another 300 from across the country, is busy defunding General Public Utilities, Hoffman said. It also supports reopening Unit 1. "I think there's nothing to be afraid of," said Anne Trank, a mother of six who is the only local resident

among the 12-member presidential commission that studied the TMI accident.

Fear of TMI at the time of the accident prompted 14,000 people living within 15 miles of the plant to leave their homes, even though the state advised that only 2,500 people — pregnant women and pre-school children living within 5 miles of the plant — evacuate. And that gets at the heart of one of the key issues the Suffolk legislators will address this week during their visit: whether it is possible to develop a feasible emergency plan to deal with a nuclear plant mishap.

On that issue, they will find surprising unanimity in Middletown. With few exceptions, most people here think the local emergency plans are unworkable. Both supporters and detractors of TMI said emergency plans devised since the accident by state and Dauphin County officials are inadequate. Like many Long Island residents critical of Suffolk's draft emergency plan, people here said the road will become clogged with traffic and people may panic. They also said there won't be enough buses to remove school children and not enough ambulances to remove the sick and disabled.

"On paper it looks good," said Howard Minnick, acting superintendent of the Shoreham-Highgate School District, just north of Middletown. "But there is no doubt in my mind that they will not work. Still, you have to plan to the best of your abilities."

Mayor Reid and Michael Wertz, director of Dauphin County's Emergency Management Agency, contended that evacuation is possible, provided they get a few hours' notice. The county's plan is very detailed, with each town and school district assigned to communities outside the area for evacuation. Children and parents know where to go. Mayor Reid has even published a book that specifies evacuation routes from Middletown.

And while most don't think the plan is feasible, they also said they may have to give it a try. They believe they do not have an alternative. With TMI Unit 2 still highly radioactive, many residents live in fear that the reactor's nuclear core will become unstable and require an evacuation. Despite such fears, few said they were ready to leave Middletown permanently.

"This is an old community," said Miss Light, who has lived here for more of her 39 years. "And for a lot of us, this is where our history is and this is where we're going to stay."

State says NRC is obliged (3) to consider restart stress

The Thornburgh administration has taken the position that the Nuclear Regulatory Commission has a legal obligation to consider any psychological stress that reactivation of the Three Mile Island nuclear power plant might cause on people living in the area.

In a brief filed with the NRC by mail Thursday, the state argues that "the psychological health of the residents of Central Pennsylvania must be fully considered in the process of deciding the future of Three Mile Island Unit 1."

The psychic impact of starting up Unit 1 — the undamaged reactor on TMI — could affect the "quality of the human environment," and is thus covered by the National Environmental Policy Act.

The brief was filed at the direction of Gov. Dick Thornburgh under new authority the NRC granted the commonwealth to submit evidence and question witnesses in the forthcoming hearings on Unit 1.

Thornburgh sought that authority as an "interested state" in a petition he filed Aug. 23 with the NRC. The commission agreed to the request on Sept. 21, enabling Pennsylvania to participate fully in the hearings without taking an immediate position on whether the facility in question should be reactivated.

The state is not precluded, under the rules, from taking a position later in the process.

The state's brief notes that the psychological issue "arises in this case in a manner unprecedented in NEPA case law," but cites "a developing body of case law indicating that certain manifestations of psychological distress are already cognizable (covered)" under NEPA.

"The NRC has a duty under NEPA to evaluate, balance and minimize all adverse environmental impacts and should carry out these duties with respect to the issue of psychological stress in this proceeding."

PANE Rep Met With Thornburgh

Local groups concerned about the Three Mile Island cleanup and possible restart of Unit 1, met with Governor Dick Thornburgh recently.

The meeting was organized by Limerick Ecology Action and Three Mile Island Alert. People

Against Nuclear Energy (P.A.N.E.) was represented by Middletown resident and Board Member Don Konkle.

The thrust of the meeting centered around the groups voicing that the government was tardy in sensing the needs of local residents and responding appropriately with direct or indirect intervention.

Konkle elaborated by discussing with the Governor the following: 1.) late development by NRC of an environmental impact Statement for the cleanup, initiated 8 months after the accident, 2.) Discussions only now culminating for NRC Citizen Advisory Committee, 3.) lack of psychology-psychiatric oriented professionals on the recently convened Union of Concerned Scientists Governors Panel, 4.) The delay in organizing the citizen radiological monitoring program especially when an-

nouncements in March indicated an NRC decision on venting by mid-April (now pushed back), 5.) The Governor (last August) urged the NRC to hear the psychological contention in the August 1980 TMI No. 1 restart hearings. At this time that contention has not yet been accepted by the NRC Commissioners and, 6.) indecisiveness by the NRC in the cleanup, the question as PANE sees it is not whether the high levels of radioactivity should be cleaned up, but rather the process of HOW that is to be accomplished in a well planned, orderly, and safe manner.

Konkle is hopeful that a follow-up meeting can be arranged with the Governor and that he will be more assertive in TMI related activities. It was noted that NRC Commissioner Victor Glinzky recently stated that NRC Commissioner Governor Thornburgh's stand on cleanup issues carries considerable weight with the Nuclear Regulatory Commission.

PANE urges all citizens concerned with the cleanup to write to the Governor, Main Capitol Building, Harrisburg, PA 17120 or call the action line at 1-800-932-0784.

HARRISBURG EVENING NEWS 10-5-79

MIDDLETOWN PRESS AND JOURNAL 4-16-80

PRESS AND JOURNAL 6-17-81

PANE Calls For Safe, Quick Clean-up

The credibility of General Public Utilities and the Metropolitan Edison Co., managers of the Three Mile Island nuclear power plant was one of the several topics discussed at the recent board of directors meeting of PANE, Inc., of Middletown.

At the meeting, PANE members related that two governmental investigations have found that the managers of TMI failed to pass on information that showed a deteriorating situation on the morning of the 1979 accident.

The local citizen pointed out that one investigation was completed by the Nuclear Regulatory Commission in early February 1980 which showed a "clear failure" to collect, analyze, and release information about what was going on in the plant's reactor as the accident developed.

The other investigation was done by the House Interior Committee chaired by Representative Morris Udall. The "Udall Report" charges that Met-Ed officials "presented state and federal officials misleading statements... that conveyed the impression the accident was substantially less severe and the situation more under control than what was in fact the case."

According to PANE, the NRC report said that information, including high temperature readings and a sudden burst of pressure in the containment building, indicated a serious problem, but were outside the

operator's training and experience. As a result, the NRC says, they were written off as faulty instrument measurements.

"However Udall's report disagreed," PANE said. The representative's findings stated that Managers did not communicate information in their possession that they understood to be related to the severity of the situation. Udall's main report said, "TMI plant managers were aware of information indicative of a situation much more perilous than was reported to state and federal officials."

"Local Congressman Allen Ertel is concerned about the discrepancies of the two reports outlined above," PANE directors commented as a result, the Congressman has asked the chairmen of the NRC and GPU to respond to the conclusions of both investigations.

PANE has reviewed the various steps required in the decontamination of TMI No. 2 as outlined in the NRC's Environmental Impact Statement. They maintain that much of the work will involve unprecedented procedures and yet-to-be designed equipment. For that reason, PANE feels that all of the engineering expertise of GPU/Met-Ed should be solely devoted to an expedient and safe decontamination of TMI No. 2. First, "After the decontamination is safely completed, then, and only then, should the question of whether TMI No. 1 will operate be considered," they said.

The next scheduled PANE meeting is a board of directors meeting to be held Sunday, June 28 at 7 p.m. in the Frey Village Guest House conference room, North Union Street, Middletown.

PANE Looks Over Year's Activities

P.A.N.E. (People Against Nuclear Energy) of the Middletown Area held a public meeting on April 16 featuring several presentations. President Jim Hurst discussed PANE's year of activities which centered on public education and increased dialogue between public and agency officials.

Barbara Heivly discussed P.A.N.E.'s relationship to the Three Mile Island Legal Fund (TMILF) and TMI Public Interest Resource Center (TMI PIRC). Heivly represents P.A.N.E. in PIRC which is designed to pool all available information from local citizen groups and develop contact with interested local and national experts in various aspects of the decontamination and decommissioning of TMI.

Don Konkle represents P.A.N.E. in the TMILF and is President of the Fund. This group has representatives from all local citizen groups

with several individuals and began to come together last August through the efforts of TMIA and Susquehanna Valley Alliance. The TMILF's function is to review legal activities, possibility and dispersal of funding to local groups.

A report on the March 29th rally was presented by P.A.N.E.'s representative to the March 28th Coalition John Garver. Garver was in charge of coordinating logistics for the site of the rally. He reported state and local officials were pleased with the orderliness of the participants and the cleanliness of the site after the rally. The Coalition is already beginning to plan for next year's event.

Barb Heivly and Don Hossler presented various reviews of the NRC Environmental Assessment to vent Krypton and the PIRC response to the assessment.

The next scheduled public meeting will be held May 20. A 90-minute documentary film, just completed, about TMI will be shown. All citizens of the area are invited to attend. Please check editions of the Press And Journal for location and time of the film.

PRESS AND JOURNAL 4-23-80

Court Says NRC Acted Illegally

WASHINGTON — The Nuclear Regulatory Commission acted illegally when it didn't hold a formal public hearing prior to starting the controlled release of radioactive gas from Three Mile Island Unit 2, federal appeals court judges ruled here Thursday.

The unanimous decision by a three-judge panel of the U.S. Court of Appeals in the District of Columbia, according to several knowledgeable NRC officials, means that many more formal public hearings than the agency had hoped will have to be held on nuclear power plant license changes.

The case developed last spring when NRC officials extensively discussed at numerous public sessions plans to vent small amounts of krypton-85 gas from the Unit 2 containment building. But the commissioners decided no so-called adjudicatory hearings were required before taking the crucial step in decontaminating the TMI site.

Federal law allowed them to skip the hearing requirement, the commissioners reasoned, because NRC experts had shown the krypton releases involved "no significant (health) hazard." Although the releases were deemed safe, the NRC formally had to amend the Metropolitan Edison Co. nuclear license because some of the krypton emissions could have momentarily exceeded federal standards.

Giving the public 10 days notice before the venting was to begin, the NRC approved Met-Ed's purge plan and amended its license accordingly on June 12.

Steven Sholly of Mechanicsburg, People Against Nuclear Energy and another anti-nuclear group asked the NRC to reconsider and later also asked for a public

hearing. The NRC formally refused to change its mind and ignored the request for a hearing.

Attorneys for Sholly and PANE filed suit the day before the venting began (June 28), arguing that their right to request a hearing should override the NRC's contention that it could duck the hearing by showing there was "no significant hazard." The D.C. appeals court refused to stop the venting, but agreed to hear the case later on its merits. Arguments were heard Sept. 9, and Thursday the court ruled Sholly and PANE had been right.

NRC officials were uncertain about how the ruling might affect the cleanup at TMI, although the question of holding hearings clearly will be given more consideration in the future, they said. The commission can decide to appeal the court decision by recommending that the U.S. solicitor general ask the Supreme Court for a review. It was unclear Thursday whether the NRC would take that route.

NRC Solicitor Stephen Eilperin had argued at the Sept. 9 appeals court hearing that since the venting had been completed by then, Sholly's and PANE's arguments were moot and no longer worth reviewing.

The court also rejected that argument. By passing up the hearing requirement and making its hearing order effective immediately, the NRC had attempted to evade judicial review, the court said.

"We believe that it is unreasonable for the government to take the position that, in order to seek judicial review of a license amendment, a petitioner must race to the courthouse before the NRC takes an irreversible action," the judges said.

HARRISBURG PATRIOT 11-21-80

THREE MILE ISLAND: Clean it Close it.



PANE Will Appeal Ruling Against Stress

By Joe Sukle
Associate Editor

The issue of whether the matter of psychological stress should be considered as an issue in the restart hearings of the Three Mile Island Unit-1 reactor was dashed last week by an order from the Nuclear Regulatory Commission.

Last Friday, following a 2-2 deadlock vote on the matter, the NRC decided against telling a licensing and review board that the issue of stress should be considered a condition in the ongoing TMI Unit-1 restart hearings.

Locally, Don Hossler of PANE, People Against Nuclear Energy of Middletown, told the Press And Journal that the group will probably be filing for an appeal on the NRC decision. The local anti-nuclear group, at a recent meeting of their Board of Directors, were unanimous in deciding to file the appeal with the District of Columbia Court of Appeals. The group has, for some time now, worked at establishing the issue of psychological stress as being one that should be considered relevant in the TMI Unit-1 restart hearings as well as with regards to the entire clean-up at TMI Unit-II.

To be successful in filing their appeal Hossler said that PANE will be forced to get an expedited hearing with the Washington, D.C. appeals

court due to the fact that they only have a period of some sixty days to successfully work against the NRC order. "If we don't get the expedited hearing on the appeal of this case," Hossler explained, "the restart hearings on Unit-1 will probably be over."

Hossler outlined that PANE's appeal would move from the appeals court, should they approve, to the NRC where testimonies would officially be placed on record. "I don't think we would win the case with the NRC," Hossler admitted, "probably because about that time President-elect Ronald Reagan's replacement on the NRC would be named and the vote would probably fall 3-2 against us. But then we would move back to the appeals court again and hopefully they would agree with us."

On the stress issue, a down-to-the-wire 2-2 vote split the NRC officials on the matter. Chairman John Ahearn and commissioner Joseph Hendrie voted their opposition to making the subject of psychological stress an issue to be considered in the Unit-1 restart hearings. Fellow commissioners Victor Galinsky and Peter Bradford voted in favor of considering the factor of stress as an argument in the hearings.

Some ten months ago an NRC licensing board also recommended that it be allowed to address the

psychological stress facet during the Unit-1 restart hearings. Area anti-nuclear groups have also pushed the NRC for some time to approve the same issue.

In the ultimate order from the NRC following the split 2-2 voting, Chairman Ahearn said, "An NRC licensing action is not an appropriate forum for psychological stress issues." Ahearn and Hendrie expressed their beliefs that the assurances of proper safety procedures and constant public information reports on the occurrences at TMI would best take care of the avenues of stress and mental anguish with regards to TMI.

"If we go back to the appeals court following a denial of a turnover of the NRC's decision, I think we'll win and overturn the issue," Hossler said. "We're not giving the appeals court a nuts and bolts technical issue to decide upon. Usually the federal appeals court does not like to turn things around for a fellow federal agency but we know that the infor-

(Continued On Sec. 1, Page 14)

mation is there on this case in our favor."

Hossler further explained that the biggest problem facing PANE in such an endeavor, besides the time limit, is money. "For an appeal to the court in Washington, D.C. we're looking at another \$6,000," he stated. "To go before the NRC another \$10,000 to \$20,000 is added and then if we have to go back to the appeal court, another \$6,000 would be needed."

"In our hearts we're committed but in our minds it's getting difficult," Hossler admitted. He went on to say that the fact that the appeals period will run over the upcoming holiday season further complicates the issue.

The NRC licensing board's recommendation on the restart proceedings of Unit-1 at Three Mile Island are expected to be made public this summer. The issue of psychological stress was the final matter that the NRC instructed the Board to address.

TMI Stress Arguments Proliferate

By MICK ROOD
Washington Bureau

WASHINGTON — Three judges on the U.S. Circuit Court of Appeals here raised more arguments than they heard Tuesday on whether Three Mile Island area residents' mental condition should be considered in the restart of TMI-Unit 1.

William S. Jordan III told the panel his client, People Against Nuclear Energy of Middletown, wants the Nuclear Regulatory Commission to make psychological stress an issue in the restart proceedings. Jordan said effects of the Unit 2 accident and anticipation of a Unit 1 start-up were demonstrable, but the NRC had never allowed PANE to present evidence.

"Usually, litigants don't rely on the other side to produce facts," Judge Malcolm Richard Wilkey chided Jordan.

Wilkey pressed the PANE attorney for examples of actual physical impairments due to psychological stress or of people "who have been unable to function on the job." Jordan was unable to come up with such examples in the courtroom, but said they were available.

"At the present time, we just have your contentions and speculations," Wilkey said. The judges said PANE was asking for a "novel" ruling that would affect residents near all nuclear plants considered for start-up or restart.

Nevertheless, presiding Judge J. Skelly Wright and Judge Carl McGowan appeared sympathetic to the PANE case. And all three judges repeatedly asked why the NRC couldn't have required a special environmental impact statement on psychological stress or why the issue couldn't have been considered during restart proceedings.

NRC attorney Peter Crane said Congress never intended atomic safety and licensing boards appointed by the NRC to consider anything but physical health effects in connection with operation of nuclear power plants. Further, he argued environmental impact statements were required only for "major federal actions" and while calling for one might be within the NRC's discretion, determining psychological stress would be "speculative" and difficult to quantify.

The circuit court got the case on appeal after the NRC refused in December 1980 to order the licensing board to consider psychological stress along with other safety issues pertaining to the restart case. The commission's refusal of PANE's original request was a bitterly-worded 2-2 decision in which member Peter Bradford said the issue should be broached again when the NRC had five members.

(The NRC operated with only four members for 13 months until August this year when the Reagan administration completed appointments. The psychological stress appeal was never reconsidered.)

At issue is whether Congress intended the NRC to consider mental as well as physical effects in plant licensing matters under either the Atomic Energy Act or the National Environmental Protection Act. Most legal analyses suggest no literal mention of mental health in atomic energy law, but potential for consideration on the environmental act.

As Judge McGowan asked NRC attorney Crane Tuesday, "How could you write an environmental impact statement on a new plant without discussing fears in a community?"

In its overall environmental impact statement on the cleanup of accident-damaged Unit 2, the NRC staff concluded in March 1980 that "for the great majority of people in the TMI community and downstream, no long-term psychological effects are anticipated." Similarly, the President's (Kemeny) Commission on the Accident at Three Mile Island decided mental stress problems arising from the Unit 2 accident would only be short-lived.

How those judgments relate to Unit 1 — a separate issue legally — is unclear. But Judge Wilkey at one point asserted the only "facts" PANE had are the Kemeny commission's conclusion that psychological stress problems would be short-lived following the accident.

Attorney James B. Hamlin representing Metropolitan Edison Co., which intervened in the case, said PANE was unnecessarily asking for full adjudication of the stress issue. Questions about the safe operation of Unit 1 by Met-Ed are now being considered by the licensing board — more than 20,000 pages worth of testimony and documents.

Hamlin said TMI Unit 1 was "not a special case."

MIDDLETOWN PRESS AND JOURNAL 12-10-80

Certificate of Recognition

Presented to

People Against Nuclear Energy

By the ENVIRONMENTAL ADVISORY COUNCIL of MIDDLETOWN, for conscientious concern and action performed for the environment of the Borough of Middletown, Pennsylvania. We hereby express our appreciation and recognition.

This 9th Day of February, Nineteen Hundred and 81.



Harold J. Hamman
Chairman

John H. Kelly
Secretary



TMI Loses Round on Reactor

By Joanne Omang
Washington Post Staff Writer

The U.S. Court of Appeals here yesterday ordered the Nuclear Regulatory Commission to keep the undamaged reactor at Three Mile Island shut down until it studies the effect a restart would have on the mental health of people in the area.

The 2-to-1 decision is a major setback for the financially strapped Metropolitan Edison Co., which owns the Pennsylvania power plant, and for the nuclear industry, which sees the case as precedent-setting. The citizens' group that brought the suit, People Against Nuclear Energy (PANE) of Middletown, Pa., was exuberant.

"We can't wait to see [the ruling] and really believe it's true," said PANE board member James B. Hurst. "It means it's time to stop talking about psychological stress around here and to start dealing with it."

The ruling overturned an NRC verdict early last year, which was reaffirmed this fall, that psychological effects did not have to be considered in its pending decision on whether to allow the undamaged Unit One reactor to start up. NRC must now conduct an "environmental assessment" of restart effects on "the psychological health of neighboring residents and on the well-being of surrounding communities."

The NRC must then determine whether the National Environmental Policy Act requires a more detailed environmental impact statement, which would include public hearings on the effects of a restart, the court said. The NRC may not decide on

reopening the plant until that is done, it added.

In a strong dissent, Judge Malcolm R. Wilkey said the court order set up psychological stress as "an 'impact' which has never before been considered 'as covered by NEPA.'" He said it was "yet another example of a court inventing new procedural requirements for an administrative agency in a manner which has enormous substantive consequences."

While the assessment continues, he said, the TMI neighborhood will get no service from the plant, and "it will be a colder winter than predicted."

Unit One was ready to begin operations the day the adjacent Unit Two overheated, on March 28, 1979,

spreading radiation over the area, and has been closed ever since for design changes.

But Met Ed said it feared bankruptcy if it is not allowed to restart Unit One soon and apply the revenues toward cleaning up Unit Two. Issues of structural strength, managerial competence and operator test cheating have been pending, but the NRC had been expected to allow the restart within the next few weeks. Yesterday's decision could delay that several more months.

PANE argued that psychological factors should be included in the Atomic Energy Act's requirement that public "health and safety" must be considered in authorizing nuclear power plant operation.

(5)

TMI foes call ruling 'worth it'

By MARY O. BRADLEY
Staff Writer

A legal fight to get federal regulators to consider the psychological stress on residents of restarting Three Mile Island Unit 1 may end up costing more than \$25,000, but Middletown anti-nuclear activists today said the investment was worth it.

"It's been very costly," said Jim Hurst, a director of People Against Nuclear Energy, the group which has waged a 16-month legal battle to have the psychological impact of the restart considered by the Nuclear Regulatory Commission.

In a 2-1 ruling Thursday, the U.S. Court of Appeals ordered the NRC to prepare an environmental assessment regarding the effects of the proposed restart.

"The commission shall then determine, on the basis of this environmental assessment, whether the National Environmental Policy Act requires preparation of a full environmental impact statement," the court said.

Hurst said the legal fight thus far has cost PANE between \$20,000 and \$25,000 with about \$8,000 spent on its appeal of the NRC's December 1980 refusal to order an Atomic Safety and Licensing Board to consider the stress issue in its deliberations on restart. Hurst said PANE has about \$9,000 in legal bills still outstanding.

"We were just really convinced that the issue is so important," Hurst said, adding it was "very difficult" for board members to commit PANE to a costly fight and "run up debts." He said PANE's financial

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N-plant foes call ruling 'worth it'

From Page One

support came from the public and some grants from national foundations.

"I think a lot of people had a sense of frustration" over the NRC's position. "We tried to say justice would prevail... that the issue would be heard. It was a question of how much money we would have to spend and what level of the court would bear it," Hurst said.

Paula Kinney, also a PANE director, said the ruling is "a landmark decision." She believes it will have wide-reaching consequences because it will require regulators to consider the psychological impact of new nuclear plants on residents.

"We want to see that they (the NRC) bring in good experts for the environmental assessment," Kinney said. She said the assessment will prove "what we've been saying all along — there is definitely stress in the area." "It's such a good feeling to see that a citizen's group

Wilkey said the court is concerned that the well-being of TMI communities be assessed, "yet while this is taking place, for the communities near TMI-1, it will be a colder winter than predicted."

Mental Role Ruled TMI-1 Restart Key

WASHINGTON — The U.S. Court of Appeals here ruled late Thursday that the undamaged Unit 1 reactor at Three Mile Island cannot be restarted until the government weighs the possibility of adverse, psychological effects upon people living near the central Pennsylvania nuclear plant.

The appellate panel, in a 2-1 decision, said the U.S. Nuclear Regulatory Commission should make that assessment. The NRC should then determine whether federal

law requires a more detailed study of environmental effects of a restart, the court said.

The decision was a long-awaited victory for People Against Nuclear Energy, a midstate Pennsylvania group opposed to restart, and appellant in the case.

"It's an important decision for us," said James Hurst, a PANE director. Hurst said PANE has been fighting to have the psychological

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TMI-1 Restart Handed Setback

From Page One

impact of restart considered since September 1979, when PANE became an intervenor in the restart hearings.

"We hope they (the NRC) use the best mental health experts" to perform the assessment of possible psychological impact, Hurst said. "Mental health is as much health as is physical health."

The mental health aspect of a TMI restart was the lone issue being pursued by PANE, Hurst said. PANE is one of six central Pennsylvania groups opposed to restart at the Harrisburg area plant, he said.

Hurst said PANE's appeal stemmed from a December 1980 statement by the NRC that psychological aspects of restart would not be considered.

General Public Utilities Corp., operator of the plant through GPU Nuclear, had no comment on the appeals court ruling Thursday night.

The ruling was issued too late for GPU to review Thursday, GPU spokesman Douglas H. Bedell said.

TMI's undamaged Unit 1 reactor has not operated since the nation's worst commercial nuclear accident crippled its sister Unit 2 on March 28, 1979. The Unit 1 reactor was down for refueling when Unit

2 suffered a near meltdown of its radioactive core.

In Thursday's ruling, majority Judges J. Skelly Wright and Carl McGowan said that until the NRC complies on the psychological issue, "it shall not make a decision to restart TMI-1."

U.S. Circuit Judge Malcolm Richard Wilkey dissented, saying, "Whether designedly so or not, this order will bar the resumption of furnishing nuclear power from TMI-1, at which there has never been an accident, until such time as the Nuclear Regulatory Commission satisfies this court...."

"This delay is imposed because of the asserted impact on the psychological health of neighboring residents, an impact which has never before been considered as covered by the National Environmental Policy Act," Wilkey said.

"The court is concerned that 'the well-being of the surrounding communities' be assessed, yet while this is taking place, for the communities near TMI-1 it will be a colder winter than predicted," he said.

In mid-December 1981, an Atomic Safety and Licensing Board recommended to the NRC that it consider allowing restart, and at that time it was believed that a restart decision could come by the end of January.

Court properly orders review of stress at TMI

Experts studying the after-effects of the Three Mile Island nuclear accident agree that the only immediately identifiable health effect was psychological stress experienced by many people living near the reactor. Those experts question whether the start-up of TMI's undamaged Unit 1 reactor, idle since the accident in Unit 2, will produce a new outbreak of such stress.

Is the Nuclear Regulatory Commission required by law to consider mental stress when it decides whether to authorize the Unit 1 start-up? A local citizens' group argued that it is. The plant's owner maintained there was no legal precedent for such a study.

Last week, the U.S. Circuit Court of Appeals for the District of Columbia ruled that an environmental assessment of possible psychological effects was necessary under the National Environmental Policy Act, which requires public health and safety to be considered before any federal action. It is a prudent decision. If it had been made two years ago by the NRC valuable time would have been saved.

The court noted that the public's mental health already had been damaged by the TMI accident and starting up Unit 1 might exacerbate that damage. Thus, in this instance, the court ruled, an environmental assessment is required before any decision is made by the NRC. The court also indicated a similar assessment may be required under the Atomic Energy Act and asked the NRC to address that issue before the court.

The Commonwealth of Pennsylvania strongly urged the NRC to take psychological impact into consideration on any TMI-related decision. The federal Atomic Safety and Licensing Board, which has held extensive hearings on the restart of Unit 1, made the same recommendation, noting that the failure to do so "may produce additional stress in that the public may perceive an attitude that their fears are of no consequence." Public-interest

groups made similar requests.

In December, 1980, the NRC, which at the time had only four members, split evenly on the question, thus denying the request. An appeal to the circuit court was filed by People Against Nuclear Energy, a citizens group based in Middletown, Pa., the TMI site.

The court-ordered assessment could delay the planned start-up of Unit 1, which tentatively had been set for this spring by General Public Utilities Corp., owner of TMI. The utility needs revenue generated by the undamaged reactor to finance clean-up at Unit 2.

The need to remove the deadly wastes from the Unit 2 reactor promptly and safely is critical, and the longer that task is delayed, the more dangerous and costly it will be. But clean-up of Unit 2 cannot supercede the problems hanging over the safe operation of Unit 1. A legitimate problem that must be resolved is the public's perception about their own safety if the reactor is returned to service.

The Nuclear Regulatory Commission is reviewing the equipment changes made at Unit 1 since the accident and studying the competence of management at the plant, pending a final decision on licensing the reactor. It is only appropriate that the public's confidence be weighed as well.

In its December, 1980 tie vote on the psychological stress question, former NRC commissioner Joseph M. Hendrie argued against considering it, noting that the Congress has decided "that the country is to have a nuclear power program even if it makes some people uneasy." Resolving every American's uneasiness about the safety of nuclear energy is, of course, impossible. But the people living near TMI have lived through the nation's worst commercial nuclear accident and, as a result, have some undeniable mental scars to show for it. Reducing those scars is a proper, and unequivocal, responsibility of the NRC.

Issue Of Stress With TMI Not Finished Yet

(6)

PANE

A citizens' public interest organization of the Middletown area

Due to the recent PANE victory in a Federal Court of Appeals in Washington, D.C., it appears that an eventual Environmental Assessment of the psychological stress and community fears of this area related to any operation of Three Mile Island Unit I will be performed. But PANE also feels that the NRC or Met-Ed/GPU will take the issue to the United State Supreme Court for a final decision.

Plans for the Environmental Assessment began taking shape at a January 22 meeting in Bethesda, MD. The meeting was attended by William Jordan, III, attorney for PANE, and PANE Board members Paola Kinney and Joyce Corradi. Harold Denton of the NRC and several representatives from Metropolitan Edison/GPU also attended the meeting.

PANE has stated repeatedly that it is extremely concerned with the planning on how the Environmental Assessment will be constructed, implemented, and what geographic areas will be studied. PANE spokespersons state that the organization has worked with several nationally known psychiatrists, sociologists, and psychologists for the past 2½ years who could assist the NRC in designing an assessment that will not be biased.

According to PANE, an

assessment completed without its input and continuous scrutiny will only create a situation where further court action will be necessary. "PANE is interested in an unbiased Environmental Assessment that truly reflects the TMI area," a release from the group states.

A PANE spokesperson

pointed out that the organization formally asked the NRC to consider the issue of psychological stress in September 1979. However it took the NRC Commissioners until December 1980 to decide in a 2-2 vote not to review the issue. As a result PANE's attorney took the case to a Federal Appeals Court.

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Stress

Continued from Page 1

The Federal Appeals Court ruled in PANE's favor, requiring the NRC to conduct an Environmental Assessment. This court decision comes 28 months after PANE originally asked the NRC to examine psychological stress and community fears in the TMI area.

The PANE spokesperson also added that even though the NRC appears to be planning to do an Environmental Assessment, PANE feels that the NRC or Met-Ed/GPU will eventually take this issue to the Supreme Court with hopes of overturning the lower court decision.

For more information on the matter, interested citizens and PANE members are encouraged to attend a January 31, 1982 meeting at 7:15 p.m. in the Frey Village Guest House conference room, North Union Street, Middletown.

3 Who Can't Vote With Their Feet Are Staying, Battling NRC

Middletown. But beyond that, they want to stay because, however hazardous, Middletown is home. The NRC refused them a hearing about the psychological stress and community fears that they claim as reasons

Mary McGroarty MIGRATE?

for not restarting TMI-1. But they hired a lawyer and went to court. And they won. A judgment by the Circuit Court of Appeals—it is not yet in opinion form—may make it possible for them to live in their town with easy minds. The court ruled that the NRC could not restart TMI-1 until it makes "an environmental assessment on the psychological health of neighboring residents and on the well-being of the surrounding communities."

The judgment could have a profound effect on the future of Three Mile Island and nuclear power in general, even if doesn't apply to plants under construction in less populated areas. The president has reportedly endorsed nuclear energy, but the utilities are finding out that making plants safe is an almost prohibitively expensive business.

The startup of TMI-1 is closely related to the cleanup of the damaged reactor, TMI-2, a halting enterprise watched with great trepidation by the community. The utility companies want the reopening for financial as well as symbolic reasons. Resumption of service would help somewhat to defray the staggering cleanup bill, which is estimated at \$500 million.

Sen. Mark Hatfield (R-Ore.), chairman of the Senate Appropriations Committee, is holding hearings in Harrisburg on Gov. Richard Thornburgh's proposal that other states contribute to the cleanup fund. It has little support in Congress.

The Middletown women are fearful that legislation to reverse the Appeals Court decision. The utilities are lobbying for such a bill. The NRC has ordered an environmental assessment.

If they're lucky, the women could help make the whole country safer. In the meantime, they make it clear why people don't take up Reagan's airy challenge to "vote with their feet." Some Americans would rather fight than switch.

Residents' Stress at Restart to Be Eyed

By MICK ROOD
Washington Bureau
WASHINGTON — Under court order, the U.S. Nuclear Regulatory Commission will convene a panel of 13 psychiatrists, psychologists and research experts next month to get their advice on gauging psychological stress among Three Mile Island area residents if the TMI Unit 1 nuclear reactor were allowed to restart.

The trouble is, as NRC reactor regulation chief Harold Denton put it Friday, "I guess what we're all groping through is, 'What is it?'" Denton and other top NRC staff members met informally with representatives of TMI owner General Public Utilities and People Against Nuclear Energy, the Middletown area residents' group that raised the issue.

After the NRC rejected in December 1980 PANE's proposal to make psychological stress a licensing issue in the Unit 1 restart proceedings, the group appealed the decision to the U.S. Circuit Court of Appeals here. PANE won on Jan. 7, when the circuit court issued an order forcing the NRC to consider psychological stress as a restart issue.

The court order said the NRC must conduct an environmental assessment on the effect of a Unit 1 restart on "psychological health of neighboring residents and on the well-being of the surrounding communities."

The order also forces the NRC to consider whether a more rigorous and time-consuming environmental impact statement is necessary under federal law. The NRC completed such a review on other environmental factors, concluding Unit 1 would not endanger the public health and safety.

HARRISBURG PATRIOT 1-23-82

PRESS AND JOURNAL 1-27-82



Do you trust GPU?

4-A Tuesday, Nov. 2, 1982 Philadelphia Inquirer ♦

Justices to rule on TMI,

By Aaron Epstein
Inquirer Washington Bureau

WASHINGTON — Ever since the nation's most serious commercial nuclear accident occurred in March 1979 at Three Mile Island, residents near the Pennsylvania plant have complained of tension and fear that they said sometimes aggravated ulcers and caused other ailments.

Yesterday, the Supreme Court agreed to decide whether the psychological impact of the fear of a nuclear accident must be evaluated by the Nuclear Regulatory Commission (NRC) before the undamaged TMI reactor is allowed to be restarted.

The U.S. Court of Appeals here ruled, 2-1, last spring that, under the National Environmental Policy Act of 1969, the NRC is required to evaluate the effects of its decisions on public health — and that "health encompasses psychological health."

The appeals court ruling came after the NRC refused to consider complaints of mental distress in examining the request of some neighbors of

TMI that the NRC not give permission to restart the plant's undamaged Unit 1 reactor.

Those who won the lower court ruling — including the community group People Against Nuclear Energy of Middletown, Pa., that filed the suit — have said the accident created intense anxiety among residents of the TMI area. That worry, they say, among other things has caused skin rashes and aggravated ulcers.

Although the lower court attempted to confine its conclusion to the unique facts at TMI, critics argue that if the ruling is allowed to stand, it would affect the entire nuclear-power industry and other government decisions as well.

The Justice Department, representing the NRC, joined private utilities in urging a high court review of the ruling. The department termed the May ruling "an extraordinary expansion" of federal environmental-impact law.

Under the lower court's reasoning, federal government plans for pris-

ons, military bases, dams, air traffic control facilities and urban low-income housing would be subject to "burdensome and subjective" assessments of psychological impact, the Justice Department argued in a brief.

Scientists and Engineers for Secure Energy, an organization representing 1,000 college scientists, engineers and researchers, said in a brief that the Court of Appeals ruling would "transform a modern, technical decision-making process into an elusive medieval quest to allay superstition, irrational fear and media-enhanced hysteria."

But the American Psychological Association said in an brief that stress is measurable, and the Court of Appeals ruling itself tried to distinguish between strong anti-nuclear feelings and actual psychological damage.

U.S. environmental law "does not encompass mere dissatisfactions arising from social opinions, economic concerns or political disagree-

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ments with agency (NRC) policies," Circuit Judge J. Skelly Wright wrote in the majority opinion of the Court of Appeals.

"It does apply to post-traumatic anxieties accompanied by physical effects and caused by fears of recurring catastrophe."

Wright recalled that the President's Commission on the Accident at Three Mile Island had reported that the major health impact of the near-disaster was on the "mental health of the people living in the [Harrisburg, Pa.] region ... and of the workers at TMI."

But dissenting Judge Malcolm R. Wilkey wrote that the effect of the ruling was "to let any special-interest group effectively repeal an act of Congress if it could whip up sufficient hysteria."

Unless the Supreme Court overturns the lower court ruling, the NRC would be required to examine not only the actual risk of health but also "how people perceive and react to the risk ... no matter how scientif-

ically ignorant" their fears may be, Wilkey asserted.

General Public Utilities Corp. (GPU), which owns the TMI nuclear plant, is seeking NRC permission to restart its undamaged reactor but has encountered strong opposition.

People Against Nuclear Energy filed suit after the community group failed to persuade the NRC to take mental stress into account. The group argued that only at TMI has there been a nuclear accident that triggered such "psychological vulnerability" in the people living there.

But GPU, the U.S. Chamber of Commerce and other business interests urged the Supreme Court not to allow the residents' fear to override the intent of Congress.

In a 1978 case, the Supreme Court observed: "Congress has made a choice to at least try nuclear energy, establishing a reasonable review process in which courts are to play only a limited role."

GPU officials long have expressed

the hope that the Supreme Court would agree to hear the case.

For GPU, the eventual restart of TMI's Unit 1 is considered the most significant element in the company's long struggle to regain financial strength, and the high court's decision means that company attorneys will have another opportunity to overturn the appeals court ruling.

The NRC had set a Dec. 10 deadline for deciding whether to lift the 1979 order shutting down Unit I, but as of now, the appeals court requirement would have to be met before any resumption of operations.

Since Unit 1 was removed from the rate base of GPU's three operating subsidiaries by the Pennsylvania Public Utility Commission in 1980, the company has foregone some \$57 million in annual revenue, and nearly \$26 million in 1981 earnings.

The removal of the unit also has forced GPU to buy replacement power at costs much higher than if it were able to produce that power itself.

P.A.N.E. P.O. BOX 268

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Supreme Court to Rule on TMI Stress

By MICK ROOD

WASHINGTON Bureau
WASHINGTON — The U.S. Supreme Court stepped into the Three Mile Island Unit 1 restart controversy yesterday, agreeing to decide if psychological stress on the nuclear plant's neighbors could be a reason to keep the nuclear plant shut down.

The announcement was an apparent victory for the Justice Department, the Nuclear Regulatory Commission and General Public Utilities' three power companies

that own Unit 1, all of whom petitioned for a high court review.

Those parties had said a January 1982 lower court order requiring the NRC to measure psychological stress damage before reaching a Unit 1 restart decision should be overturned, or at least be argued on the merits.

The Supreme Court's decision yesterday was an apparent reversal for People Against Nuclear Energy, the group of 140 families living within five miles of Unit 1 who had won the earlier ruling from a Dis-

trict of Columbia Circuit Court of Appeals.

PANE contends that psychological stress caused by the March 1979 nuclear accident at TMI-Unit 2 could be a legitimate consideration before "a major federal action" is taken under federal environmental laws. If the high court had denied the government and GPU appeals, the circuit court decision would have stood — requiring the NRC to evaluate citizens' stress prior to deciding on restart of the undamaged TMI-Unit 1.

Now, the issue is in doubt.

Donald H. Konkle, a PANE board member, tried to express his group's frustration after hearing of the Supreme Court announcement.

"What's hard for us to understand is that the utility and the NRC have said they want to have expeditious [restart] proceedings. If they had heard the issue 2½ years ago, we could have had a decision long before now," Konkle said.

A statement released at GPU's Parsippany, N.J., headquarters,

said the company was "pleased" the court had acted promptly.

"We believe that it presents important issues that should be resolved as soon as practicable," the company said.

Arguments in the case could be scheduled as early as March, with a decision by June next year. That would be about the time the NRC expects GPU to have completed repairs on corroded steam generator tubes, which the utility hopes are

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its last obstacle to restart.

The psychological stress issue first surfaced as a difficult question in July 1979, less than four months after Pennsylvanians and the nation were shaken by the TMI-Unit 2 accident.

NRC General Counsel Leonard Bickwit advised commissioners then that the decision on conducting an environmental impact statement on residents' psychological stress was a close call. He said circuit court decisions favoring stress as an issue were "good law," but in the minority. Bickwit said "a series of difficult questions" had to be answered.

Was the stress impact "cognizable" under the National Environmental Policy Act? Was stress a "health impact" requiring analysis? Was stress just "an unforeseen consequence" of the original Unit 1 license, or "so severe" any restart should be treated as a new federal action requiring an environmental review?

The NRC did nothing about it, so PANE raised the issue in September 1979. It wasn't until December 1980 that the NRC voted 2-1 not to order an atomic safety and licensing board considering Unit 1 restart to include psychological stress in its review.

After PANE went to court and eventually got the circuit court here to rule that stress should have been considered, the NRC began assessing the issue last January. One NRC member, Victor Gilinsky, has charged the NRC has intentionally dragged its heels in deciding on stress evaluation so the case could go to the Supreme Court.

This summer, the circuit court order prompted vigorous government and GPU appeals, plus strongly worded briefs from seven like-minded business groups.

The government argued that stress was not an "environmentally-generated" health effect. U.S. Solicitor General Rex E. Lee added that "virtually every federal activity arguably generates psychological impacts" which, if pursued, would tie up federal agencies with "burdensome and subjective" contentions.

← 11-2-82 PATRIOT

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B. Kari Light, a board member of the local group

PANE (People Against Nuclear Energy) commented that the decision was not the one the group was hoping for. "If the Supreme Court had not agreed to hear it," she commented, "the issue would be solved once and for all." If the high court had not agreed to hear the case, the court of appeals decision would stand.

There is a positive side to it, however, Light added, "We'll have the opportunity to have the whole idea looked at by the highest law possible."

Representatives from PANE will be present with oral arguments from their attorney and expert witnesses, but according to Light, "it will be a long difficult road." Their participation in the court hearings will cost the group of approximately 175 families upwards of \$25,000. That cost, coupled with the \$27,000 in legal fees they already owe is sure to raise some concern among the group members.

They will, however, Light noted, try to raise the money through "contributions from like-minded individuals who aren't able to be physically or mentally involved." She also

said that the group will continue to raise money through bake sales and craft shows.

Although Light was unsure as to what PANE's course of action would be, she noted that the group has obtained well-known, design-oriented psychologists to testify before the high court in its behalf.

The American Psychological Association has also filed a "friend of the court" brief stating that the psychological stress referred to by PANE is indeed measurable, and the tools for such a study are available.

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