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Three Mile Island Alert

Island Updates

News Watch on the
Harrisburg Area

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The Patriot, Harrisburg, Pa., Saturday, January 21, 1984

63 Issues Could Block Restart of TMI 1

By MICK ROOD

Washington Bureau

WASHINGTON — The Nuclear Regulatory Commission has been told there are 63 potential management integrity issues that could conceivably block the restart of Three Mile Island Unit 1.

The NRC made the list public yesterday, saying it wanted to use the staff compilation as a starting point for developing "a plan of action" on the TMI Unit 1 restart decision schedule. Chairman Nunzio Palladino has said he would like to vote on the restart by next June.

Integrity items listed describe allegations made against Unit 1 operator Metropolitan Edison Co. and its successor, General Public Utilities Nuclear Corp. The list consists mostly of previously reported management issues, such as the recent federal indictment against Met-Ed for allegedly allowing and encouraging falsification of water leak rates at TMI Unit 2 in 1978-79.

Palladino had initially proposed release of the list on the basis that it could be misleading, according to an NRC spokesman.

After in-house bickering over the list's significance, an unreported majority of the five commissioners mentioned in an explanatory memorandum these qualifiers:

— The list is incomplete. It contains neither "certain" integrity issues under investigation that "have

not been made public" or references to plant hardware questions that have yet to be decided. Commissioner James Asselstine would have listed all issues, because to do otherwise, he said, "frustrates the purpose" — supplying the commission with "a complete and accurate list of the integrity issues."

— "No attempt was made to evaluate the significance or current status of any of the listed items." Palladino, the memorandum said, would have "at least" described the current status of issues listed.

The NRC general counsel and policy evaluation offices that compiled the list included any allegations or contentions that "at face value appear to have some possible connection with management integrity." Issues were listed if "they may conceivably bear on integrity."

The list, which was requested by Asselstine, groups management issues in three sections — those raised in original restart hearings before an NRC licensing board in 1980-81 (21 items), those raised during investigations of the operator test cheating incidents of 1979 and 1981 (16 items), and those raised since restart hearings closed in 1981 (26 items).

John Fidler, spokesman for GPU Nuclear Corp., last night said: "We have not seen the list. Howev-

er, we have had it read to us and we see nothing new on [it].

"Many, if not most, of the issues have been resolved in our view and it's now up to the NRC to decide which of the issues have been resolved. If this means that the restart proceedings are being pulled together, then that's all to the good."

Some of the issues listed are as old as the TMI Unit 2 accident in March 1979 and have been investigated several times, such as allegation Metropolitan Edison Co. officials mislead the NRC about the accident's severity. Others are relatively new, such as the relative importance of NRC Region I inspection reports this summer that were partially critical of plant management.

The commission has given the parties to the Unit 1 restart case 20 days to comment on whether the list is complete and whether it contains issues that must be resolved before a restart decision is made. After getting comments, the commission said it will form the restart action plan.

Intervening parties include the Commonwealth of Pennsylvania, Three Mile Island Alert Inc., Norman and Majorie Aamodt of Coatesville, the NRC staff and the Union of Concerned Scientists.

York Daily Record • Thursday, January 5, 1984

IRS ruling may aid TMI cleanup

HARRISBURG (AP) — Recent Internal Revenue Service rulings that utility contributions to the Three Mile Island cleanup are tax deductible will likely help the financially troubled project, state and utility officials said Wednesday.

"These rulings represent a breakthrough for those of us who want to put an end to the continuing radiation hazard at Three Mile Island," said Gov. Dick Thornburgh.

Utility contributions are part of his proposal to fund the cleanup of the unit 2 reactor which was crippled in the nation's worst commercial nuclear accident in 1979.

"The preliminary reports on the IRS ruling are most encouraging," said Douglas Bedell, a spokesman for GPU Nuclear Corp., operator of the reactor.

"This ruling would seem to be a

big step in the direction of buttoning up funding for the unit 2 cleanup," Bedell said.

About \$150 million of the estimated \$1 billion cleanup was to be paid by investor-owned utility companies. But those corporations have said participation is dependent on receiving a tax deduction ruling and a minimum \$100 million pledge from the industry.

About 35 utilities already have pledged \$65 million, said Jack Kearney, senior vice president of the Washington-based Edison Electric Institute. "Now with the ruling, we're hopeful to see more progress," he said.

Kearney said he is "guardedly optimistic" the industry will reach the minimum contribution level of \$100 million.

Cont p 4

York Daily Record • Tuesday, November 29, 1983

Futility of TMI drill

We had a Three Mile Island alert drill last Wednesday. Only county officials were involved. Suppose it had been for real. Were you ready?

Did you know where your spouse, family, children, parents were? Did you have a plan of where to meet?

Did you have extra money, credit cards, gas in your car?

Did you have a place to go?

Where were your pets, and did you have extra food for them?

What about your farm animals? Did you have a plan for their care?

Did you have camping gear in your car and extra food in case all the motels and restaurants were full or closed?

Was there anyone sick in your family? Were they home or in the hospital?

Did you have a disabled person or an elderly parent who would take extra care to be moved, or, perhaps, could not be moved?

How long would it take you to shut down your house?

Do you have any faith that it would be protected until you came back? If you could come back?

Did you have an escape route planned?

This time, the weather was good and the roads were dry so there probably would not have been too

Cont p 2

Crane necessary for TMI cleanup gets NRC's nod

By SUSAN COLLINS
Daily Record staff writer

The Nuclear Regulatory Commission Friday approved long-delayed tests for the controversial polar crane that will be used to lift the head off the damaged unit 2 reactor at Three Mile Island.

NRC officials said the plant's operator, GPU Nuclear Corp., could begin testing the crane with increasingly heavy loads in January.

But because the cleanup is plagued by funding problems, the company has not decided when it will run the tests, GPU Nuclear officials said.

The company applied for permission to do the tests in February but the NRC delayed its decision because three former TMI employees charged in March that unsafe shortcuts were taken in preparing the crane.

In September, the NRC said TMI officials had skipped required steps in certifying crane repairs and ordered them to redo their paperwork.

Bernard Snyder, the director of the NRC's program office for TMI,

said the agency reviewed the utility's response and "the bottom line is the technical aspects of the crane... present no problem."

"I believe all safety reviews were done properly before the allegations were made, but they were not documented properly," said Thomas C. Poindexter, the NRC's lead technical reviewer for the crane repairs.

GPU Nuclear welcomed the NRC staff's decision.

"We're glad to have this behind us," said William Gifford, vice president of communications for GPU Nuclear.

However the pace of the unit 2 cleanup has slowed. The company has found the \$76 million budgeted for cleanup this year was not enough and has cut or transferred about 100 employees from the cleanup staff.

The polar crane runs on a track above the reactor and will be used to lift the 163-ton head, allowing the removal of the reactor's fuel.

It was damaged by heat and water during the March 1979 accident that

caused the reactor to overheat. Wiring insulation was burned off and the brakes on the overhead track rusted, Poindexter said.

In refurbishing it, TMI workers replaced wiring, cleaned the brakes and installed new brake shoes, he said.

The load tests will begin with the lifting of a six-ton object and will move to the lifting of the 32- and 40-ton missile shields that cover the reactor head and the pressurizer.

Each of the four shields will be carried to the floor of the containment building and will be used to create a load of approximately 212 tons, Poindexter said.

The crane will first lift the load about six inches and will eventually raise it about 10 feet, officials said.

Before the crane lifts loads of more than 10 tons, however, tests will be performed on the tripod, the device that serves as an intermediary between the crane and the load.

Poindexter said three welds on the tripod will be tested with dye to ensure they are sound.

York Daily Record • Friday, January 13, 1984

Risk to TMI workers may be greater than believed, expert says

By SUSAN COLLINS
Daily Record staff writer

HARRISBURG — The risk of death from cancer for the workers at the damaged Three Mile Island reactor could be three to four times greater than a recent federal report indicates, a physicist on the Three Mile Island Advisory Panel said Thursday.

The study, released by the Nuclear Regulatory Commission last week, determined that two to six additional deaths from cancer will occur in the group of cleanup workers at the unit 2 reactor.

Thomas Cochran, a physicist with the Natural Resources Defense Council, said there could be seven to 21 additional cancer deaths. The total number of cancer cases could be twice that number, he said.

Cochran challenged the method the NRC used to determine its estimates, saying it has been revised by a number of scientists.

"It's prudent to use the upper limit numbers in protecting public health," he said. "If you're going to take a risk, it might as well be on the side of public health."

The NRC's figures on cancer risks were released in a report that estimated overall worker exposure to radiation throughout the course of the TMI-2 cleanup would be higher than originally expected. Unit 2 was crippled by an accident nearly five years ago.

Cochran said he was concerned about the overall exposure and urged the NRC and the plant's operator, General Public Utilities Nuclear Corp., to try to reduce it.

"Everyone's concerned about that," said Lake Barrett, deputy director of the NRC office at TMI. "There's been millions of dollars spent by GPU to cut that number down."

Bernard J. Snyder, director of the NRC office at TMI, added that GPU limits individual workers' radiation exposure more strictly than

the federal government.

The scientists and local officials on the panel, which oversees the cleanup of TMI-2, decided to discuss the issue at the February meeting.

Discussing funding of the cleanup, GPU Nuclear President Philip R. Clark Sr. said he is optimistic about receiving financial help from other utilities.

The Edison Electric Institute, an industry group organizing a contribution campaign, is addressing the issue at a conference in Arizona this week. About \$65 million has been pledged to the campaign, but EEI has agreed not to turn over the money until \$100 million is pledged.

Clark said he hopes a recent Internal Revenue Service ruling, which made two contributions to the cleanup tax deductible, will encourage other utilities to make donations.

FUTILITY fr 1

many accidents caused by panicky people.

Suppose the alert had come last February 11th or 12th. We had two feet of snow then.

Was your snowmobile ready?

Do you have a four-wheel drive vehicle? It would not have made any difference because they were not moving either.

Do you have cross country skis for every member of your household, and is everyone an expert skier?

I hope that everyone understands the futility of everyone being ready to evacuate at every minute when TMI breaks — if they manage to start Unit 1.

Annette Logan
York RD 11

STAFF THIS ISSUE:

Editors:

Cathy Musser

Kathy Manfred

Sandra Choma

Kay Pickering

TMI Office Staff

TMI 11

Nuclear foes to appeal ruling on their defense

By SUSAN COLLINS
Daily Record staff writer

HARRISBURG — A judge ruled Monday that 11 anti-nuclear activists cannot use their objections to Three Mile Island as a defense when they are tried for blocking the plant's entrances, but gave the group permission to appeal his decision.

The group, called the TMI 11, is accused of blocking traffic to the nuclear plant last May on the first anniversary of local referendums opposing the restart of the undamaged unit 1 reactor.

The 11 are charged with obstructing a public highway, a third-degree misdemeanor that carries a maximum sentence of a year in jail and a \$2,500 fine.

"Of course we did it," said Eugene Stilp, one of the defendants. Stilp is an attorney who represented himself at the hearing. Joseph Huss III, a Harrisburg lawyer, is representing the rest for free.

Stilp and the others are pleading innocent in the hopes they will be allowed to present a "justification defense," which is based on a state law that allows crimes to be committed if they are necessary to prevent more serious crimes.

It is now up to Superior Court to decide whether it will hear the appeal.

"That, my friends, was a victory," Stilp told the rest of the group after the hearing. Receiving approval to appeal before the trial is unusual, he said.

Judge Warren G. Morgan of Dauphin County Common Pleas Court said he did not want to hear the defense because Superior Court is now deciding a similar case involving two groups facing different charges.

One group broke into a General Electric Co. plant that produced Minuteman missiles and poured blood on the weapons as what they called a statement for peace. The other crawled under the fence at the Shippingport Nuclear Power Plant in Beaver County, Stilp said.

Like the others, the TMI 11 plan to argue that their actions were necessary to protect themselves and others from danger.

At the time they staged their protest in front of the plant, it appeared the Nuclear Regulatory Commission was going to allow the restart of unit 1 within a month or two, Stilp said. The unit had been shut down by NRC order since the March 1979 accident crippled unit 2 and caused a release of radiation.

By restarting it, the defendants believe its owners would be "slowly committing murder" on area residents through the effects of low-level radiation," said Judith Richards, a member of the group

and a resident of York.

Restart proceedings were later delayed by issues dealing with the integrity of the operator's management.

Stilp said he thinks the defendants have a stronger case than the two other groups because they exhausted many legal options before staging the protest at the plant May 18.

As part of the anti-TMI movement, the defendants have taken part in congressional and legislative hearings, intervened in NRC proceedings, lobbied elected officials and helped place a non-binding referendum on restart on the ballot in three counties.

The group considers the action a "public duty," Stilp said.

Under Pennsylvania law, a person can be found guilty of a misdemeanor or of the second degree if he knowingly fails to take an action that could prevent a catastrophe — if he does not fulfill his public duty, he said.

Skip Ebert, the deputy district attorney prosecuting the case, said the group's defense does not apply because they were not faced with an imminent catastrophe.

"If there's a group of neighbors that doesn't like one neighbor, they don't have the right to surround his property and not let him in," he said. "The law has to protect the owners and operators of Three Mile Island like anyone else."

Ebert gave an example of a case where a justification defense would be appropriate:

"Say a major fire is sweeping through a city block by block. At some point you could blow up a couple buildings to stop the fire. They're not your buildings but you have to blow them up to save the city."

The defendants still have the option of going on probation and avoiding a trial and a criminal record, Ebert said.

At least one woman is considering that because she will be moving out of town, Stilp said. Another woman, the group's 12th member, took that option already because she moved to Texas.

General Public Utilities Nuclear Corp., the plant's operator, will not comment on the case before it is settled, company spokesman John Fidler said.

The other defendants in the case are Mary Osborn of Swatara Township, Dauphin County; Randy King, Stephen Brooks, Richard Kushner, Maura Cowan, and Michael Horgan, all of Harrisburg; Eric Epstein of Manheim Township, Lancaster County; Lauren Taylor of Hummelstown, Dauphin County; and Suzanne Patton of Susquehanna Township, Dauphin County.

TMI area residents question monitoring

By the Associated Press

MIDDLETOWN (AP) — Some people who live near the Three Mile Island nuclear plants said Thursday they're skeptical of a plan to design a new system to monitor radiation near the reactors.

"It's very important that we have independent monitoring," said Jane Lee of Etters in York County, who attended a public meeting on the plan proposed by the Three Mile Island Public Health Fund. "I don't know if we're going to get that."

The fund was established with \$5 million won from a class-action suit against TMI's owner, General Public Utilities Corp. Philadelphia attorney David Berger, the fund's administrator, has proposed a \$785,000 study to design an improved radiation monitoring system.

Thursday's public meeting was ordered by U.S. Judge Sylvia Rambo, who must approve the proposed study, to allow for public input into the plan. Residents' questions were answered by a panel of scientists chosen to perform the study.

But several residents questioned how much input the public would actually have.

"We're skeptical of anything," said Eric Epstein of Lancaster. "Are we going to have stuff dictated to us or are we going to get involved?"

**'It's very important
that we have inde-
pendent monitoring.
I don't know if we're
going to get that.'**

Jane Lee, Etters resident

Some residents also questioned the independence of the scientists on the fund's panel, including Dr. Ruth Patrick of the Philadelphia Academy of Natural Sciences, who has worked for the nuclear industry.

Dr. Patrick responded that that her work for the nuclear industry has been a small part of her professional experience. She added that the idea of designing a new monitoring system is geared toward getting public input.

"This is not a fait accompli," she said. "We certainly will take into account their suggestions."

Berger said mistrust among residents was understandable.

"We're starting with a residue of stress and cynicism that was caused not by us but by what happened before," he said.

The \$785,000 study is only to design a new monitoring system, not to build one. Berger said the study will be completed within two years.

Void extends nearly to edge

Sonar data confirm riddled TMI core

By JON HARWOOD
Staff Writer

Data obtained from sonar mapping and a camera inspection of Three Mile Island's Unit 2 reactor core show that a 5-foot-deep void extends nearly to the edge of the core and that virtually no fuel assemblies remain intact, GPU Nuclear Corp. officials announced Monday.

Officials said that the latest data confirm earlier findings while providing a more detailed picture of what needs to be done before lifting the 160-ton Unit 2 head and defueling the damaged reactor at the Londonderry Twp. plant.

The tests produced evidence that stainless steel and other metals had melted, but "there was no evidence" of melted fuel, GPU officials said at a news conference.

One new discovery was that a computer analysis of the sonar mapping showed that the void's bottom is composed of an uneven rubble bed. Preliminary findings "suggested a fairly uniform void floor," officials said, but it appears that flowing water during the accident created shifting "peaks and valleys" of loose, granular material.

A 1982 "quick look" inspection conducted with a miniature, underwater camera revealed that the 12-

foot-deep core collapsed during the 1979 plant accident into a bed of rubble, leaving the 5-foot void.

Jack DeVine, Unit 2 technical planning director, speculated Monday that the rubble bed is a product of temperature extremes in the reactor after the accident. In the "initial accident period," the core was extremely hot, DeVine said.

About 2½ hours later, cooling water was reintroduced. This "shocked the brittle, hot steel and caused it to break up and collapse," DeVine said.

This "hypothesis" is confirmed in part by the jagged pieces of material in the core, indicating that something was shattered rather than melted.

There was evidence that some stainless steel elements melted, and DeVine said that he cannot confirm that no uranium oxide fuel melted. However, he added that "we haven't seen any."

Samples of the rubble bed, shipped out to different locations for analysis last month, may give GPU more information about the fuel, DeVine said. He said he expects results early next year.

Stainless steel's melting point is 2,550-2,600 degrees Fahrenheit, compared with 5,080 degrees for uranium oxide, according to GPU figures.

DeVine also said that the recent tests confirm that the void "extends virtually the entire width of the core" and represents about one-fourth of the core's total volume of 1,200 cubic feet.

Data also show that no more than two of the 177 fuel assemblies "have the potential to be intact," DeVine said. No more than 42 of the assemblies have full-length rods.

"Most of the assemblies have portions missing in the top five feet of their length," GPU said.

GPU also has verified that loose and melted material covers "pretty much the entire area of the underside of the plenum," DeVine said. The plenum is a 55-ton cylinder used to guide the fuel control rods and press down on fuel assemblies to maintain a proper alignment.

Use of the sophisticated television and sonar equipment helped GPU develop a three-dimensional, plastic model that helped the company study the core void. Officials added, however, that the model "is not an exact representation" of the void.

"Because some areas of the void were shadowed from sound waves that produced the sonar data, the construction of the model involved some extrapolation," officials said.

The Evening News, Harrisburg, Pa., Wednesday, Jan. 18, 1984

Core samples show that no fuel melted

By MARY O. BRADLEY
Staff Writer

Preliminary analyses of samples from the Three Mile Island Unit 2 core support earlier assessments that no fuel melted during the March 1979 accident, according to a spokesman for GPU Nuclear Corp., plant operator.

Six samples, removed from the mangled core in September and October, indicate that some stainless steel components and other metals melted when the core overheated. Stainless steel has a melting point of 2,550 to 2,600 degrees Fahrenheit. Uranium oxide fuel melts at 5,080 degrees Fahrenheit, the spokesman said.

The samples ranged in size from particulate matter less than 0.04 inch in diameter to rock-like pieces 0.6 inch in diameter. Preliminary ra-

diation measurements of two samples produced readings of 1 rem an hour gamma at a distance of 1 foot for one sample and 5 rem an hour gamma on contact for the other.

The larger pieces of debris have a rock-like appearance, while the particles are generally brown and black with occasional speckles of rust-like orange.

The spokesman said the size of the matter examined indicates plans to remove much of the damaged core with vacuuming equipment are feasible.

The samples were plucked from two locations in the core — at the center and at a point midway between the center and the edge of the core. At each point, a sample was removed from the surface of the rubble bed and 2 inches and 22 inches below the surface of the rubble bed.

IRS fr 1

The IRS rulings were issued in letters dated Dec. 28 and Dec. 29 responding to requests from Duke Power Co. of North Carolina and from Iowa Public Service Co. Duke's request regarded contributions from companies using nuclear powered generators and Iowa's regarded contributions by non-nuclear utilities.

In both cases, the IRS said such contributions would be deductible, Thornburgh's office said.

Although the IRS said the letters could not be used as precedent, a spokesman for Thornburgh said it appears to be a "breakthrough that will be applicable nationwide." He cautioned, however, that further analysis was needed of the ruling.

"Technically, the rulings apply only to the companies to which they are issued," said Robert Baum, general counsel of Edison. Still, he is optimistic other utilities will decide they will get similar tax treatment.

Funding problems have led to cleanup delays. GPU said the desired funding level is \$100 million a year, but only \$75 million is budgeted for this year.

Bedell noted that the last \$14 million of GPU's insurance money for cleanup will be used this year.

About \$400 million has been spent on cleanup already, Bedell said. The company hopes to be finished by mid-1988.

TMI's unit 1 reactor was undamaged in the accident but has not operated since. Some people have said unit 1 restart should not be considered until cleanup funding is secure.

U.S. fights Met-Ed motions to drop charges

By JON HARWOOD
Staff Writer

Federal prosecutors filed papers here Monday opposing each request by the former operator of Three Mile Island to dismiss criminal charges stemming from the 1979 accident at the nuclear plant in Londonderry Twp.

In a set of responses to pretrial motions filed Dec. 19 by Metropolitan Edison Co., the government also opposes the company's requests to move or delay the U.S. Middle District Court trial.

Met-Ed is to file additional written arguments next week, and Judge Sylvia H. Rambo will then set a date for oral arguments. No trial date will be set until Rambo rules on the motions.

The company has asked Rambo to dismiss the 11-count indictment a federal grand jury here handed up Nov. 7. The indictment charges the company with falsifying data on reactor coolant leaks before the March 28, 1979, accident.

Met-Ed asks that the trial not begin before May 1 and that it be moved outside this area. The company also wants the government to supply it with detailed information, called a bill of particulars, before the trial.

In opposing Met-Ed's motion

for dismissal, the government argues that the indictment is "supported by the technical specifications and Nuclear Regulatory Commission regulations."

The indictment is specific, "fairly informs the defendant of the charges against it," and protects the company from "future prosecutions relating to the same offenses," the government says.

Prosecutors say Met-Ed's 39-part bill of particulars is tantamount to "wholesale discovery of the government's evidence." Met-Ed has sufficient information to proceed without a bill of particulars, the government says.

Met-Ed has access to an in-house investigation of the false data allegations and knows which persons were called before the two grand juries that also investigated those charges, prosecuting lawyers say.

The court should recognize the company's claim of ignorance "for what it is: An invitation to the court to participate in a charade. The court should decline the invitation after considering the 'set of facts' available to the defendant," the government says.

Met-Ed asked for a four-month trial delay because of the "voluminous" documents and records it

must review beforehand. The government calls the company's arguments "remarkable."

"The documents were created on a regular basis by a defendant which has consistently claimed expertise in operating a nuclear power plant. The 'voluminous' records are neither unique in the industry nor foreign to the defendant."

Government papers also maintain that the "crimes are hardly complex . . . destruction of records is a straightforward act which either is permitted or isn't. Four more months won't change that."

Met-Ed's motion to dismiss "clearly reveals" that the company is "currently ready to argue its position," the government argues. "Another four months is merely sought to delay judgment while pressing for restart" of TMI's undamaged Unit 1 reactor "and to achieve strategic advantage for trial."

Met-Ed also says it cannot receive a fair trial here because of prejudicial publicity.

The government said most of the newspaper articles cited by Met-Ed "contain factual recitations concerning the indictment and what it charges, or discussions on NRC administrative proceedings involving the restart of TMI-1."

The Evening News, Harrisburg, Pa., Monday, Dec. 19, 1983

SYNDICATED
COLUMNIST

JACK
ANDERSON

Internal problems make TMI-1 restart risky

THE NUCLEAR Nuclear Regulatory Commission is scheduled to meet behind closed doors today to consider whether to start up Three Mile Island Unit 1, the nuclear reactor that was unaffected by the near-catastrophic accident in March 1979.

Evidence gathered by my associate John Dillon indicates that the commission could be courting disaster if it allows TMI-1 back on line. The unit was shut down for routine refueling during the 1979 accident that almost caused a meltdown in Unit 2.

At the time, the NRC ordered Unit 1 to remain shut down, citing, among other reasons, "questions about management capabilities." Now the commission is under tremendous pressure from General Public Utilities, the owner, to allow Unit 1 to begin producing power again.

DESPITE the indictment of the company last month on charges of falsifying crucial safety data before the accident, the commissioners are reported to be leaning toward approval of the start-up plan.

There are three main problem areas the agency should consider before it lets TMI start operating again — management integrity, questionable supervision by the NRC and continuing equipment troubles:

— A reactor operator testified that the company deliberately falsified measurement data to make leaks of reactor cooling water at Unit 2 appear smaller than they actually were. Now the NRC's investigators suspect that management lied about leaks at both TMI reactors. The agency has promised that TMI-1 will not be allowed to resume operation until the investigation of the alleged falsification on that unit is completed sometime next month. Coincidentally, the plant won't be able to start until then anyway.

— As further evidence of management problems, the NRC levied a \$140,000 fine against GPU last July for failing to tell the federal agency that the facility's supervisor of operations had cheated on a licensing exam.

— Both the company and the NRC knew soon after the 1979 accident that a plant operator had blown the whistle on the falsified records. Yet neither saw fit to dig deeper. The company's investigation consisted of a consultant's interview with the whistleblower, Harold Hartman Jr. — but not with the company executives who may have ordered the falsification.

After squelching any mention of Hartman's charges in its two massive reports on the TMI accident, the NRC staff finally told the commission last May — more than four years later — that Hartman's charges were believed to be true.

— A valve failure triggered the TMI accident. Yet the same kind of valve will be used in the undamaged reactor, despite the manufacturer's warning that its use under certain conditions "may be detrimental to its ability to seal without leaking, thus contributing to an increased failure rate." The warning was deleted from the NRC's final TMI report, and was brought to light by the Union of Concerned Scientists.

Cont p 6

RISKY fr 5

THE VALVE may not be the only piece of equipment that needs checking. There have also been problems with the instruments used to measure the amount of cooling water available in case of emergency, according to the company's own admission.

The first devices installed after the accident failed miserably. New meters also proved inaccurate.

But in a November letter to the NRC, the company explains that the inaccuracy of the meters is not really critical, because the instruments are more accurate during high-flow conditions and operators can use other means to ascertain the flow levels. So the company concluded that everything is hunky-dory.

Footnote: A General Public Utilities spokesman admitted the valve leaks under low pressure conditions. But another valve upstream, he said, should solve the problem.

York Daily Record Wednesday, January 11, 1984

TMI budget \$77.6 million

HARRISBURG (AP) — Officials running the cleanup at Three Mile Island have adopted a \$77.6 million budget for 1984, slightly above last year's spending level, a spokesman said Tuesday.

The major goals this year will be to lift the top off the damaged reactor, possibly late in the year, said Doug Bedell, spokesman for plant operator GPU Nuclear Corp.

TMI-2 was damaged in the March 1979 accident, worst ever at a U.S. commercial nuclear plant, when the radioactive core lost its cooling shield of water and overheated.

Bedell said \$75 million in the new budget is from firm sources: \$34 million in customer revenues; \$15 million from the Department of Energy and Electric Power Institute; \$3 million from GPU;

\$5 million from the state of Pennsylvania; \$2 million from the state of New Jersey; \$14 million from insurance funds; and \$2 million in rebates from Babcox and Wilcox, the reactor manufacturer.

The remaining \$2.6 million will come from the Energy Department and other sources, depending on the amount of cleanup performed, Bedell said.

The cleanup has fallen several years behind the original schedule because GPU has been unable to come up with enough money.

In 1983, \$76 million was spent on cleanup and in 1982, \$64 million. By the end of 1983, a total of \$400 million had been spent on the project, which is expected to total \$1 billion.

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NRC ruling moves restart a step closer

By SUSAN COLLINS
Daily Record staff writer

On a split 3-2 vote Friday, the Nuclear Regulatory Commission ruled that the majority of questions about management integrity at Three Mile Island do not have to be resolved before the undamaged unit 1 reactor can be restarted.

The approval came during a tumultuous meeting interrupted by protests from people living near the troubled plant.

The commission approved an "alternative approach" for resolving the issues that calls for a decision on the restart by June.

internal surveillance for the plant's operation.

It also required the resignation of Robert Arnold, the former president of GPU Nuclear Corp., which runs the plant.

Gilinsky accused the commission majority of brushing aside the management integrity issue by embracing GPU's proposal. Management integrity is "the critical issue in this case in view of the numerous instances of wrongdoing by the company," he said.

He criticized the commission for allowing Herman Dieckamp to remain as president of GPU and William Kuhns to remain as chairman of the board of directors.

"The commission majority has also brushed aside the

Opponents called the decision the most frightening step in the history of the TMI case.

Two of the five commissioners, Victor Gilinsky and James Asseltine, voted against it.

According to the new plan, the only investigation that must be completed before the NRC rules on the management's integrity is the possibility that unit 1 leak rates were falsified.

The remaining issues will largely be resolved according to the plan offered by the plant's owner, General Public Utilities Corp. The company has said it would prevent former operators at the damaged unit 2 reactor from working at unit 1 and it would add another level of

criminal indictment of the company that operated the plant," Gilinsky added.

Unit 1 has been shut down by NRC order since the worst accident in the history of civilian nuclear power occurred at TMI-2 in March 1979.

Metropolitan Edison Co., the GPU subsidiary that operated the plant in 1979, faces a criminal trial for falsifying key safety records before the accident.

Other management issues under investigation by the NRC include allegations that the company harassed workers who raised safety concerns during the unit 2 cleanup, charges that the company did not turn two

Please see TMI

TMI

Continued from 1A

internal reports over to the NRC as required and changes made to another report.

"The majority's endorsement of the GPU plan amounts to an assumption either that the investigations ... will find no wrongdoing by the TMI-1 organization or that any wrongdoing will reflect only on a few individuals," Asseltine, the other dissenting commissioner, said.

He said he saw nothing to support "such an optimistic assumption."

The meeting went into a five-minute recess after two TMI

critics sat at the commissioners' table and objected to the plan.

"Sir, I live two miles from that plant," said Patricia Smith, vice president of the TMI Public Interest Resource Coalition. "You can't do this to us."

When she and Gene Stilp, another member of the coalition, refused to leave the table, they were surrounded by several security guards.

U.S. Rep. George Gekas, R-Lancaster, intervened, asking for the recess rather than an eviction.

The anti-nuclear group said it would fight the restart of unit 1 in court if the NRC approves it in June.

U.S. Rep. Bill Goodling, R-19, did not attend the meeting but said the NRC's decision puzzled him.

"I don't know how they can separate management integrity from restart," Goodling said. "It doesn't make sense that they'd make them separate issues."

GPU President Dieckamp said the reactor should be ready for restart in late summer if the NRC gives its nod in June.

It will first be tested at increasing levels of power so the equipment's performance can be examined and the operators will have time to become familiar with the plant's operation, he said.

York Daily Record • Thursday, February 2, 1984

Radiation and TMI

York Area Chamber of Commerce and some of the York County commissioners want a restart of TMI.

During Christmas week, the radiation detector said it was over one roentgen an hour of radiation. That's 175 times to 200 times the maximum yearly dose (50 roentgens a year). We were getting that every two days. On Christmas night it was 2 roentgens an hour.

That's what was going on while these politicians and the Chamber boss were so concerned about the dollar instead of being concerned about the physical well-being of all life here.

There are too many fools around York County who think that high radiation is only at Goldsboro and that radiation from an accident at TMI won't go farther than five miles and it will be safe in York. That is wrong.

One time when TMI was operating radiation was around 8 roentgens an hour here. It was 8 r.p.h. in York, Windsor, Stewartstown, New Freedom, Hanover, Gettysburg, Dillsburg and Harrisburg. It varied just a little.

You can see how far the gamma radiation went.

In case of a real accident, not like the little one of March 1979, nobody is going to leave the five-mile radius area because they won't be alive.

They're going to be evacuating a five-county radius instead. That's the magnitude of it.

That high radiation of Christmas week was due, I believe, to the hundreds of tons of fuel and spent fuel at TMI.

The sirens did go off.

All of that fuel and spent fuel and radioactive material must be removed from TMI and discarded somewhere.

Steam turbines must be run by steam from coal boilers, not nuclear boilers. That's the only way out. This cancer-causing radiation pollution must stop now. That's the worst thing ever.

It Wasn't That They Did It, It Was the Way They Did It

By FORD TURNER
Staff Writer

For those who attended yesterday's Nuclear Regulatory Commission meeting, it wasn't so much that they did it, but the way they did it that hurt.

Even an across-the-table confrontation with two local residents couldn't buy a minute from the NRC yesterday. The five-man panel voted to ignore unresolved questions about Three Mile Island's management, and also ignored many requests to hear the public's views.

Patricia Smith, who lives two miles from the plant in Newberry Twp., and city resident Eugene Stilp moved to the commissioners' table during the meeting and asked to be heard. Their request was denied, as were requests for speaking time by two congressmen and a Dauphin County commissioner.

Smith said the move to the front of the meeting was spontaneous.

"We felt we would seize any opportunity to get our feelings across," she said. "They seemed dumbfounded... We're beyond respecting the rules and regulations at this point because we know they aren't going to listen."

Dauphin County Commissioner Lawrence J. Hochedoner said he asked NRC Chairman Nunnio Palladino if he could "present the sentiments of our community before they would take such a vote, and his secretary said absolutely not."

"Frankly, for what transpired, I don't know why they made it a public meeting, other than to fulfill some rule."

John E. Minnich, chairman of the county board of commissioners, said last night, "I'm really disappointed... apparently they don't care about the local concerns."

Last fall, Minnich resigned as chairman of the NRC's Advisory Panel for the Decontamination of TMI Unit 2 after serving in the post for three years.

"Three Mile Island obviously has become their baby now," King said. Hochedoner noted, "In a lot of ways, TMI is the make-it or break-it point for the nuclear industry."

Harrisburg Mayor Stephen R. Reed was out of town last night, but a spokesman relayed his reaction to the NRC vote.

"Given its recent history and the management record of GPU Nuclear Corporation... allowing the restart is like having the Federal Aviation Administration allow 4-year-olds to operate airplanes."

At the meeting, Smith and Stilp were aided by U.S. Rep. George Gekas, R-Harrisburg. Three security guards were prepared to remove the two from the meeting, but Gekas asked Palladino not to evict them.

The meeting was recessed for 10 minutes. Smith and Stilp returned to their seats in the front row — which Smith said were marked "reserved" for NRC staff.

Of their confrontation with the NRC, she said, "Palladino had a rough time dealing with it. He finds it difficult to look people in the eye when he's talking about the place they live near."

She said Gekas "wouldn't let us be taken over... he said 'go away guards, there's no need for you.'"

Gov. Dick Thornburgh said after yesterday's vote, "I continue to feel that questions related to health and safety should be resolved before, not after, any restart of TMI Unit 1."

Thornburgh said the most disturbing thing about TMI, though, is the continued radiation contamination at the Unit 2 facility.

"Until I am assured that adequate funding will be provided to remove this obvious and growing hazard at one end of TMI, I cannot agree with any assertion that nuclear regulation ought to be resumed at the other end."

Randy King, an Emerald Street resident, said he was one of "15 or 20" area residents who made the trip to Washington yesterday. King is director of the Three Mile Island Public Interest Resource Center, an organization that helps coordinate movement among seven anti-nuclear groups.

"I'm very frustrated and angry," he said. "As far as we're concerned, they're reacting to pressures from the Reagan administration."

King and Hochedoner said that recent blows to the nuclear industry have left it in need of a shot in the arm.

York Daily Record

Wednesday, February 8, 1984

Investigator hired by TMI owner

By SUSAN COLLINS
Daily Record staff writer

The company that runs Three Mile Island has hired an investigator to look into accusations that leak rates were falsified at the plant before the unit 2 accident five years ago.

The accusations led a federal grand jury to file an 11-count indictment against the plant's former operator last November.

Edwin H. Stier, the former director of the New Jersey Division of Criminal Justice, will investigate how leak rates in the primary coolant system were measured at both units 1 and 2, announced GPU Nuclear Corp., the plant's operator.

The company commissioned the investigation to determine whether any faults with leak rate measurements could have been caused by improper attitudes or inadequate performance by employees, said Philip R. Clark, president of GPU Nuclear.

He will also see whether the corrective actions taken will prevent inadequate testing.

Stier will first focus on unit 1, the undamaged reactor the company wants to restart, said Philip R. Clark, president of GPU Nuclear.

The Nuclear Regulatory Commission is also investigating leak rates at TMI-1. The commission said in a memorandum Jan. 27 the leak rate issue is the only management-related inquiry that must be resolved before it will decide whether to allow the undamaged reactor to restart.

Metropolitan Edison Co., the plant's former operator and sister company of GPU Nuclear, has been charged by a grand jury with falsifying the rate of leakage in unit 2's primary cooling system for at least five months before the accident.

Federal officials have said that if such false reports were made they could have added to the severity of the accident.

Clark told Stier he will have full access to all company records and personnel in his investigation and can use his own methods in structuring the probe and the findings.

York Daily Record • Tuesday, February 7, 1984

GPU income climbs in 1983

PARSIPPANY, N.J. — General Public Utilities Corp. reported Friday that preliminary net income, before an extraordinary item, was \$67.9 million, or \$1.10 per share, for 1983.

This compares with 1982 net income before extraordinary items of \$33.7 million, or 55 cents per share.

After extraordinary items, GPU reported net income of \$51.9 million, or 84 cents per share for 1983, compared with \$37.5 million, or 61 cents per share for 1982.

William G. Kuhns, GPU chairman and chief executive officer, said the increase in net income resulted primarily from rate orders granted by the state regulatory commissions to GPU's subsidiaries in 1982 and 1983, including the deferral of certain Oyster Creek maintenance expenses regarded as unusual and from lower interest expenses resulting from redemptions of long-term debt. These increases were partially offset by higher operating and maintenance expenses.

"Although 1983 earnings increased from 1982," Kuhns said, "GPU's earnings levels still reflect the adverse impact of the rate treatment of the investments in Three Mile Island units 1 and 2 and the canceled Forked River project."

STAFF THIS ISSUE:
(Editors)
Lisa Carroll
Joe Belcastro
(TMIA Office Staff)
Sandra Choma
Kay Pickering

York Daily Record • Saturday, February 18, 1984

TMI-2 entries scheduled

Entries into the unit 2 containment building at Three Mile Island are scheduled for Tuesday and Thursday, General Public Utilities Nuclear corp. said Friday.

Venting of the containment building will be effectively continuous this weekend and through the entries. TMI-2 technicians anticipate a daily release from the venting of approximately one curie of krypton 85, officials said.

Specter raps NRC for dragging feet on TMI mishap

By JILL LAWRENCE
Associated Press Writer

WASHINGTON — A Senate panel called the Nuclear Regulatory Commission on the carpet Thursday for being too slow and too lenient in handling mishaps at the Three Mile Island and Salem power plants in Pennsylvania and New Jersey.

"Why has it taken five years to get where we are without having the NRC come to any conclusion?" Sen. Arlen Specter, R-Pa., demanded of the five commissioners, referring to incomplete proceedings on whether to reopen an undamaged TMI reactor.

Specter said at least five different panels have reviewed questions on management integrity and other issues stemming from the nation's worst commercial nuclear accident, which occurred in March 1979 at TMI Unit 2.

"Why have there been so many separate inquiries?" he asked. "This is the most important matter the NRC will ever have before it. Why doesn't the commission hold hearings itself, hear evidence and make a decision?"

"I agree with you completely. It should have been done four years ago," replied Commissioner Victor Gilinsky, who appeared with his colleagues before the Senate subcommittee on nuclear regulation.

"Why not do it now?" asked Specter, a former Philadelphia district attorney.

"That's not a practical approach," said NRC Chairman Nunzio Palladino, citing reams of evidence taken by several subsidiary NRC panels.

Subcommittee chairman Alan Simpson, R-Wyo., called the TMI situation "an extraordinary absurdity." He said the NRC's lawyers have been "paralyzed by tentativeness. They will not move. They don't want to get egg on their face."

The NRC has kept the adjacent Unit 1 reactor at TMI closed since the Unit 2 accident. The agency recently drew fire by voting 3-2 to make a restart decision in June, before the completion of several management integrity investigations and a criminal trial involving the former plant operator, a subsidiary of the plant owner.

Sen. John Heinz, R-Pa., said he does not believe personnel shifts have eliminated the possibility of "incompetent, illegal or immoral actions" at TMI. He said he is particularly concerned that the two top officers of General Public Utilities Corp. the Parsippany, N.J.-based plant owner, are still in place.

Specter later criticized the commission for failing to confront the top officers, GPU Chairman William Kuhns and GPU President Herman Dieckamp, about various problems related to the accident, cheating on operator exams and alleged falsified safety reports to the NRC.

Palladino said no allegations had been made against the two men, while Gilinsky said the real point was how they had dealt with the problems.

Sen. Frank Lautenberg, D-N.J., pointed out that GPU's Oyster Creek plant in Lacey Twp., N.J., continues to operate.

York Daily Record • Saturday, February 18, 1984

Hearings ordered on Met-Ed rate request

HARRISBURG (AP) — The Public Utility Commission Friday ordered hearings on \$61.5 million in electric rate increases proposed by Metropolitan Edison Co. and Pennsylvania Electric Co.

Pennsylvania Electric has asked for a \$41.7 million increase in annual income, which would raise monthly bills for a residential customer using 500 kilowatt hours from \$36.85 to \$40.81, according to the PUC.

Met-Ed wants a \$19.8 million jump in yearly income, which would raise the bill of a typical residential customer from \$43.97 to \$46.82.

The PUC sent the cases to an administrative law judge for hearings.

Met-Ed to revise its plea

By CHUCK MUIR
Staff Writer

A hearing will be held here today for a change in the innocent plea entered by Metropolitan Edison Co. to criminal charges that it falsified reactor test data at Three Mile Island.

An attorney for Met-Ed and a spokesman for the utility's parent company, General Public Utilities Corp., declined to comment on the hearing scheduled by U.S. Middle District Judge Sylvia H. Rambo for this afternoon.

In an order issued yesterday, Rambo said the hearing was "for the purpose of taking a change of plea."

Prosecutors at the U.S. attorney's office here, which has prepared the government's case against Met-Ed, refused to comment about the proceedings or the plea that will be entered.

The company could either plead guilty to some or all of the charges in the 11-count indictment handed up by a federal grand jury in November, or plead no contest — a plea that subjects the company to conviction but is not an admission of guilt.

Attorneys for the company and the U.S. attorney's office, in addition to conducting a pretrial fight on paper with motions and answers of several hundred pages, have been negotiating. A plea agreement is expected to be placed before the court today.

The Evening News

Harrisburg, Pa., Tuesday, Feb. 28, 1984

The indictment alleged that Met-Ed engaged in criminal conduct by submitting false data on reactor coolant leaks beginning in October 1978, through March 28, 1979, the day TMI Unit 2 was crippled by the nation's worst commercial nuclear accident.

As a result of the accident, radioactive gases and water escaped from the Londonderry Twp. power station.

The company pleaded innocent Nov. 18. The charges were brought against the corporate entity and not individuals.

While TMI is now operated by GPU Nuclear Corp., the new operator is managed by some of the same executives who were in charge of the plant at the time of the alleged violations. Also, some other personnel who worked at Units 1 and 2 are still employed there.

The criminal proceedings have had an impact on consideration by the Nuclear Regulatory Commission of efforts to restart Unit 1, also shut since the accident, because of the issue of management integrity and responsibility.

The NRC has conducted its own civil investigation of charges by a former Unit 2 operator, Harold W. Hartman, that leak rate tests were falsified to keep the NRC from shutting the reactor. Its inquiry has been slowed because of the criminal proceedings.

Government attorneys have said that the company — if convicted on all counts — faced a maximum fine of \$85,000 and cost of prosecution, said to be substantial.

The Evening News, Harrisburg, Pa., Thursday, Feb. 23, 1984

TMI restart issues 'wrong,' GPU says

The operator of Three Mile Island said today that a list of 63 so-called integrity issues relating to the Unit 1 reactor restart is misleading.

In a letter to the Nuclear Regulatory Commission, GPU Nuclear Corp. said further only two issues remain unresolved.

GPU's comments were in response to a NRC memorandum released Jan. 20. The list was prepared by the NRC staff at the request of NRC Commissioner James Asseltine. At the NRC's direction, the list was released for comment without including the status of the items.

The two unresolved issues concern allegations by a former Unit 2 control room operator of falsifications of reactor coolant-leak rates before the 1979 accident and an NRC inquiry into similar measurements at Unit 1.

GPU said only the inquiry at Unit 1 can be tied to the restart decision.

The NRC list is misleading, GPU's letter stated,

(see GPU Hits p.5)

Plea agreement ends criminal proceedings against Met-Ed

By CHUCK MUIR
Staff Writer

Federal Court Judge Sylvia H. Rambo today accepted a plea agreement that ends criminal proceedings against Metropolitan Edison Co., former operator of the Three Mile Island nuclear power station.

The company, which pleaded guilty to one count of criminal misconduct and no contest to six others in connection with the operation the plant prior to the Unit 2 accident, was fined a total of \$45,000.

The fines were the maximum possible on charges that Met-Ed violated its license and Nuclear Regulatory Commission regulations in manipulating reactor coolant leak tests to avoid a shutdown of the Unit 2 reactor.

The company also agreed to

voluntarily pay \$1 million to the Pennsylvania Emergency Planning Agency for emergency preparedness in the area around the Londonderry Twp. facility. Rambo made it clear today that the \$1 million would be paid even if the plant never reopens.

The company was indicted by a U.S. Middle District grand jury in November on 11 counts, four of which were dismissed as part of the plea agreement with the U.S. Attorney's office.

At a press conference following the judge's decision, GPU Corp. Chairman William G. Kuhns said the guilty plea was the last "major uncertainty" standing in the way of restarting the Unit 1 reactor, which was not involved in the accident.

He also said company lawyers have asked that grand jury records be made public so the company can

step up its own investigation of what he called "totally unacceptable behavior."

A local anti-restart group today said it is concerned TMI management issues "may never be made public" because of today's agreement.

"However, this opens the door for the NRC to reopen its management investigation," the Three Mile Island Public Interest Resource Coalition said in a statement.

Coalition representatives met yesterday with NRC Commissioner Frederick M. Bernthal and "he assured us that he would pursue this avenue. Since the first priority of the NRC is public safety and management competence and integrity are so closely linked to the safe operation of a nuclear plant, we

Nuke foes appalled

(same paper, same date)

By PETER KELLEY
Staff Writer

Anti-nuclear organizers reacted with shock and disappointment last night to a proposed plea agreement between Metropolitan Edison Co. and the U.S. Justice Department.

They voiced fears that through the agreement, the utility will escape a public trial on 11 charges that it criminally falsified test data on coolant leaks at Three Mile Island's Unit 2 reactor.

Met-Ed has agreed to plead guilty to one charge and no contest to six others if remaining charges are dropped, U.S. Attorney David Dart Queen announced here yesterday.

"We felt this would be the worst thing that could happen in this case, and now it's happened," said Wally Kasuboski, a Washington attorney who helped the local anti-nuclear group TMI Alert bring a class-action suit against Met-Ed.

"The utility has everything to gain by making this kind of quiet agreement," said Kay Pickering, coordinator of TMI Alert's Harrisburg office. "With the NRC [Nuclear Regulatory Commission] looking at a restart of Unit 1, now this won't be constantly in their faces."

"This is letting them off easy," she said.

Under the proposed agreement, Met-Ed would be required to contribute \$1 million to a fund for emergency planning in the area within 20 miles of the Londonderry Twp. plant, and would face fines of up to \$45,000 plus costs of prosecution.

That part of the settlement drew fire from Eugene Stipe, project director for the TMI Public Information Resource Center, a coalition of eight local anti-nuclear groups, including TMI Alert.

"The people here don't care about the million dollars for emergency planning because we don't want the plant ever to open again," Stipe said. "We don't ever want to use the emergency plan."

And Pickering said, "The counties in this area have all said that it's not the money — that evacuation plans are just not workable."

She said that even if the agreement goes through, criminal indictments may yet be issued on other matters more directly relating to TMI Unit 2's crippling 1979 accident.

"But the reason we're so frightened is that nothing seems to have changed at Met-Ed," she said. "If something goes wrong, cover it up." That was the attitude before the accident and that has not changed."

strongly urge the NRC to take up the management issues once again."

In remarks intended to address outrage in anti-TMI circles because the case wouldn't be tried, Rambo noted that the public was under a "misconception" that the outcome of a trial would have a bearing on continued operation of the plant or the ability of current operators to manage it.

Rambo said it would not be "the function of this court or any jury to draw any conclusions as to the integrity and competency of management" to operate the power station — an issue in the debate over the restart of TMI's Unit 1 reactor.

After reviewing 1,000 pages of pre-trial briefs, she said it was clear that the "contradictory" assertions of government and company experts would not produce "convincing conclusions" about what happened at Unit 2 at the time of the accident on March 28, 1979.

The company's admission to guilt on count two, a "pivotal count" in the prosecution's case, was a "meaningful and significant admission," Rambo said.

By SUSAN COLLINS
Daily Record staff writer

HARRISBURG — The Environmental Protection Agency should continue monitoring the Three Mile Island area for radiation, the Citizens Advisory Panel for TMI decided unanimously Thursday.

But the panel asked the EPA to work with two other government agencies in developing a program that would coordinate the three monitoring systems and possibly reduce the EPA's role.

The panel requested the coordination plan because EPA officials have said they are thinking of removing or reducing their monitoring system.

EPA has been monitoring the area since the accident occurred at TMI's unit 2 reactor in March 1979. But it has never detected radiation levels that pose any risk to the public, said William Kirk, director of EPA's TMI Field Station.

The program, which costs about \$500,000 a year, often duplicates work done by monitoring systems run by the state Department of Environmental Resources, the Nuclear Regulatory Commission and General Public Utilities Corp., the plant's owner, he said.

The Evening News

Harrisburg, Pa., Wednesday, Feb. 1, 1984

EPA's system was set up to detect levels that would endanger the public while the other systems have more sensitive detectors that can measure much lower levels of radiation, he added.

If the EPA could check the other systems' results and install more sensitive monitors, it might be able to do a better job and spend less money, said Thomas Cochran, a panel member who is also a scientist working with the Natural Resources Defense Council.

The TMI Public Interest Resource Center objected to the plan because it does not trust the other agencies or GPU, said vice president Patricia Smith. She suggested the EPA keep its system and add other monitors if it needs better equipment.

The panel asked the agencies to work out a plan that provides "optimal redundancy," which would include some duplication of work so results could be double-checked.

TMI

advisers:

Keep

monitors

GPU cops a plea

METROPOLITAN EDISON and its parent company, General Public Utilities, wanted to "let all the facts be known promptly to the NRC and the public." It also wanted its officers and employees to be able "to concentrate" on the restart of its undamaged nuclear reactor at Three Mile Island, the cleanup of accident-damaged Unit 2 and "on the company's business of supplying electric energy to its ratepayers as efficiently and cheaply as possible."

That's why it pleaded guilty this week to one count of falsification of data at Unit 2 during 1978 when it was rushing to place the unit in service and a few months before the plant would experience the worst accident in the history of commercial nuclear power. And that's why it pleaded no contest to six other related counts.

Or at least that's what MetEd would have the public believe. Pleading guilty wasn't an admission of wrongdoing, the company seems to be saying, so much as it was a voluntary effort on the part of the utility to remove extraneous criminal charges and get to the heart of the matter. Indeed, if one reads the statement made by MetEd attorney Paul J. Curran at the plea hearing before U.S. Middle District Judge Sylvia Rambo, one might be led to believe that MetEd was downright noble in sparing everyone the expense, time and trouble of a trial.

IT doesn't work for us. We're old fashioned enough to still cling to the view that a plea of guilty is an admission of guilt, period. And pleading nolo contendere may not be a technical admission of guilt but it sure doesn't qualify as an exoneration of the charges. The time for MetEd to prove that the

charges against it were unfounded and not supported by the facts was in court, not after it had plea bargained for the best deal it could get.

Having pleaded guilty to misconduct in the operation of one nuclear plant, GPU officials seem to hold the view that they should be rewarded by prompt approval to restart another nuclear plant. But GPU has it backwards. The operation of a nuclear power plant is a major public trust and responsibility requiring not only considerable technical skill but also unqualified integrity. Regardless of how people feel about nuclear power, whether they are for it or against it, they have a right to expect that the operators of nuclear plants will be honest and open with them, and that public safety will never be sacrificed to achieve corporate objectives.

BY its plea this week, the owners of TMI admitted, in effect, that they violated the public trust in a series of incidents, which if they did not lead directly to the accident, were indicative of the type of management that produced the accident. Taking into account that it took five years for the company to make that admission and taking into account that having made the admission in court the company is attempting to foster an entirely different impression in public, there is no good reason to allow GPU a second chance to demonstrate that it is just as unfit to run a nuclear plant today as it was in 1978 and 1979.

Harrisburg, Pa., Thursday, March 1, 1984

TMI crane lifts 214

By MARY O. BRADLEY
Staff Writer

The Three Mile Island Unit 2 polar crane has raised a 214-ton load to qualify for the reactor head-lift in August.

The load test was performed, according to a GPU Nuclear Corp. spokesman, as planned a year ago. The test was postponed last March after three former Unit 2 employees alleged repairs to the crane were faulty.

After an investigation, the Nuclear Regulatory Commission staff found that although procedures were not followed entirely, there was no evidence of safety violations. The NRC staff approved the load test in November.

The crane will be needed to lift the 170-ton head from the Unit 2 reactor. That operation is tentatively planned for August.

Here are the steps in yesterday's test:

—The load was lifted about 6 inches from its position on the operating-deck and held for 30 minutes to test the brakes of crane's main hoist.

—With the load lifted, the crane's main hoist, bridge and trolley were operated separately.

—The load was set down and unhooked from the crane. The crane's bridge was rotated 180 degrees and the load reattached to the main hook.

—With the load hanging from the opposite end of the crane's bridge, the crane's main hoist, bridge and trolley again were operated separately.

Throughout the test the crane's rigging was observed for signs of stress, the GPU spokesman said. The maximum height of the load during the test was about 10 feet.

Nineteen technicians divided into two teams participated in the test which began shortly before noon and ended at 4:12 p.m. The test was observed by NRC representatives.

An equal number of TMI engineers and technicians watched the operation from the command center.

Missile shields are made of 3-foot thick reinforced concrete. Four 40-ton shields had been positioned

GPU hits NRC list

because it links numerous issues to the integrity of the company's management when those issues have nothing to do with management integrity or have been resolved.

Most of the issues were resolved through the NRC licensing or appeal process or NRC inspections at the plant, GPU said. Other issues have been addressed sufficiently in filings with the NRC to make a decision on restart, the company added.

Some of the issues were raised unsuccessfully by intervenors in the hearing process.

GPU called it a "questionable procedure indeed, and certainly unfair," for the NRC to reconsider continually issues that have been decided "after lengthy review by this agency."

This is "particularly troublesome" to GPU Nuclear because "the repeated resurrection of an issue in and of itself tends to bestow

on the issue a currency and a legitimacy which the facts belie."

GPU said "it is high time" the NRC decided the question of restart.

GPU restated its position that "the commission's clear legal obligation is to lift its immediately effective suspension order when the facts which gave rise to the order no longer exist."

Over the reactor vessel. A 32-ton shield was over the reactor's system pressurizer. The missile shields were lifted individually and stacked into the steel frame in February.

The remaining weight for the test load came from the steel frame and rigging which connected the load to the crane's 5,500-pound main hook.

When originally installed in 1975, the crane had been certified to lift 500 tons. The crane's electrical circuits and outside surfaces were damaged by heat generated during the March 1979 accident and by high humidity that remained inside the containment building for several months.

Major repair work consisted of replacing two 500-pound hoist brakes, repairing of a control device that allows a operation of the crane from the operating-deck and lubricating and inspecting the crane's 4,620 feet of wire rope.

As the cleanup progresses, the crane will be used to remove the 55-ton plenum inside the reactor and the fuel core.

The guilty plea should not expedite the NRC's consideration of GPU's application for restart, rather it should terminate the matter and permanently ban this organization from having its finger on a nuclear control panel, here or anywhere else.

On the ever-present issues raised by the Three Mile Island reactor site in his district, Gekas has kept a lower profile than did his predecessor, former Rep. Allen Ertel, the Montoursville Democrat. Ertel, who at one time had two staff members working full-time on TMI in general and the Unit 2 accident cleanup in particular, tried without success to push a cleanup subsidy plan through Congress.

Gekas has concentrated more on attracting attention to Gov. Dick Thornburgh's \$760 million cost-sharing plan, which thus far is lagging in utility industry and federal support. Asked what new ideas might be applied to speed the cleanup, Gekas said recently:

"I don't know . . . just keep arguing for the [Thornburgh] plan."

"I've done more than monitor the situation; I've tried to achieve money for the cleanup. Hardly a day's gone by when I haven't acted or discussed the situation."

He organized a Pennsylvania congressional delegation meeting on the subject last summer. And more recently, Gekas has been attending Nuclear Regulatory Commission meetings to advance his view that NRC procedures allow little notice of federal intentions and that the Unit 2 cleanup should be completed before restart of Unit 1 is considered.

Any TMI Stand Will Do

Nuclear power critic Rep. Edward Markey, D-Mass., sent Nuclear Regulatory Commissioner Frederick Bernthal a harsh letter last week.

Markey is upset that Bernthal abstained Jan. 10 on an NRC vote to either approve or subject to lengthy hearings the safety of Three Mile Island Unit 1 steam generator repairs. The abstention forced a 2-2 tie and perpetuated yet another unresolved TMI Unit 1 safety question in the way of a restart decision.

Bernthal said at the time of the vote that the steam generator safety question was an "unnecessary decision." He wanted to wait until it looked like the NRC was ready to decide all restart issues at about the same time.

Markey described Bernthal's position as "irresponsible and untenable." Bernthal, in Markey's words, had made a "significant error in judgment" and a "complete abdication of authority and responsibility" offering "an implicit endorsement of the staff's view." (The NRC staff has endorsed the safety of Unit 1 generator repairs.)

Asked why the letter was so harsh on a fence-sitting commissioner, especially since Markey believes the generator repairs constitute a "significant hazard consideration" requiring hearings, a Markey aide said:

"It would be better to have him come down on the wrong side. We want a decision. That's what they are there for."

If Bernthal breaks the tie in favor of endorsing the repairs, the aide said, a congressman "like Markey" can criticize it, the decision can be appealed and eventually taken to court.

Sunday Patriot-News, Harrisburg, Pa., February 26, 1984

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News Watch on the
Harrisburg Area

Vol 4 No 12

APRIL 1984

Met-Ed pleads guilty to fake TMI reports

York Daily Record • Wednesday, February 29, 1984

York Daily Record

March 1, 1984

*Will federal
judge accept it?*

By SUSAN COLLINS
Daily Record staff writer

HARRISBURG — Metropolitan Edison Co. pleaded guilty Tuesday to one count and no contest to six others in connection with charges of falsified reports at Three Mile Island.

The company asked to change its initial innocent plea as part of an agreement reached with U.S. Attorney David Dart Queen.

Both sides must wait until today to find out whether the agreement will be accepted by the court.

U.S. District Judge Sylvia H. Rambo, who presided over the change of plea hearing, said she wanted more time to review documents submitted for the hearing and plans to announce a decision at 9:30 this morning.

Under the plea agreement, Met-Ed said it would donate \$1 million to a fund for developing "emergency preparedness" plans in the 20-mile radius of the TMI nuclear power plant. The U.S. Justice Department said it would request the dismissal of the four remaining counts of the 11-count indictment.

Several critics of TMI said they were disappointed by the change of plea request and would prefer a trial because it would provide more information on the case.

In summarizing the government's



David Dart Queen

case against Met-Ed, Queen said he has "credible evidence" that the company's employees committed criminal acts.

However, none of the directors of Met-Ed nor the directors or officers of GPU Nuclear Corp., the company that now runs the plant, were involved in or knew of the actions charged in the indictment, he said.

Met-Ed, a subsidiary of General Public Utilities Corp., ran the plant at the time of the 1979 accident at the unit 2 reactor and was later replaced by GPU Nuclear, another subsidiary.

The federal grand jury's indictment revolves around charges that the company falsified records of the leak rate in the unit 2 reactor's cooling system for months before the accident occurred March, 28,

Please see **Met-Ed** on 6A

Met-Ed

Continued from 1A

1979. On that date, the reactor lost its protective shield of cooling water and overheated.

According to Queen's summary of the government's case, Met-Ed relied on "an inaccurate and meaningless procedure" to measure leak rates in unit 2's cooling system although it knew the method was flawed.

"The leak rate test yielded widely varying results not confirmed by the state of the plant," Queen said.

If the tests showed more than a gallon of water was leaking from unidentified sources per minute, the company was required to reduce the leakage within four hours or shut the plant down within 30 hours.

Instead, test results showing an excessive leak rate were discarded, Queen said. In some cases, operators manipulated test results for an

acceptable reading by adding water and hydrogen to the reactor coolant system, he added.

Met-Ed pleaded guilty only to using an inaccurate method to measure leak rates but Queen said the admission is significant because it implies other charges in the indictment are also true.

Met-Ed attorney Paul J. Curran argued the no-contest pleas are "in the public's interest" because it clears the way for the Nuclear Regulatory Commission's probe, which he called "a far superior vehicle to a criminal trial."

Queen said the comment was "utter poppycock" and called the NRC's investigation a charade.

He said he approved of the plea agreement because it provides punishment to Met-Ed, allows the government to present its case and saves the cost and time that would be involved in a trial and appeal proceedings.

If convicted of all counts, Met-Ed could be charged a maximum fine of

\$85,000. The plea agreement provides for the \$1 million donation in addition to \$45,000 in fines.

"It's almost like we're being bought off," complained Patricia A. Smith, vice president of TMI Public Interest Resource Coalition. "It's a cost-ratio thing again. We shouldn't worry about the cost after all we've been through."

Met-Ed pleaded no contest to counts charging it with:

Manipulating the tests with the addition of water and hydrogen, not taking required corrective actions when the leakage was excessive, not telling the NRC it did not take corrective actions, destroying or discarding test records, failing to keep a log of the test results and failing to identify deficiencies in the leak rate test procedure.

The counts that would be dismissed under the agreement include the charge that the company concealed "by trick, scheme and device" from the NRC that the test procedure was inadequate.

Charges against Met-Ed end quietly

Metropolitan Edison Co. gets off quietly, and GPU Nuclear Corp. comes up smelling like a rose.

Even the Nuclear Regulatory Commission ends up a winner. It gets the chance to move a bit closer to approving the restart of the unit 1 nuclear reactor at Three Mile Island.

A federal grand jury indicted Met Ed last November on criminal charges. The 11 counts of the indictment accused Met-Ed of falsifying the results of safety tests at the unit 2 reactor in the months before the infamous accident in that reactor on March 28, 1979.

Met Ed pleaded not guilty. This week in a move that should not have surprised anybody, Met-Ed pleaded guilty to one count and no contest to six other counts. The federal government dropped the four remaining counts.

The judge presiding in the case, U.S. District Judge Sylvia H. Rambo, could have rejected Met-Ed's pleas and ordered a trial. She didn't. Yesterday she accepted the pleas.

There will be no trial. There will be no testimony. The public will not know who did what or why they did it.

Met Ed gets off silently.

Grand jury records sought

Delay asked on Met-Ed request

The U.S. Attorney's office has asked federal court here for more time for it and the Nuclear Regulatory Commission to respond to requested disclosure of records pertaining to criminal conduct by the former operator of Three Mile Island nuclear power station.

First assistant U.S. Attorney James West, in papers filed in U.S. Middle District Court, said it would be "appropriate" to know where the NRC stands on release of secret grand jury records before ruling on the request filed by Met-Ed.

The record compiled before the grand jury produced an 11-count criminal indictment of Met-Ed for the manner in which it conducted reactor coolant leak tests in the six months before the accident at TMI Unit 2. A plea agreement ended the case before it went to trial.

NRC's general counsel advised the U.S. Attorney's office that the NRC needs additional time to "formulate a position" on releasing the record to Met-Ed, and to "determine whether the commission itself will be requesting disclosure," West said.

The NRC appears to have two avenues to gain access to the information — if it wants it. It could pursue court-ordered disclosure or ask for whatever information the U.S. Attorney's office can and will provide voluntarily.

Federal prosecutors retained the

right under the plea agreement to share information about the criminal case with regulatory agencies. But the extent of cooperation might be controlled

Unusual event declared at TMI

Associated Press

An "unusual event" was declared at Three Mile Island's Unit 2 reactor yesterday when neither of two backup power generators was working, the plant's operator said.

One of the reactor's two diesel generators failed to start during a regular 12-hour check at 4:55 p.m., said Douglas Bedell, spokesman for GPU Nuclear Corp.

The other diesel generator, which had been out of service for routine maintenance, was expected to return to service at 8 p.m., Bedell said.

The diesel generators are needed only if the plant loses the power it gets from off the island, Bedell said. If both those systems are out, the plant can still rely on battery-generated power, he said.

An "unusual event" is the lowest of four emergency categories at a nuclear plant defined by the Nuclear Regulatory Commission.

The reactor was damaged in a March 1979 accident and has been shut since.

by recent Supreme Court decisions limiting access to grand jury records.

In view of those decisions, the U.S. Attorney's office wants more time to "evaluate and formulate a policy" on the disclosure issue, West said. He asked for a delay until March 26, and counsel for Met-Ed concurred in the government's motion for an extension.

Met-Ed wants the grand jury record released to itself and the NRC for use by the commission in hearings on the restart of Unit 1, and by itself in an internal probe of charges that leak rate data was falsified.

To those accusations, Met-Ed pleaded guilty to one count and no contest to six others in the plea agreement accepted Feb. 29 by Judge Sylvia H. Rambo.

Despite the Supreme Court decisions, Met-Ed contends that the record is required in deliberations of on a matter of "enormous public interest" — the restart of Unit 1.

The same argument was made by U.S. Senator Arlen Specter, R-Pa., in a Feb. 29 letter to U.S. Attorney General William French Smith. He urged public disclosure of all evidence that the prosecution would have presented had the criminal case gone to trial.

Specter urged Smith to turn over the evidence assembled by the government to the NRC.

-Sunday Patriot-News, Harrisburg, Pa., March 25, 1984

Heinz Frets About NRC's Handling of TMI Unit 1 Restart

Harrisburg, Pa., Tuesday, March 27, 1984

MY VIEW one reader's opinion

ANDREW C. BURGER



Andrew C. Burger is vice president of the Middletown Borough Council.

TMI erodes public confidence

COMMON SENSE would dictate Met-Ed would want to run TMI 1 as safely as possible, considering their near-miss with a meltdown five years ago. According to notes from Bob Pollard, a scientist with Union of Concerned Scientists, I recently learned that common sense once again escapes the grasp of Met-Ed. According to Pollard, Met-Ed proposed to the NRC to run Unit 1 with the following safety variances because their steam generators are in such bad shape:

1. Violate the subcooling margin and bring it close to boiling.
2. Violate the operations concerning temperature and pressure for reactor cooling pumps.
3. Violate fuel rod compression limits.
4. Deliberately vent radioactivity to atmosphere.

Met-Ed may have a new name (GPU) and a new uniform but that's where it stops. They actually want to run Unit 1 less safely than before. Met-Ed and the nuclear investors have tried to blame the newspapers and the concerned for their woes. Met-Ed has determined its own future with its irresponsible actions. There have been lessons learned by the accident five years ago. Unfortunately, other utilities are the ones who have learned the lessons, not Met-Ed.

I FEEL democratic principles must be acknowledged because of Met-Ed's actions during the accident and the past five years. We must remember nobody was advocating shutting down TMI before Met-Ed itself shut down Unit 2 with their greed and carelessness. Let's remember Thomas Jefferson advocated that government must be the opinion of the people.

It's ironic that Met-Ed ignored the TMI referendum but spends much money advertising that could be used for clean-up. It's important to note a letter that appeared in The Patriot-News on Jan. 6, telling us the importance of a WGAL-TV poll which showed people favored the restart of Unit 1. This was not a scientific poll because you could vote more than once. You could cheat. In the referendum vote you couldn't cheat. You could only vote once.

In a poll I personally conducted among my constituents in the Third Ward of Middletown I questioned them as to what they would like to see for the future of Three Mile Island — coal, nuclear, or shut-down.

The result was coal, 52 percent; nuclear, 20 percent; and complete shut-down, 28 percent. I feel this poll showed further disgust and mistrust for the possibility of Met-Ed running a nuclear plant.

In the same poll I asked if Middletown Borough Council should stick to its resolution that TMI should never be restarted until the nuclear exclusion is taken out of our insurance policies. Let's remember we were only 20-30 minutes away from a meltdown during the accident. If TMI would have had a meltdown a large area would have been uninhabitable for about 50 years. (This would be a much larger area than the 5 mile radius.) The Price-Anderson Act limits the liability of the nuclear plant owner to \$560 million. At best

the average homeowner would have received 7 percent of the value of his home.

THE NEXT topic is economics of nuclear energy as related to the economics of Pennsylvania. The Nuclear Power Industry has led a misleading campaign telling us that the generating costs at a nuclear plant are less than a coal plant. While this fact is true the nuclear industry purposely leaves out some very important information. There are three elements that add up to the total cost of producing electricity. They are capital, (building of plant), fuel, and operation and maintenance. This doesn't include the cost of decommissioning the nuclear plant.

The capital costs and the operation and maintenance costs are much greater at a nuclear plant than at a coal plant. According to U.S. Department of Energy in May/June 1981 the average unit cost for nuclear power in the Middle Atlantic States was a staggering 29.65 mills/KWH. Coal is only 21.12 mills/KWH.

In the Middle Atlantic States coal produces electricity 34 percent less than does nuclear. All independent studies show coal to be cheaper than nuclear in the Middle Atlantic States as well as most of the country. Only studies sponsored by the nuclear industry shows nuclear is less.

Do you need more proof? West Penn Power has only hydro and coal facilities — no nuclear plants. Every other utility in Pennsylvania has nuclear plants. West Penn Power has substantially the lowest rate in Pennsylvania.

Pennsylvania could offer the cheapest electric rates in the northeastern United States and offer stimulus to business. Instead we read about companies like Lukens Steel moving because of the high electric rate. Wouldn't it be nice to read about companies like Lukens moving into Pennsylvania because of our low electric rate? We could have the best electric rate if we would have built coal plants instead of nuclear.

ALL COAL plants instead of nuclear would stimulate our economy. Even though electricity is generated cheaper, there are more jobs with coal at the generating station. It would create more coal mining jobs.

A recent study showed uranium mining is much more cancerous than mining coal. Nuclear plants are inflationary to build. The entire theory behind CWIP (Construction Work in Progress) is because of the runaway expense of building nuclear plants.

It is time that our elected state representatives take control of our economic problems. How does it help our economy by having companies like Lukens move. It's time we promote coal and help our economic condition of having the highest unemployment in the U.S.A. Nuclear power might be needed — but not in Pennsylvania. We're fortunate to have enough coal to last us hundreds of years. Why not build an electric generating station right in Shamokin and even eliminate coal transportation costs and send that energy to Philadelphia and maybe Lukens will stay.



TMI doubts linger on

FIVE YEARS after the event it is clearer than ever that the accident at Three Mile Island represents more than the failure of a nuclear power plant. TMI has become a failure of broad dimensions, a failure that encompasses an industry, government and the American way of doing things.

TMI is part of a procession of such staggering ineptness that it seems to have overwhelmed the national capacity to be shocked either by the festering wounds of the accident or by the growing rollcall of nuclear financial disasters.

It is a disgrace that five years after the accident there still is no plan in place to pay for the cleanup of the reactor. It is insanity that billions of dollars have been spent to build nuclear plants that will never be used. And yet the mindless procession continues from one TMI anniversary to another. It doesn't get better. Unresolved issues stay unresolved. Old promises of a clean, safe and bountiful nuclear future are revived only to be punctuated by the steady drumbeat of new, if less dramatic and traumatic, disasters — Zimmer, Marble Hill, Midland, Shoreham — and the lingering nightmare of Three Mile Island.

HOW could all of this have happened? More importantly, why do we continue, five years after an accident that is supposed to have taught so much, to proceed in a manner that is little different from the process that achieved results that are nothing short of catastrophic? The same mindset that decided the nuclear industry could go forward without having established a means of disposing of nuclear wastes that will be dangerous for centuries, is the same mindset that carries on today more concerned with putting nuclear plants in operation than cleaning up the debris from a nuclear accident.

The nuclear industry and the Nuclear Regulatory Commission have made it a habit of jumping over problems in the belief that the solutions would catch up to the problems

before the problems catch up with the industry. But it hasn't worked out that way. The problems not only caught up with the industry, they have stopped it in its tracks and perhaps dealt it an irreversible blow.

The accident itself is not forgotten. Anyone who was here then remembers the fear, the tension, the worry, the confusion, the uncertainty, the invisible enemy. Those "experts" who say the accident was less serious than was thought at the time can debate that point with the "experts" who say that, given another half hour, the accident could have been far more serious than was the case. In truth, at the time of the accident the so-called experts were as confused and concerned about what was going on inside the reactor as the man in the street, a failure of expertise which did a lot to shatter whatever faith area residents had in experts.

THE breakdown of nuclear power on March 28, 1979 was traumatic but the post-accident response has been no less a shambles. It is bad enough that five years ago, the industry and the NRC were hopelessly unprepared to deal with an accident. But it is unpardonable that five years later funding for the cleanup is still a matter of uncertainty. Instead of someone taking charge of the cleanup and getting it done as rapidly as possible, what we have seen is an almost wholesale avoidance of the problem by a timid industry and a government that turned its back on a disaster it helped to bring about.

The last five years of abandoned nuclear accidents and abandoned nuclear plants says something disturbing about America. It says that America doesn't work, that it pays inflated prices for shoddily built power plants that will never generate a kilowatt of electricity and then holds no one accountable except consumers, who are the innocent parties. It also says that America has decided that whenever there is a nuclear accident it is every man for himself. All in all, it might have been easier today to accept the accident if "the system" had not broken down as well.

Senate of Pennsylvania

JOHN J. SHUMAKER
SENATE POST OFFICE
THE STATE CAPITOL
HARRISBURG, PA 17120
(717) 787-6801



April 3, 1984

19TH DISTRICT

DAUPHIN AND LOWER
ORTHUMBERLAND COUNTIES

Approve Disapprove No Opinion Answer

3. Do you favor the restart of the Unit One Reactor at Three Mile Island?

32% 60.13% 5.5% 2.1%

The Evening News, Harrisburg, Pa., March 25, 1984.

Events Scheduled to Mark 5th Anniversary

A public health forum will be held today as part of the commemoration of the fifth anniversary of the Three Mile Island accident.

The forum will begin at 1:30 p.m. in the Multi-Purpose Building at Pennsylvania State University Capitol Campus. The Fifth Anniversary Committee of the TMI Accident is coordinating events sponsored by area anti-TMI groups.

Speakers at today's forum will include Dr. Carl Johnson, Medical Care and Research Foundation, Denver, Colo.; Dr. George Tokuhata, state Department of Health; Guy Steucek, biology department at Millersville University; Dr. Brian Molholt, biology department at Bryn Mawr College, and Francine Taylor and Mary Osborn, residents. TMI Public Interest Resource Center's Health Issues Committee is the sponsor.

National consumer advocate Ralph Nader will speak Tuesday during a 3-hour program of music and speakers at the Forum Building, Commonwealth Avenue and Walnut Street. It will begin at 7:30 p.m.

Tickets will be \$3 for adults and \$2 for students, according to a committee spokesman. Admission will be free for senior citizens.

Tickets may be bought at TMI Alert, 315 Peffer St.; the Ticket Place in Strawberry Square; Ryan's, Second and Maclay streets; and Harrisburg Area Community College. Tickets also will be sold at the door.

A candlelight vigil will be held at 3:30 a.m. Wednesday. Participants will meet at 2405 River Road, .3 mile north of TMI North Gate on Route 441, and march to TMI North Gate at 4 a.m., the time of the accident on March 28, 1979.

York Daily Record • Thursday, March 29, 1984

LETTERS

Tired of high utility costs

With regard to the letter by Albert D. Marx, district manager of Columbia Gas Company of Pennsylvania, I am disgusted by the volley of untruths and fabrications that area utilities fling at us from time to time.

Why not look at the costs of Columbia Gas vs. other utility companies around Pennsylvania.

Using an average cost per ccf, I find Columbia Gas to be no less than 18 percent and as much as 41 percent more expensive than gas companies operating within surrounding counties.

Columbia Gas ran an advertisement showing how gas heat would be cheaper than kerosene heat. Baloney. I spent less on kerosene this winter than for two months of gas last winter, which was a lot milder, temperature wise.

Even with the cost of wicks for the two heaters, my monthly expenditure was about \$48 vs. \$165 average for five months of gas heat.

Met-Ed gets a rate that puts it among the highest priced utilities in America.

This is being used as a ploy to get the Nuclear Regulatory Commission to allow Three Mile Island to operate again.

Before TMI, Met-Ed was among the lowest priced utility companies. Let the figures speak for themselves.

Enough lies and distortions. We simply need fairly priced gas and electric.

The lack of realistic pricing has more to do with the high salaries paid to utility company executives and unnecessary advertising they do than with any other factor.

There should be a public investigation of the state Public Utility Commission and the utilities.

It should be obvious that the PUC is no more an agency out to protect us than the NRC, which overlooked factual evidence until a public outcry forced it to do its job.

Michael J. Lewis
York

Gekas seeks N-license revocation

WASHINGTON — Rep. George Gekas is still working on a draft bill that would revoke the nuclear plant license of any utility convicted of a criminal offense relating to operation of a reactor.

The Harrisburg Republican wants the bill to apply retroactively to General Public Utilities Nuclear Corp., the reorganized company in charge of Three Mile Island Units 1 and 2. Gekas also wants the license revocation to be federally mandated, not just identified as a possibility. That way, GPU Nuclear would lose its license because its closely related predecessor company, Metropolitan Edison Co., pleaded guilty to the federal criminal count of maintaining inaccurate water-leak rate records.

Gekas might not achieve either goal, at least this year.

He met with Rep. Morris Udall, D-Ariz., chairman of the House Interior Committee, last week in an attempt to get Udall's support. Udall promised only to look at the draft bill, which Gekas has yet to formally propose.

Udall, his staff said, continues to have problems with the concept. It would be difficult, for example, to criminally punish a company for the criminal behavior of a few employees, Udall told Gekas at the meeting. And, Udall wondered, would the bill apply to corporate convictions, individual convictions, or both?

In addition, Udall's staff tends to think existing law gives the Nuclear Regulatory Commission plenty of latitude to revoke GPU Nuclear's license. The atomic energy statutes mention that "character of the applicant" can be considered in a licensing decision.

But Gekas is holding out hope he can get Udall to support an amendment directing the NRC to consider GPU Nuclear's guilty plea when the NRC makes its Unit 1 restart decision. At least two commission members already have said publicly that the guilty plea will, at minimum, have to be considered.

NRC bills are pending in both the House and Senate, but there are only about four weeks of legislative days left in this election year, and time may be short to gather support for the idea.

Gekas went into the session Thursday a bit peeved that Udall had told the Sunday Patriot-News in a recent interview that the bill

was a "blunderbuss" approach.

Now, Gekas is mollified, and he is hopeful that the chairman will go along with some sort of joint approach. If Udall doesn't, Gekas plans to introduce the bill and pursue backing elsewhere.

STAFF THIS ISSUE: (Editors)

Lisa Carroll
Joe Belcastro
(TMIA Office Staff)

Kay Pickering

Jackson addresses vigil at TMI

-The Evening News, Harrisburg, Pa., Wednesday, March 28, 1984

'Plant a threat to all,' he tells crowd during 5th anniversary of N-accident

By MARY O. BRADLEY
Staff Writer

Hardy anti-nuclear activists braved steady rain to hold a pre-dawn vigil at Three Mile Island today.

Huddled under umbrellas and holding votive candles and posters, the 150 protesters heard presidential hopeful the Rev. Jesse Jackson call for the permanent shutdown of TMI.

With the red warning lights of TMI's 372-foot towers winking in the mist, Jackson told the crowd, "Your future and the future of your children should not be determined in corporate board rooms or by bias regulatory agencies. Your voices count."

Later in his 15-minute speech, he said, "the plant is a threat to all ... It is time to close this plant forever."

The solemn procession and vigil included five minutes of silence at 4 a.m. to coincide with the time of the TMI Unit 2 accident five years ago — the worst accident in commercial nuclear history.

Before signaling the start of the period of silent reflection, Eugene P. Stilp, a long-time anti-TMI activist, said, "We are not looking back. We are looking to the future. We do not want that plant restarted. President Reagan and the NRC [Nuclear Regulatory Commission] will have to realize that."

The protesters were gathered at the TMI North Gate between the Conrail tracks and Route 441. The gate to the plant was closed.

After the silence, the Rev. John Hoke delivered the benediction asking God to "be with us in this modern crisis of respect for human life ... respect for our environment. Bless us as we seek to rid all populace of the threat of destruction."

Expressing surprise at the turnout despite the rain, Hoke said "it is a hopeful sign ... that something as important as this cannot be swept under the carpet" as long as there is grass-roots support to prevent it.

Stilp asked City Councilwoman A. Jane Perkins to deliver some words of encouragement. "It's hard to be encouraging," Perkins responded, "when standing at the foot of the (TMI) towers. She said citizens have been appealing to Gov. Dick Thornburgh and to the president for support for the last five years. 'We are not radical people. We are the salt of the Earth.'"

She hoped that a decision would be made to shutdown so "we won't have to stand in the rain anymore."

The protesters began assembling about 3 a.m. at a house on Route 441 where they were given

8- and 10-inch votive candles encased in red, green, white and blue glass vases. At 3:25 a.m. Stilp asked participants to pick up white 10-foot wide banners with the words "Keep TMI Shutdown" and "The Public Will Shut TMI."

Stilp welcomed the crowd, saying "it's nice to see you folks here." One of the protesters responded, "It's too bad we have to be here."

Stilp reminded the gathering the vigil was a "spiritual occasion."

At 3:40 a.m. the procession began moving south along the west side of Route 441 toward the TMI North Gate, three-tenths-mile away. The protesters walked in pairs, and the procession strung out along the road.

Carried prominently at the head of the procession was a sign reading: "578,000 people are the hostages of TMI. Day 1,872. Shutdown TMI Forever."

The procession proceeded past darkened houses, with only the candles and from the lights from news media cameras piercing the gloom. Occasionally a car passed by, its lights cutting eerily through the mist. The melancholy whistles of Conrail locomotives could be heard in the distance.

The first protesters arrived at the North Gate at 3:51 a.m.

By the time the short program had concluded, Jackson had not yet arrived. Stilp asked the crowd to be patient. "We've waited five years. We can be patient and wait a little longer."

During the lull, Stilp was asked what organizations were represented at the vigil. He responded the "citizens of Dauphin County, the citizens of Lebanon County, the citizens of Lancaster County, the citizens of York County and the citizens of Cumberland County."

York Daily Record • Friday, March 30, 1984

TMI: Money before health

TMI's fifth anniversary tops my long list of reminders of that awful accident.

My list lengthens with every weekend notice of "routine releases," of every fever my children run, or every time they appear pale and listless.

It grows with every newspaper clipping reflecting the endless thrust of GPU to attain its stated first priority: To get TMI-1 on line — which shows its despicable attitude that money comes before the health and welfare of the citizens in the community it occupies.

I hope this intensified time of grieving and anger will serve again as a springboard for action by all of us — especially in the political arena in this election year.

We must make it clear that we hold the elected representatives accountable for our best interests and that our votes, not the strong-arm lobbying of such as GPU, will put them in or out of office, in or out of a job.

Dr. Mary E. Ryscavage
Springettsbury Township

The Evening News, Harrisburg, Pa., Tuesday, March 27, 1984

Crowd cheers Jackson stand on N-power

By MARY O. BRADLEY
Staff Writer

The Rev. Jesse Jackson said today Three Mile Island should be closed forever because "the plant is a threat to all."

"Five years ago the worst accident in the history of nuclear power focused the world's attention on Central Pennsylvania. I am here this morning to support the people of Central Pennsylvania in your persistent demand that TMI remain shutdown — forever," Jackson told a rain-soaked crowd at TMI's North Gate.

Wearing a blue rain coat and standing under a tan and red umbrella, Jackson said, "It is time to put the nuclear industry in general on notice that its callous disregard for our rights will not be tolerated."

"It is time to close this plant forever. Not only to protect the safety of Pennsylvania but also to lend strength to other communities all over the country which are fighting for control of their futures in the face of nuclear development."

Jackson's strong stand on TMI brought applause and cheers from the 150 protesters gathered for the solemn procession and candlelight vigil to mark the fifth anniversary of the Unit 2 accident. One of Jackson's rivals for the Democratic presidential nomination, Sen. Gary Hart, last week did not say he would oppose restart.

Jackson's entourage arrived at the TMI North Gate about 4:26 a.m. He was greeted with applause and chants of "Win, Jesse, win." Only three Jesse Jackson campaign posters were being held aloft in the midst of the anti-TMI placards.

Jackson said the "major goal" of his campaign "continues to be to move the discussion of domestic and foreign policy in this country to a higher plane to show that we can base our foreign policy and our domestic policy on the pursuit of justice and equality, on guaranteeing basic human rights and on giving all people the right to be heard and make their votes count."

Jackson recalled the referendum in May 1982 when residents in Dauphin, Cumberland and Lebanon counties voted 2 to 1 against restart. "This is the public's expressed desire. A permanent shutdown will benefit all the people of Central Pennsylvania."

Nuclear foes change

By MARY O. BRADLEY
Staff Writer

The anti-Three Mile Island movement changed more than tailors in the last five years when three-piece suits replaced Army fatigues.

It changed tactics.

And with the primary election in April and the general election in November, the movement is banking more on political savvy than placards to shut TMI permanently.

"If the people who are in office won't work with us to clean it and shut it down, they won't be in office," said Eugene P. Stilp, a leader in the anti-TMI movement.

In the months after the TMI accident, the focus of the anti-TMI movement was grass-roots education to mobilize public ire into an organized, responsive force.

The organizers, for the most part, were holdovers from the anti-Vietnam War era. The movement became identified with the symbols of an alternative lifestyle — long-

hair and Army fatigues.

The image has changed. Today's anti-TMI activists are "power-dressed." In May, when Unit 1 restart opponents blocked the entrance to TMI, it was hard to tell the protesters in their conservative three-piece suits from the plain-clothes police officers who arrested them.

The substance of the movement today is middle-age, middle-class housewives who are concerned about the effect TMI could have on their families.

The focus is "the people that have the power," Stilp said. "We're trying to get a message out to people." Long hair and sloppy clothes would be a block to getting the message across.

The new image is part of the confidence and self-assurance that come with the maturity the anti-TMI movement gained over the years, said Kay Pickering, a longtime social activist and member of Three Mile Island Alert. "It is an accepted issue. At first it was on the fringe," she said.

Stilp said residents feel their right to due process has been violated repeatedly throughout the Nuclear Regulatory Commission Unit 1 restart proceedings.

"The average citizen has written letters, called every one of his elected representatives and taken the ultimate step in democracy," Stilp said, referring to the 2-1 rejection of restart in the May 1982 referendum in Dauphin, Cumberland and Lebanon Counties.

"The next step will be to the ballot box again to vote against those have given us this problem and not taken it away," he said.

Stilp said the indictments against Metropolitan Edison Co. and the issues of management integrity and competence, cheating on reactor operator tests, safety of steam tube repairs would be solid enough to prevent Unit 1 from restarting if due process were followed.

"People feel they have no say over their lives. They approach the governor,

Nader calls Midstaters 'first victims'

By PETER KELLEY
Staff Writer

Consumer advocate Ralph Nader told 800 people at a rally here last night that Central Pennsylvanians became the "first victims" of the nuclear industry on March 28, 1979.

Nader was the featured speaker in the Forum, where leaders in the anti-nuclear movement gathered to mark the fifth anniversary of the Three Mile Island nuclear accident.

Nader urged his listeners to spread what they have learned about opposing nuclear power to other communities around the country, and to make nuclear power a central issue in the presidential campaign.

He suggested that when companies such as General Public Utilities Corp. — owner of TMI — make "massive blunders endangering the safety of thousands," they should lose their charters.

"At what point do we determine that they have flunked as a corporation?" Nader asked.

As proof that GPU still intends "to get by with the minimum" in consumer safety, Nader pointed to plea-bargaining last month by its subsidiary, Metropolitan Edison Co. Met-Ed was charged with faking leak test results at TMI.

The rally in the Forum was organized by Gene Stilp, a leader in the local movement against nuclear power since the accident.

Stilp told the audience to "look to your right and look to your left, because you're the people who are going to stand between TMI and reopening." He called the question of restart "a crisis in democracy."

Nader's speech followed others in the same vein by state Sen. John Shumaker, R-Harrisburg; Dauphin County Commissioner Lawrence J. Hochendoner; Harrisburg City Councilwoman Jane Perkins; and Anna Gyorgy, author of the book "No Nukes: Everyone's Guide to Nuclear Power."

To applause, Shumaker announced that the state Senate at 7 p.m. yesterday adopted by unanimous vote a resolution opposing the restart of TMI's undamaged Unit 1 reactor.

The resolution said Unit 1 should stay closed until funding is assured for the Unit 2 cleanup, and questions of "public health and safety, including those related to management competence, integrity, and technical issues, are resolved." Shumaker was among 11 primary sponsors.

what does he do for you? Nothing. They approach the NRC, what can they do. Nothing. They are controlled by the president.

"The way the nuclear power laws are set up, people can't control their own lives. People do get frustrated."

"TMI has been a test case for nuclear power. It's also a test case for Democracy," Stilp said. "Will President Reagan respect due process in the American way? Will people's rights be respected?"

"Everything that has happened flies in the face of justice (and) of fairness," Stilp said.

"This year," Stilp said, "people will

The aftermath of the TMI accident was recalled last night in a slide show produced by Josh Hooper of Mechanicsburg.

Several times, the audience joined the Harrisburg musical trio, Wind and Wood, in singing protest songs.

At one point, about 150 women and young children filled the stage and a front aisle while Suzanne Patton read an open speech to President Ronald Reagan from "the women and children of Central Pennsylvania."

"Five years ago many of us left our homes," Patton wrote, asking Reagan to oppose restart. "Some of us were pregnant, and all of us were afraid. And, we are still afraid."

Nader in his speech attacked America's "double standard" for dealing with corporate criminals. He said individuals serve years in jail for theft while company executives go unpunished for misconduct by "hiding behind the corporate curtain."

Continuing his attack on GPU officials, Nader called them "arrogant" and "torpid," "yet immune from accountability under the law."

"It's as if they were genetically programmed to constantly repeat after the accident what they did before," he said. "If leak rates had been honestly reported before the TMI accident, they would have shut down the culpable unit."

Nader said that because Pennsylvania is considered one of six key states in the presidential race, "You couldn't ask for a better year for (the restart issue) to come up."

He shied away from endorsing a candidate, but he had kind words for the Rev. Jesse Jackson's strong stand against nuclear power. Jackson "is one of the few (candidates) in modern times who has raised the issue of corporate power abuse."

He had nothing but scorn for the policies of Reagan, whom he called a "first-rank booster of nuclear power."

The president, Nader charged, "has allowed international trafficking in plutonium to become part of his platform for free trade," has shielded the industry from investigations, and has "virtually destroyed the solar and energy-conservation programs of the Department of Energy."

vote with their feet on the way to the polling booth, if democracy is not restored.

"Democracy is something you have to be vigilant about. You have to be willing to fight for it or it will be taken away. The only way for people to be sure TMI will not reopen is with a unified vote to tell President Reagan they do not want it to reopen."

What about the rights of shareholders or of citizens who are pro-nuclear? "What's fair about shareholders getting dividends and ratepayers getting rate increases? Shareholders made the decision to build the plant," he said.



The Patriot-News Co.

Raymond L. Gover PUBLISHER
Edwin F. Russell PRESIDENT
Saul Kohler EXECUTIVE EDITOR

Harrisburg, Pa., Wednesday, March 28, 1984

Few ante up for TMI

CONVINCING enough of the nation's utilities to participate in Governor Thornburgh's cost-sharing plan for the cleanup of the damaged nuclear reactor at Three Mile Island has been an agonizingly slow process that still is short of its goal. But even if the plan should reach the \$100-million level of commitment that must be obtained before any utility money will be made available, another formidable row of barriers must be overcome if utility funds are ever to begin flowing toward cleanup.

Those barriers are being erected by state legislators, consumer advocates and others who object to helping to pay for the cleanup of a nuclear accident beyond their borders. State officials in a couple of western states opposed local utility participation in the cleanup plan early on. And last week the opposition took root in New York where legislation has been introduced to block what is described as a "ratepayer ripoff" by five utilities in the state which have indicated their intention to provide \$7.1 million toward the TMI cleanup.

WE PREDICTED this reaction in a Sept. 18, 1981 editorial in which it was noted that the average residential electric customer in New York was paying more per kilowatt hour than a customer of Metropolitan Edison, a subsidiary of General Public Utilities,

owner of TMI. We noted that consumers and state utility commissions "may not be entirely enthusiastic about being asked to help pay, even if it amounts to a few cents, for the cleanup of a Pennsylvania power plant."

It remains to be seen whether the New York State Legislature will move to ban participation in the TMI-cleanup plan, but the opposition in New York is indicative of the obstacles the plan continues to face more than two and one-half years after it was first proposed. At least one state — Wisconsin — already has acted to prevent its utilities from using ratepayer funds to help with the TMI cleanup.

Meanwhile, the Edison Electric Institute, the association of utilities which is attempting to put the utility portion of the cleanup fund together, reports that to date it has received commitments from 40 companies for \$78 million. That is still \$22 million short of the amount needed to trigger the payment of funds for cleanup and no one seems to know when, or if, commitments for the remaining funds will be forthcoming.

It is no small part of the TMI experience and what it has to say to us that on the eve of the fifth anniversary of the nation's most serious accident at a nuclear power plant, funding for the cleanup of the accident is still enveloped in uncertainty and controversy.

THREE MILE ISLAND ALERT
315 Peffer Street
Harrisburg, PA 17102

The meaning of TMI
TMI — Too Many Idiots.
Michael Winter
Manchester

The Evening News, Harrisburg, Pa., Friday, March 9, 1984— Federal hearing sought on Met-Ed competence

A state legislator has asked for a federal hearing on the management competence of Metropolitan Edison Co.

Rep. Bruce I. Smith Jr., R-Etters RD 1, said the request stems from Met-Ed's plea to charges of falsifying leak-rate data before the March 1979 accident at Three Mile Island Unit 2. Met-Ed was then plant operator.

Smith wants the Nuclear Regulatory Commission to hold a hearing on the issue before a decision is made on the Unit 1 restart.

In a letter to NRC Chairman Nunzio J. Palladino, Smith said the plea-bargaining agreement between Met-Ed and the U.S. Attorney's office "unmistakably leads me to the conclusion that Metropolitan Edison has perpetrated the greatest cover-up since Watergate."

On Feb. 28 Met-Ed pleaded guilty to one count of criminal misconduct in operating the plant and no contest to six other counts.

Smith said in his letter, dated today: "It is impossible for me to believe that upper level management was unaware of the falsified reports . . . It is my belief that management had some knowledge of water-leak rates prior to the accident. It is my belief that management covered up its knowledge of the water-leak rates both before, during and after the accident."

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Vol.4 No.13

MAY 1984

51 restart foes arrested in TMI protest

Ruling bans TMI donations

ALBANY, N.Y. (UPI) — New York state utilities may not contribute their customers' money to the cleanup of the crippled Three Mile Island nuclear power plant in Pennsylvania, the Public Service Commission ruled yesterday.

The PSC rejected a request by five state utilities for permission to contribute a total of \$7.1 million to the Three Mile Island cleanup project and pass the costs of the contribution along to consumers.

The contribution would have been in the form of research and development dollars, expenses utilities may cite in the costs that influence their rates.

NRC approves testing of TMI steam generator system — Page A16

The PSC said the utilities could not give research and development dollars to the Three Mile Island cleanup because the commission was not convinced the project would benefit New York ratepayers.

The utilities that wished to give money to Three Mile Island were Consolidated Edison, Long Island Lighting Co., Niagara Mohawk Power Corp., Rochester Gas and Electric and New York State Gas and Electric.

The utilities may contribute to Three Mile Island if they wish but, because of the PSC ruling, none of the money may be included in expenses on which their rates are based.

The five utilities had contended that valuable lessons would be learned through the cleanup process that could make the New York nuclear plants safer and more efficient.

Commissioner Harold Jerry said he believed some benefit could come from the contribution and noted it would cost New York ratepayers only pennies.

2-hour demonstration draws 150 on referendum's 2nd anniversary

By MARY O. BRADLEY
And FRANK LYNCH
Staff Writers

Opponents of Three Mile Island put their bodies on the line yesterday to urge residents to fight the reopening of TMI Unit 1 and 51 of them were arrested after they blocked access to the facility's North Gate on Route 441 in Londonderry Twp.

About 150 people took part in the two-hour demonstration held on the second anniversary of the May 18, 1982, referendum in which residents in Dauphin, Cumberland and Lebanon counties voted by a 2-1 ratio against a Unit 1 restart.

State police began arresting the protesters after GPU Nuclear Corp. obtained a temporary restraining order against the blockade. Those arrested were taken in two green buses to Troop H headquarters in Susquehanna Twp. for processing.

The order was signed by Dauphin County Court Judge Herbert A. Schaffner. Schaffner scheduled a hearing for 10 a.m. Wednesday to determine whether an injunction should be issued.

During the protest, an airplane hired by a pro-nuclear group — Pro-Women — flew overhead, trailing a banner with the message, "Pro-Women Want Restart Now!"

The protesters concentrated their efforts on the North Gate. The South Gate was closed by GPU, but it was not blocked by protesters. GPU spokesman Douglas H. Bedell said GPU's "fundamental concern" was keeping access to the facility open.

Bedell said GPU sought the restraining order after "we were advised by state police that the demonstrators intended to block it [the South Gate]" also.

The protesters began assembling about 8:30 a.m. on a side road off Route 441. Wearing bright green armbands, waving American flags and carrying banners with anti-TMI slogans, they began the half-mile march to the plant shortly after 9 a.m.

After arriving at the plant entrance, demon-



Blocking the gate

Demonstrators join hands to block traffic at TMI yesterday.

strators lined up on the east side of Route 441. A group of eight women was the first to cross the highway and block the plant entrance.

The Nuclear Regulatory Commission "maintains that the votes of five commissioners, the votes of five men, who have a personal interest in the nuclear power industry, are more important than a two-thirds majority vote of the people of central Pennsylvania," Eric Epstein, a spokes-

51 arrested as protesters block TMI gate

From Page A1

man for the May 18th Mobilization, said at the rally.

"By our presence here today we maintain that such a travesty cannot be true in a democracy. . . . We will not submit to the travesty of the five commissioners of the NRC. The people have voted and we will endure and struggle until our mandate is honored."

At 10:29 a.m. state police Cpl. Howard Decker read the provisions of the temporary restraining order. The eight women did not move and they were taken into custody.

Another group of protesters immediately split off from the main body and assumed positions at the North Gate.

The demonstration was sponsored by the May 18th Mobilization. Individuals from anti-TMI groups in the midstate and throughout the United States participated.

Two men, later identified as state police officers, videotaped the rally and the arrests. Another state trooper said the videotape would be used "for our own purposes."

Kay Pickering, a member of TMI Alert, said this is a "well-thought-out demonstration. It is a very definitive statement. It is not just people carrying placards."

Harrisburg businessman Dick Frahm said he participated because of "the people who live around TMI. They're scared to death and I don't like to see people scared to death."

Met-Ed can't get TMI records

HARRISBURG (AP) — The former operator of the Three Mile Island plant cannot have access to the records of a grand jury which indicted it on criminal charges, a federal judge has ruled.

U.S. Judge Sylvia Rambo said Tuesday such disclosure would keep future witnesses of operations at nuclear plants from testifying "without fear of ridicule or reprisal."

Grand jury records are traditionally kept secret.

The information contained in the

jury transcript was used to indict Metropolitan Edison on 11 criminal charges alleging the company falsified tests at Three Mile Island Unit 2 before the accident there in 1979, the worst in U.S. commercial nuclear history.

The utility pleaded guilty in February to one count and no contest to six others.

Ms. Rambo also criticized the Nuclear Regulatory Commission for not formally requesting the records for itself.

The NRC told the court through

the U.S. attorney's office that it opposed release of the jury transcript to Metropolitan Edison Co., but that it wanted the material for itself.

The utility had asked disclosure of the grand jury transcript to both itself and the NRC.

The judge said she would "summarily reject any second-hand request" and told the NRC to ask formally for the records "if and when it has a sincere interest in pursuing this issue."

Speakers say 'no' to restart

By FRANK LYNCH
Staff Writer

Sixteen speakers took turns opposing the restart of Three Mile Island's Unit 1 reactor, during a rally on the Capitol steps yesterday afternoon.

The rally, called "Speak Out Against Three Mile Island" by its organizers, Concerned Mothers and Women, was the second public display of anti-nuclear sentiment yesterday. It followed a demonstration outside TMI in Londonderry Twp. during which 51 protesters were arrested by state police in connection with obstructing access to the island.

Both events were organized to commemorate the second anniversary of a public referendum in which central Pennsylvanians voted by a 2-1 ratio to keep the nuclear facility closed.

State Rep. Peter C. Wambach Jr., D-Harrisburg, summed up the consensus of speeches made yesterday when he discussed the proposed restart of Unit 1: "We are here to say no. We have said no. How many more times will we have to say it? When is the Nuclear Regulatory Commission going to listen?"

Dauphin County Commissioner Lawrence J. Hochendoner echoed Wambach. "In addition to an overwhelming vote [the referendum], we have lobbied in Congress and petitioned in court. And while we have not yet been heard, we will continue."

The rally, which proved to be less dramatic than the demonstration, drew about 50 supporters and lunchtime strollers who stopped to hear remarks from organizing

group members and public officials.

Other speakers were Sen. John Shumaker, R-Grantville; Rep. Bruce Smith, R-Fairview Twp.; Harrisburg City Council members Jane Perkins and Earl F. Gohl Jr.; Andy Burger of Middletown Borough Council; Lower Swatara Commissioner George Hinkernell, and Robert Pollard of the Union of Concerned Scientists. Statements were read for U.S. Sen. Arlen Specter, Cumberland County Commissioner Marcia Myers and Mayor Stephen R. Reed.

Joyce Corradi of Concerned Mothers and Women opened the proceedings by noting the effect the accident at Three Mile Island has had on many residents.

"Prior to March 28, 1979, our biggest concerns as mothers were PTA meetings and baking oatmeal

cookies. That is no longer true," she said. "We now have committed our energies to protecting the health and safety of our families and community."

Shumaker supported Gov. Dick Thornburgh's position of opposing restart until he could be assured that Unit 1 can be "operated safely and until unless there is a funding mechanism in place for completing the radiation cleanup."

Joel Roth, vice chairman of the NRC Advisory Panel for the Decontamination of Three Mile Island Unit 2, said he that shares the frustration of area residents, and that he personally would like to see that frustration end.

"I'd like to see a big sign by the observation center [near TMI] that says, 'This nuclear facility was closed because it was the will of the people.'"

The Patriot, Harrisburg, Pa., Saturday, May 19, 1984—A7

May 24, 1984

198th Year, No. 123 • York, Pennsylvania

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Justice Dept. probes criminal case in TMI

By JILL LAWRENCE
Associated Press writer

WASHINGTON — The Justice Department is pursuing a criminal case arising from a Nuclear Regulatory Commission investigation of operations at Three Mile Island, NRC officials revealed Wednesday.

Ben Hayes, director of the NRC Office of Investigations, said the matter was referred to Justice last year.

"I have been advised that they do intend to look at it via a grand jury," he said, adding he was given that information a couple of months ago.

The referral was disclosed during a status report on various TMI investigations given by one of Hayes' employees, William Russell.

Russell said the report had been referred "and is the subject of an ongoing grand jury proceeding."

Hayes said he did not know whether the information was before a grand jury yet and refused to give any details of the subject matter. The Justice Department also declined to comment.

Joanne Doroshov, an attorney for the Harrisburg-based citizens' group Three Mile Island Alert, said the case may involve "material false statements" made by

TMI supervisory personnel to the NRC, stemming from an investigation into cheating on operator training exams at TMI.

A high-placed source confirmed that was the subject referred to Justice and confirmed Ms. Doroshov's statement that a federal grand jury in Harrisburg was looking into the case.

Doug Bedell, spokesman for GPU Nuclear Corp., TMI's operator, said Wednesday the company had no immediate comment on the reported grand jury proceeding.

Earlier, Hayes said his office will refer another

investigation report to the Justice Department "for potential criminal considerations."

The new material, to be turned over later this week, involves the so-called "Keaten report" compiled by TMI owner General Public Utilities Corp. after the nation's worst commercial nuclear accident occurred at the unit 2 reactor in 1979.

Progressive drafts of the report indicated managers at GPU and its subsidiaries may have changed sections that criticized the performances of individuals and the

Please see TMI on 7A

(continued on p. 3)

Thornburgh

and

TMI

newsletter of
Lehigh-Pocono
Committee
of Concern June
1984
From TMI

By ROBERT D. POLLARD
and ELLYN R. WEISS
(Robert D. Pollard is senior nuclear safety engineer and
Ellyn R. Weiss is general counsel for the Union of
Concerned Scientists.)

As the day of reckoning for Three Mile Island restart approaches, the citizens of Pennsylvania may have to depend on Gov. Dick Thornburgh to honor his promise to oppose TMI Unit 1 restart until the plant can operate safely.

Yet, while the governor has spoken and written admirably of the need to resolve plant design and management questions before restart, he and state agencies have failed repeatedly to act to require such protections. If the Commonwealth does not act soon, before the U.S. Nuclear Regulatory Commission vote, subsequent efforts will likely prove ineffective.

TMI-1 has been closed since before the TMI-2 accident of five years ago, nearly long enough to build a plant from scratch. The NRC staff has identified changes needed to correct deficiencies that contributed to the accident. While the utility, General Public Utilities Nuclear Corp., acknowledges the need for these design changes, it does not plan to implement several major changes until a year or more after restart.

While the NRC is supposed to protect the public, the

sorry record indicates the agency will likely approve restart if it votes as scheduled June 27. Following a restart vote, opponents would have one recourse: the courts.

It is the governor who wrote the NRC in June 1979 that he was "prepared...to take whatever legal actions may be necessary to prevent the reactivation of Unit 1" until all official investigations are completed, design flaws that contributed to the accident are corrected and operator training is upgraded, among other things.

But the governor's failure to have his staff participate in NRC decisions leading up to the restart vote could preclude the state's right to seek legal remedies afterward. A court may deny such appeals on the grounds that available administrative remedies were not exhausted.

This state of affairs is especially disturbing given Thornburgh's excellent past record on Three Mile Island. Many of us remember his outstanding leadership during the March 1979 accident. As recently as last June, as the state's chief elected official, he may have stopped an expected NRC restart vote, when he wrote to urge that the commissioners delay the vote until "a number of serious health, safety, environmental, operational, management and other issues" are resolved.

Statements to the press and letters to the commissioners are no longer enough. In recent months, when action

has been called for, Thornburgh and the state have been strangely inactive. Some examples:

□ As its name implies, the emergency feedwater system (EFW) provides extra water to the steam generators to help cool the plant during an accident. An NRC report stated, "the need for an emergency feedwater system of high reliability is a clear lesson learned from the TMI-2 accident."

Yet, in the licensing board hearing on design issues, UCS proposed — and the state opposed — upgrading the emergency feedwater system before restart.

Faced with the exclusion of some aspects of the EFW (and other decay heat removal methods) from its purview, the NRC appeal board on May 26, 1983, found it could not rule whether the plant was safe to operate and concluded the commission itself would have to decide that question.

In January of this year, UCS filed a show-cause petition pointing out continuing problems with the EFW system.

In a Feb. 3 letter to UCS, a top Thornburgh aide indicated "we are indeed familiar with all questions involved with the TMI-1 restart," including the EFW problems — and then took no position to NRC on the show cause.

The Patriot, Harrisburg, Pa., Saturday, April 21, 1984—B3

TMI neighbors receive PEMA's evacuation plan

A brochure containing evacuation information has been distributed to residents and businesses near the Three Mile Island nuclear generating plant.

The pamphlet was designed by Pennsylvania Emergency Management Agency in cooperation with emergency management agencies in Dauphin, Cumberland, York, Lebanon and Lancaster counties. Portions of the counties are in the 10-mile emergency planning zone for TMI.

The brochure contains information about what residents should do if a nuclear accident at the plant necessitates an evacuation.

John J. Comey, PEMA spokesman, said 120,000 copies of the brochure were printed — 100,000 of which were mailed to homes and businesses. The remaining copies were distributed to the emergency management agency in each county. These will be given to people relocating into the area.

GPU Nuclear Corp. paid for the pamphlet's printing and distribution.

The brochure also will be reprinted in the Bell of Pennsylvania telephone directories serving these areas, Comey said. The new Bell directory is expected to be distributed next month.

The first TMI brochure was printed in the summer of 1982. At that time the brochure was personalized for each county. Comey said the 1982 brochures were mailed according to ZIP codes. A problem occurred, he said, because ZIP codes do not correspond to county boundaries and some residents did not receive the correct brochure.

Brochures developed for other nuclear power plants since then have used a single format to contain all information for each county affected, Comey said.

The 1982 TMI brochure folded up like a map. The revised brochure is 8½-by-11-inches and opens like a book.

A map showing evacuation routes and a list of reception centers are included for municipalities within a 10-mile radius of the plant.

2A York Daily Record • Monday, June 4, 1984

TMI-2 entries slated this week

An entry into the unit 2 containment building at the Three Mile Island nuclear station is tentatively planned for today or Tuesday and two other entries are scheduled for Thursday or Friday, plant operator GPU Nuclear Corp. said.

Venting of the containment building is effectively continuous. TMI-2 technicians anticipate a daily release from the venting of approximately one curie of krypton 85.

TMI: We're ready for vote on restart

□ The NRC weighs a mandatory cleanup schedule for the damaged unit 2 reactor. 3A.

By SUSAN COLLINS

Daily Record staff writer

Three Mile Island's operator said Wednesday it has successfully finished testing the major cooling systems at the undamaged unit 1 reactor and urged the Nuclear Regulatory Commission for a quick decision authorizing its restart.

During the test, known as hot functional testing, the nuclear reactor was operated at 532 degrees Fahrenheit using non-nuclear heat produced by four reactor coolant pumps. The reactor normally operates at 580 degrees.

New procedures for detecting leak rates in the plant's primary cooling system were also tested and used to detect a leak to within one-tenth of a gallon.

GPU Nuclear Corp., the plant's operator, filed a memorandum with the NRC late Tuesday calling on it to continue with its plan to vote on the unit 1 restart by June 27.

The reactor has remained shut down since March 1979 when the nation's worst commercial nuclear accident crippled the adjacent unit 2 reactor.

The company said the NRC has enough information to make a decision on restart despite an NRC appeal board's recent decision to order more hearings on restart issues.

The NRC Atomic Safety and Licensing Appeal Board last week ordered earlier hearings by the NRC's TMI-1 Licensing Board reopened to address GPU Nuclear's operator training program, leak rate testing at unit 1 and a mailgram from the president of GPU Nuclear's parent company to U.S. Rep. Morris Udall, D-Ariz.

GPU Nuclear pointed out that the commission is not required to wait for a final appeal board review before deciding whether to lift the shutdown order it issued in the summer of 1979.

The company said delaying a restart decision will postpone rate relief for customers, investment returns for its shareholders and additional funding for the unit 2 cleanup.

In addition, GPU Nuclear argued that the issues to be reopened were addressed by materials available to the NRC and its staff since the licensing board closed its hearings.

Please see TMI on 3M

TMI

Continued from 1E

□ Serious questions remain about TMI-1's main steam line rupture detection system — one of the most serious issues, and one first raised by the state. Failure could lead to rupture of the containment building, thus bypassing one of the most basic safeguards. UCS raised the issue to the Commission as recently as January; the Commonwealth has filed nothing.

□ When the commissioners released a list of 63 controversial potentially open integrity issues for public comment in January, the state responded that it "does not presume to suggest to the Commission procedures to resolve these issues..."

□ The February 1984 guilty plea to one criminal charge by the former operator of TMI, part of the same corporation as the current utility, and other unresolved charges raise serious questions about plant management's integrity.

Yet, while at least one commission member has expressed concern about management's competence and integrity, and the governor last June expressed concern about "levels of operator competence and integrity," we know of no action by the governor since the plea bargain.

□ The governor has maintained that a TMI-2 cleanup funding plan must be in place before restart.

Yet, in a Dec. 8 meeting of the Advisory Panel for the Decontamination of Three Mile Island 2, the state's representative, Thomas Gerusky, abstained from voting on a resolution calling for such a requirement.

□ A coalition of citizens' groups petitioned the governor in March suggesting specific legal actions, but have received no response.

The NRC is set on a course which would allow operation of TMI in six weeks, even though serious doubts remain about whether the plant is safe and whether GPU Nuclear has the competence and integrity to manage it.

Unless the governor announces now that he will seek a court stay if restart is approved while these questions remain, and unless he directs his officials to immediately resume an active role in the issues before the commission in this case, the NRC will surely take what it sees as the path of political least resistance and roll over the objections of local citizens.

York Daily Record • Tuesday, May 29, 1984

J. K. Spencer, Publisher □ Sam Fendick, Executive Editor □

Delay decision on restart at TMI

Three Mile Island got three good socks on the jaw last week. They should delay a decision on the restart of the undamaged nuclear reactor.

The most telling blow was one made by a federal appeals board. It said it didn't have enough evidence to decide whether the managers of TMI were competent.

The issue of management's competency has been argued since last May. That's when the Nuclear Regulatory Commission's staff said it couldn't vouch for the ability and integrity of management.

So the NRC ordered its Atomic Safety and Licensing Board to study the issue. The board said the managers are capable of operating TMI safely. Anti-nuclear groups appealed the ruling.

The day before the appeals board's ruling, NRC officials said they were planning to ask the U.S. Justice Department for a criminal investigation. The question is whether GPU officials improperly toned down an internal report dealing with the infamous accident at TMI on March 28, 1979.

The NRC officials said, too, the Justice Department was conducting another criminal investigation. This centers on the question of whether company officials lied to the NRC about an inquiry

involving cheating by reactor operators.

Three days before the appeals board issued its report, an NRC commissioner, James Asselstine, said the agency should delay its decision on restart.

The NRC was expected to vote June 27 on restart.

Asselstine said the NRC probably won't have enough information by then. He wants the NRC to wait for the conclusion of hearings on the safety of controversial repairs made to the undamaged reactor.

The reactor was shut down for repairs when its sister reactor was damaged and hasn't been allowed to restart.

Asselstine warned that a majority of the five-member commission may not wait for the end of the hearings.

How can the NRC vote next month for restart? The competency of the managers of TMI is still up in the air even within the government. The question of safety has not been settled, either.

Gov. Thornburgh's 1979 demands are still valid: No restart until all official investigations are completed, design flaws that contributed to the accident are corrected, operator training is upgraded and the money to pay for cleaning up the damaged reactor is in place.

York Daily Record • Thursday, May 31, 1984

Mondale says TMI should be closed forever

By MICHAEL ARGENTO
Daily Record staff writer

MIDDLETOWN — Democratic presidential candidate Walter F. Mondale visited Three Mile Island Sunday to tell voters he would never allow the troubled nuclear power plant to reopen.

The former vice president promised a gathering of nearly 250 people at a campaign rally at the north gate of the power plant that if he is elected president, he'd order TMI closed forever. He also advocated a nuclear weapons freeze and negotiations for weapons reductions.

Mondale said under no circumstances would he allow the restart of the unit 1 reactor at TMI. Unit 1 was closed for routine refueling five years ago when the worst accident in the history of commercial nuclear power occurred at unit 2.

Calling the TMI accident "one of the most dangerous single moments" in the nation's history, Mondale said the people of this area should not have to live with the threat of it happening again.

"Based on what we now know, Three Mile Island should not be allowed to reopen," said Mondale, who was vice president when the accident occurred at TMI in March 1979.

"My anger, which I bear to this day, comes when I find out what had really happened," Mondale told the crowd, which included several people carrying banners opposing the restart of the plant's Unit 1 reactor, which was closed for refueling at the time of the accident.

"What were the main causes of the accident? Well, it's all clear for us to know now," he said. "Corporate bickering, management bungling, inept training, dishonesty, cheating and cover-ups."

The efforts to clean up the damaged unit 2 reactor have been marked by the same problems, he said.

"If the owners of Three Mile Island came to you and asked for a license to drive a car you wouldn't give them one, after what they've

'If the owners of Three Mile Island came to you and asked for a license to drive a car you wouldn't give them one, after what they've done.'

Walter Mondale

done," Mondale said. "What strange logic, then, justifies giving them a license to run a nuclear power plant when a meltdown could kill thousands of people?"

Mondale also criticized the Nuclear Regulatory Commission's role in the development of nuclear power.

"The problem with the NRC since its beginning as the Atomic Energy Commission is its two missions tend to collide. Those missions being the support and promotion of nuclear energy and the task of protecting the public," he said. "These tasks should be separated."

Mondale stopped short of saying nuclear energy should be abandoned.

"I believe there is increasing evidence that the reality is the economics of it are discouraging further use of this energy," he said.

Mondale's opponents in Tuesday's Democratic primary have also voiced opposition to reopening TMI.

The Rev. Jesse Jackson joined about 150 local residents outside the facility on March 28 to mark the fifth anniversary of the mishap with a pre-dawn vigil. He called for a permanent shutdown of the TMI reactors.

NRC praises TMI for worker safety

Worker safety is a high priority at Three Mile Island Unit 1, a federal report says.

GPU Nuclear Corp. "demonstrates a high degree of concern about worker radiation protection," the Nuclear Regulatory Commission staff reported.

"Well-defined policies and procedures exist and there is consistent evidence that management expects adherence to them," the staff noted.

"Although some radiological procedure adherence problems did occur, the licensee [GPU Nuclear] demonstrated an ability to identify problems promptly and take appropriate corrective action."

These observations were contained in a report issued by a NRC inspection team after an evaluation of TMI Unit 1 from Oct. 1, 1982, through Jan. 31, 1984, according to a GPU Nuclear spokesman. The report is called a Systematic Assessment of Licensee Performance.

Unit 1 was evaluated in 10 functional areas with the plant in a shutdown mode of operation. Seven ratings were in Category 1 — the highest. Three were in Category 2; none were in Category 3 — the lowest.

Meanwhile, GPU Nuclear said it will pay a \$40,000 fine levied by the NRC for procedural violations that occurred at Unit 1 last year. GPU had appealed the fine on the

grounds that the company reported the violations promptly to the NRC and took corrective actions. The appeal was rejected.

Regarding the NRC evaluation report, the NRC team found that GPU "is continuing to devote considerable resources to improve performance in all areas of the organization. Management attention in identifying and correcting weaknesses is apparent from licensee initiatives noted in the various areas reviewed."

In addition to radiological controls, other functions included in Category 1 were maintenance, pre-operational and surveillance testing, fire protection, emergency preparedness, security and safeguards and quality assurance-quality control.

In Category 2 were plant operations, design engineering and modification and licensing activities.

In the previous Systematic Assessment report issued in January 1983, plant operations and licensing activities were in Category 1. The lower ranking in the current evaluation resulted primarily from the procedural deficiencies that led to the \$40,000 fine, the GPU spokesman said.

The incidents occurred during testing of the plant's repaired steam generators in August and September 1983.

(continued from p. 1)

TMI

Continued from 1A
organization before, during and after the accident.

Hayes said that during the course of the investigation, the most complex his office had ever undertaken, "we came upon an event which caused us to think that this matter should be referred" to the Justice Department.

He said his findings on the Keaton report would not be made public at this time.

The NRC has said it will decide by the end of next month whether to allow the reopening of the undamaged unit 1 reactor.

The latest information from Hayes indicates there may be at least two TMI items undergoing grand jury scrutiny when the commission is ready to make a unit 1 restart decision.

"It is too early to know how the matters involving the Department of Justice will impact on the TMI-1 restart or on the tentative schedule," NRC Chairman Nunzio Palladino said in a statement through a spokesman.

Palladino refused to be questioned directly. The Office of Investigations had undertaken

nine management integrity probes in connection with the unit 1 restart.

It released the results of two of those Wednesday, bringing to seven the number of probes completed.

One of the new reports found there was no improper influence exerted on a contractor who was "highly critical" of the plant operator in a Sept. 1, 1979, report on the causes of the accident six months earlier.

The other, more complicated report, involved charges by highly placed whistleblowers in the unit 2 cleanup that management was harassing them because they had raised safety concerns.

Safety allegations made by the trio — former unit 2 engineering director Edwin Gischel, former unit 2 site operations director Lawrence King, and a former startup engineer working for cleanup contractor Bechtel, Richard Parks — were substantially concerned this year in an NRC report that found routine violations of atomic safety regulations in the complicated cleanup.

Investigators said they agreed with a Department of Labor finding that Parks had been harassed. They said the other two cases were too close to call.

"I personally found it difficult to draw a concrete conclusion," Hayes said. "You'd

almost have to be there at the time to make this particular call."

Ms. Doroshov, the TMI Alert attorney, said the matter of "material false statements" to the NRC was referred to the Office of Investigations in 1982.

She said no investigation has ever been made public although GPU was fined \$100,000 in connection with the issue in July 1983.

The NRC said then that material false statements were the most serious possible violation of regulations.

The panel imposed the fine for two statements saying a plant operations supervisor had completed a requalification program.

The supervisor and his superior, who wrote the letters to the NRC, both knew he had cheated on his requalifying exam.

Ms. Doroshov said the false statements case is being considered by the same grand jury that recommended criminal charges against the former plant operator, Metropolitan Edison Co., for doctoring cooling system leak rates at unit 2 before the accident.

Suit pending at the Office of Investigations are a probe into the unit 2 leak rate tests and another investigation that officials have declined to identify other than to say it involves "changes in testimony."

NRC to staff: Set cleanup schedule

By JILL LAWRENCE
Associated Press Writer

York Daily Record • Thursday, May 31, 1984

The Nuclear Regulatory Commission, chided for failing to assure adequate Three Mile Island cleanup funding, told its staff Wednesday to draft a mandatory decontamination schedule and letters seeking utility donations.

The schedule would outline steps necessary to maintain public health and safety and "put everybody on notice that... somebody has to find the money somewhere," Commissioner James Asseltine said in proposing it.

"At the very least, we ought to have the legal authority to require reasonable progress in that clean-

up," added Commissioner Fred Bernthal.

In other action, two separate arms of the NRC resolved their dispute over the safety significance of procedural violations in the cleanup of the damaged reactor.


The compromise report said the plant operator used work procedures that were inadequate, improper or unapproved. Both sides agreed that all issues have been resolved by revising the way work instructions are given.

The commission actions on cleanup funding came after Arthur Morris, mayor of Lancaster said he was dissatisfied with the NRC's role in making sure there is enough money to continue the decontamination ef-

fort under way at the crippled reactor in Middletown.

"The agency most responsible at the federal level is not being aggressive enough. There has been no apparent action by the commission. I frankly cannot understand the inaction," said Morris, chairman of the citizens advisory panel on the TMI cleanup.

NRC Chairman Nunzio Palladino said commission members have testified before several congressional committees urging federal help for the cleanup. He also said his agency is working with the Environmental Protection Agency to develop a cleanup package to submit to Congress.



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Raymond L. Gover
PUBLISHER

Edwin F. Russell
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Saul Kohler
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NRC faults priorities

THE generation of electricity by nuclear energy is one of the most complex and least forgiving of modern technologies. Yet, in a perverse sense of democracy, building nuclear power plants became a game almost any utility could play if it thought it could afford it. And in the late 1960s and early 1970s, few electric utilities believed they could afford not to have a piece of the nuclear action.

Among the 138 nuclear plants that either have operating licenses or are under construction there are more than 50 different lead owners, the utility which has overall responsibility for the construction and operation of the facility. These lead owners range from the giant Tennessee Valley Authority to such comparatively small utilities as Public Service of Indiana and Cincinnati Gas and Electric.

This vast diversity of stewardship over nuclear-power plant construction and operation increasingly is recognized as an important factor in bringing about the monumental problems plaguing the nuclear industry today. A new study by the Nuclear Regulatory Commission blames the government for encouraging inexperienced utilities to undertake the highly complex and demanding task of overseeing the construction of nuclear plants. "We did it exactly opposite the way we should have, and we're paying the price now," according to Ted Ankrum, an NRC official and one of the authors of the report.

SUBSTANTIAL experience building nuclear plants is not necessarily a guarantee of quality, however. For example, the NRC recently refused to issue an operating license to Commonwealth Edison of Illinois for its Byron nuclear plant, which would have been its ninth. But when virtually any utility can un-

dertake to construct a nuclear plant and scores of them do, it means that instead of the development of an accumulated body of experience, the knowledge required to build nuclear plants safely, efficiently and on schedule has to be relearned with every other attempt.

This is in stark contrast to the practice in other major nuclear nations, such as France and Japan, where nuclear development and plant construction is in the hands of a small number of organizations and usually no more than one. Those programs have not been problem-free but they are far from being in the position of abandoning nuclear plants in which billions of dollars have already been sunk, as this country is doing in a mind-boggling number of cases.

DECENTRALIZED ownership may explain some of the problems in the nuclear industry but it leaves a lot of things unexplained. It doesn't explain, for example, why some utilities, equally inexperienced with nuclear power, have done a better job than others in overseeing the construction and operation of their plants. It doesn't explain why the handful of firms that design, manufacture and build nuclear plants apparently have not benefited from their experience to produce a better product at a cheaper cost.

The NRC report blames the agency for paying more attention to operating plants than plants under construction, a misplacement of priorities that has become glaringly evident this year with the abandonment of nuclear plants that were anywhere from 20 percent to 98 percent completed. But the question remains: Where were the plants' owners, designers and builders while nuclear dreams turned into nightmares?

The Patriot, Harrisburg, Pa., Saturday, May 12, 1984 — B3

Legislator 'shocked' by NRC

A state lawmaker said he was "shocked" to learn that records from a court proceeding against Metropolitan Edison Co. have not been sought by federal regulators.

Rep. Bruce L. Smith Jr., R-Newberry Twp., said, "I cannot imagine any reason" why the Nuclear Regulatory Commission has not requested records of a grand jury that indicted Met-Ed on criminal misconduct charges.

The records reveal testimony upon which Met-Ed was indicted on charges of rigging reactor coolant leak tests at Three Mile Island Unit 2 before the March 1979 accident. Criminal proceedings ended in February when Met-Ed, under a plea agreement, pleaded guilty to one count and no contest to six others.

U.S. Middle District Judge Sylvia H. Rambo chided the NRC in April for using a messenger to ask for the records.

A spokesman in Rambo's office said yesterday that no formal request has yet been received.

"I was shocked, dismayed and disappointed upon learning" that the NRC had not formally requested the record, Smith said in a letter to the five NRC commissioners.

"I cannot imagine any reason for your agency not making such a request," Smith said. A copy of the letter dated Wednesday was released yesterday.

STAFF THIS ISSUE:
(Editors)
Lisa Carroll
Joe Belcastro
(TMIA Office Staff)

Kay Pickering

Nuke industry fails to pay share of TMI cleanup cost

By JILL LAWRENCE
Associated Press Writer

The missing link in the massive Three Mile Island cleanup is \$150 million promised but not delivered by the electric utility industry, a string of officials said Tuesday at a House oversight hearing.

"American utilities continue to act as if the accident at TMI does not concern them and that there is nothing for them to learn," said Robert Walker, R-Pa., a member of the Science and Technology Committee's energy panel.

"The one link in the chain ... that is causing problems is that the industry has not come through," said Walker, whose congressional district borders the TMI area.

General Public Utilities Corp., the plant owner, as well as the Department of Energy and the states of Pennsylvania and New Jersey have contributed to the \$1 billion cleanup stemming from the 1979 accident at TMI Unit 2.

The Edison Electric Institute has received pledges totaling \$83 million from member utilities, but the trigger point for releasing the money is \$100 million. Japanese utilities last month agreed to contribute \$3 million to the decontamination effort.

GPU Chairman William Kuhns said many utilities "have significant problems of their own, at least as they see it." He said utility commissions and other state officials have in some cases pressured or ordered the utilities not to participate.

Walker said an additional \$18 million from GPU,

DOE and the Japanese would raise cleanup money to \$93 million this year. But he and others said funding for future tasks, including removal of the highly radioactive core, remains uncertain.

"Next year seems like the critical year but no one knows what funding will be available," said Lancaster Mayor Arthur Morris, chairman of the NRC's citizens advisory panel on the TMI-2 decontamination.

He called for federal loans or a special assessment of nuclear utilities to make up a projected \$200 million shortfall.

Morris said cleanup money has not reached the annual levels projected by GPU for the last three years. And he said the latest estimates indicate the plant will not be fully decontaminated until 1989.

Harold Denton, director of the Office of Nuclear Reactor Regulation at the Nuclear Regulatory Commission, said cleanup has proven much more difficult than expected because of recontamination and high radiation levels from fixed sources of radiation.

In a related development, Denton said the NRC has completed two of five remaining probes into GPU management integrity at TMI. The two involve changes in a post-accident report compiled by GPU and charges that whistleblowers in the Unit 2 cleanup were harassed.

Denton said the reports would be discussed Wednesday at a closed NRC meeting. The NRC is weighing allegations of mismanagement in deciding whether to permit GPU to reopen the Unit 1 reactor shut down since the accident at the adjacent Unit 2.

Still unresolved are inquiries into allegedly falsified cooling system leak rate tests at TMI-2 and two topics the NRC has not disclosed.

N-foes get opportunity to challenge

WASHINGTON (AP) — A federal appeals court ruled yesterday that opponents of a nuclear power plant must be given a chance to challenge the adequacy and results of drills used to test whether the surrounding area can be evacuated safely in the event of an accident.

On a 2-1 vote, a three-judge panel of the U.S. Court of Appeals for the District of Columbia struck down a 1982 rule by the Nuclear Regulatory Commission. The rule effectively denied critics a public hearing on the exercises, which are required before a plant is allowed to begin operating at full power.

The NRC began requiring plans for evacuating a 10-mile area around each of the nation's more than 80 nuclear power reactors after the 1979 accident at the Three Mile Island plant in Londonderry Twp. near Middletown, Pa.

May 10, 1984

York Daily Record

Earnings up, but GPU refuses to pay dividends

By SUSAN COLLINS
Daily Record staff writer

READING — Despite a substantial growth in earnings, General Public Utilities Corp. is not ready to resume paying dividends to its stockholders, company officials told investors at the annual stockholder meeting Wednesday.

GPU's earnings for the 12-month period ending in March were \$86.9 million, compared with \$16.4 million last year, but the company remains in a tight cash position, said William G. Kuhns, chairman and

chief executive officer of GPU.

"These continue to be difficult times for your company," Kuhns said.

Addressing about 250 stockholders attending the meeting, Kuhns said company officials are "painfully aware" of the importance of dividends to the stockholders and are hopeful the company will be ready to pay dividends this year.

The stockholders have not received dividends since October 1979, six months after an accident crippled the unit 2 reactor at Three

Mile Island. The stock's value, which at times was as high as \$24, is now at \$8.75 a share.

Kuhns said two conditions must be met before the company will be able to resume a dividend policy: The undamaged unit 1 reactor must be allowed to restart and the industry's contribution to the cleanup of unit 2 must be assured.

Unit 1 has remained shut down since the accident by order of the Nuclear Regulatory Commission, which is studying the reactor's de-

sign and the company's management.

The nuclear industry was asked to contribute \$150 million to the TMI-2 cleanup. Pledges from electric utilities have reached \$80 million, but the total must pass \$100 million before the money will be turned over to GPU for cleanup.

The NRC has said it plans to vote on TMI-1 restart June 27, but Kuhns said he considers the target date optimistic.

Several questions about the integrity of GPU management that the

agency plans to review before making a restart decision might take longer to resolve than expected, he said.

"The schedule is tight," he said. Although he has doubts about whether the agency will follow the schedule, he said he is "more than hopeful" it will complete the restart proceeding by the end of June.

"We are deeply disappointed every day that beautiful nuclear power plant does not operate," he said.

Wednesday's meeting was not interrupted by the anti-TMI and anti-nuclear protests that have marked

shareholder meetings in the last few years.

A shareholder chastised the company for not trying aggressively enough to win approval for TMI-1 restart and several complained about the lack of dividends.

A proposal recommending the board of directors pay dividends was defeated by a 4 to 1 margin. And a proposal recommending the company commission a long-term study that would determine whether it should abandon its nuclear operations was defeated by a 7 to 1 margin.

Bair, Hovis write to NRC on restart, cleanup of TMI

By MARY F. PREVOST
Daily Record staff writer

Two York County commissioners have written to the Nuclear Regulatory Commission, expressing their concerns about Three Mile Island.

The most recent letter, written by Democratic Commissioner Lorraine B. Hovis on March 27 asks NRC Chairman Nunnio Palladino to give consideration to the feelings of "a

large vocal group" who totally oppose nuclear power, including restart of the undamaged unit 1 reactor and cleanup of unit 2 — site of the March 1979 accident.

NRC commissioners, in a 3-2 vote in January, said they want to make a decision on unit 1 restart in June.

"Safety and personnel issues have been a paramount concern to many of York County residents," Mrs. Hovis wrote. "Credibility was lost at the time of the accident, and it is

difficult to separate the facts from the propaganda for most lay people. We do know, however, we do not want a repeat of five years ago."

In another letter to Palladino, Commissioner Jay R. Bair said county residents have "lived in a state of fear and confusion" since the unit 2 accident.

"The government has compounded the fears of the people through reports of negligence, incompetence and deception in respect to the man-

agement of the nuclear plant," Bair's Dec. 15 letter reads.

"My main concern at this time is the cleanup of the damaged unit 2 reactor. After almost five years, the people of York County can no longer accept excuses and must see a conscious effort on the part of the government to begin the cleanup," Bair wrote.

But Bair and Commissioner President William C. McKinley have repeatedly said at public meetings

they oppose a referendum or a resolution by commissioners against restart of unit 1.

McKinley said at Wednesday's commissioners' meeting he would not come out against restart "unless the NRC is found incompetent of making a decision."

At a previous meeting, McKinley said he did not think a resolution by county commissioners would make a difference in the mind of the NRC when it makes its decision about

unit 1.

"I do what I think is right," McKinley said. He referred to a letter he recently received from a woman representing 100 mothers in the county who support restart.

Mrs. Hovis did not say whether she thought the commissioners' statement would influence the NRC's decision.

"I think we have a responsibility to inform them (NRC officials) how our constituents feel," she said.

2 unusual events declared at TMI on protest day

United Press International

Two unusual events were declared yesterday at the Three Mile Island nuclear power plant, officials said.

An "unusual event" is the lowest of four emergency categories at nuclear power plants.

The events occurred the same day 51 demonstrators were arrested outside the gates of the Londonderry Twp. plant, the site of the worst commercial nuclear accident in U.S. history in 1979.

At 12:10 p.m., the first event was declared because of a malfunction in the plant's "A" generator.

The second unusual event was declared at 6:19 p.m. at the Unit 2 reactor when an electrical delay into the plant's "B" diesel generator began to smoke, TMI spokesman Douglas H. Bedell said.

Nuclear plants must declare an unusual event when neither of the generators is available to provide electricity in event of a local power outage. Officials said there was no loss of off-site power.

The generators were being inspected to determine the nature of the troubles, Bedell said. The "B" generator, which had been out of service for maintenance, was tested and returned to operation at about 1:30 p.m., ending the first alert status.

"So far as we knew before it began smoking, the 'B' was operable," he said. "Then when we found that neither was operable, then we declared the second unusual event."

Bedell said the second "unusual event" would be declared over after the "A" generator was kept operating for one hour.

According to TMI spokesman John Micka, the second incident officially was declared over at 9:45 p.m.

On March 28, 1979, TMI Unit 2 was damaged when a stuck valve caused the loss of an enormous amount of coolant and the reactor overheated.

TMI worker calls for investigation into plant safety

By SUSAN COLLINS
Daily Record staff writer

A former Three Mile Island worker and his attorney called for a legislative investigation into the safety of plant employees Thursday, charging that workers are not given the protection they need.

The workers are driven by economic necessity "to endure, pray for the best and keep their mouths shut," said Arthur Z. Schwartz, the lawyer representing former TMI employee William Pensyl.

Pensyl, who worked for a company contracted to do cleanup work, was fired in August, 1982, after refusing to work without a respirator. He sued his employer, Catalytic Inc., and this week agreed to an out-of-court monetary settlement that was "well into the five figures," Schwartz said.

The company eliminated the use of respirators in Pensyl's work area because radiation levels dropped below federal limits requiring them.

But Pensyl, who removed workers' contaminated clothing after

they left the reactor containment building, said he was afraid of inhaling radioactive particles.

The reactor was damaged and the building contaminated with radiation during and accident in March 1979.

After the respirators were taken away, Pensyl circulated a petition protesting the removal of the respirators and the 25 laborers who regularly worked with him signed it, he said.

Since respirators were banned in Pensyl's work area, "at least five men have had their mustaches and nasal passages contaminated to such a high level that alarms were set off when they were frisked out of the corridor," Schwartz said.

"The story of these workers and hundreds of others employed by GPU or GPU contractors needs to be told," Pensyl said. "It is my hope that members of the state legislature will pick up where my case left off and call for public hearings." General Public Utilities Corp. owns TMI.

Terry Schickley, a TMI worker



William Pensyl
Story needs to be told

who was laid off in 1982, said he received an internal dose of radiation shortly after Pensyl was fired, although he was wearing a plastic mask, which was designed like a welder's shield, for protection.

The contamination occurred after a worker who was coming out of the containment building fainted and fell against him, he said.

GPU Nuclear Corp., the plant's operator, has no record showing Shickley received internal contamination, said company spokesman Gordon Tomb.

But Shickley said he will "never go back down there again. I needed money desperately at the time, but like Bill I decided I don't need it that much."

Unqualified welders at TMI, other critical plant sites

UNQUALIFIED welders and mechanics hold sensitive jobs in some of the nation's chemical and nuclear plants — including Three Mile Island — according to a 2-year Senate investigation into labor union corruption.

The focus of the investigation is Pittsburgh-based Local 154 of the International Brotherhood of Boilermakers. The local has about 1,300 members scattered through 24 counties of Pennsylvania, with a few in Ohio and West Virginia.

My associate Indy Badhwar has obtained a draft report prepared for the Senate by the General Accounting Office. It accuses Local 154 of referring unqualified union members for jobs, thereby violating the international union's own standards of eligibility. The report was requested by Sen. Orrin Hatch, R-Utah, whose Labor and Human Resources Committee is investigating union corruption.

According to the GAO report, union rules specify that workers can qualify for journeyman pay only if they have had at least 8,000 hours of actual field experience in the trade or have completed their apprenticeship in field-construction boilermaking.

HERE ARE some of the violations the GAO uncovered:

— Using files developed by the National Labor Relations Board, GAO investigators found that 44



bers that, effective Sept. 30, 1982, the 8,000-hour requirement would be strictly enforced. But the GAO found that unqualified persons continued to be referred for jobs well past that date.

— The GAO's own random sampling of 50 union members revealed that 18 of them were working in journeyman jobs though they didn't have the requisite 8,000 hours' field experience.

— Boilermakers union members registering for work at Local 154 were not asked to produce evidence of their qualifications.

— Employers told investigators they make no independent effort to check boilermakers' qualifications; they take the local's word that the persons are qualified. Sometimes employers give welding tests on the job, but Senate investigator Jim Phillips said there is evidence that the tests are often rigged, with qualified welders posing as the new employees and taking the tests for them.

— Under an official agreement in 1966, the union developed as

journeyman pay.

The GAO reported that its related investigation of Local 154's trust fund was thwarted by officials' refusal to allow access to their records. "Also, Local 154 officials — despite a formal written request in April 1984 — refused to meet, discuss or provide information" to the GAO, the report said.

Senate investigator Phillips said the union has since turned over some of the pertinent records to the committee — with great reluc-

tance. He said a move to subpoena the documents last summer was stalled for months by the committee's minority counsel, Mike Forsey.

"They were under tremendous pressure from the building trade unions to try and stall this investigation," Phillips said. "The unions were not the only organization to do the stonewalling."

A minority staff spokesman denied the charge and added that the subpoena issue had been rendered

moot because the union had agreed to turn over the documents voluntarily.



Reagan administration plans to aid N-industry

WASHINGTON (UPI) — The Reagan administration signaled yesterday it will be more aggressive in helping the troubled nuclear power industry, but admitted the new policy might not keep some electric utility companies from going bankrupt.

Energy Secretary Donald Hodel, who announced the program in a speech to top nuclear industry executives, said the administration flatly rejects any kind of federal financial aid for utility companies facing financial problems because of skyrocketing construction costs for commercial reactors.

"Let me emphasize that we do not support federal financial bailout assistance," Hodel told the Nuclear Power Assembly. "Federal guarantees or payments are not the solution."

When a question submitted from the audience noted some utilities may face bankruptcy because of reactor construction problems, Hodel said the administration's "initiatives are independent of the situation at any specific plant... It is my hope that no such bankruptcies will occur."

In a separate announcement, the Energy Department formally released a "mission plan" establishing a schedule for partially opening the nation's first high-level radioactive waste dump by 1998.

Details of the plan, made public last month, pledge the government to narrow the list of potential nuclear dump sites to five or six by this summer, and then to three sites by December.

Hodel's address focused on more general concerns of the industry. Multibillion dollar cost overruns have prompted an unpre-

cedented series of cancellations and potential abandonments of reactor projects in recent months, which in turn threaten the financial health of project owners.

Among the most severely affected is the Long Island Lighting Co., owner of the troubled Shoreham nuclear power plant in New York, which has been unable to operate the facility because of controversy over the ability to evacuate people from the plant area in the event of an accident.

While blaming much of the industry's general problems on an unwieldy regulatory process, Hodel offered some moderate criticism of utilities.

"In some cases, decision-makers appear to consider only short-term costs and not the long-term economic benefits of a nuclear plant," he said.

Highlights of the program outlined by Hodel include:

— The Energy Department "will encourage and provide support to the Nuclear Regulatory Commission to use readiness reviews for plants under construction to identify potential construction problems early, when remedies are most effective and economical."

— The department will provide resources "to the extent allowed by law" to assist the Federal Emergency Management Agency's development of an emergency evacuation plan at Shoreham.

— The administration is reviewing "whether and how the operating license procedure can continue for plants temporarily mothballed. We will seek to support rules and procedures which facilitate prompt removal of plants from mothballed status when appropriate."

Firm to pay fired TMI worker

By SUSAN COLLINS
Daily Record staff writer

The company that fired a Three Mile Island employee for refusing to work without a respirator agreed Tuesday to pay the worker a monetary settlement "well into the five figures," the employee's attorney said.

A U.S. Labor Department hearing scheduled on the case today has been canceled, but the agreement has not been signed by parties on both sides, the company's attorney said.

Catalytic Inc., a company contracted to do cleanup work at the TMI-2 reactor, fired William Pensyl, an unskilled union laborer, in August 1982 because he insisted on using a respirator for his job.

Catalytic eliminated the use of respirators in Pensyl's work area

because radiation levels dropped below the federal limits that would require one. Pensyl sued the company, asking for backpay and reinstatement.

Under the settlement, Catalytic agreed to pay him damages, attorney fees and the expenses of the case, said Arthur Schwartz, the New York lawyer who represented him.

Charles Waskavich, the attorney representing Philadelphia-based Catalytic, would not comment on the terms of the agreement.

The company also agreed to hire him for jobs outside of TMI and other nuclear plants, Schwartz said. Pensyl and other laborers are hired for temporary stints at construction sites and for other projects.

AT TMI, Pensyl's job was to remove the contaminated clothing from the workers leaving the reactor containment building. The reactor

was crippled in an accident in March 1979.

At first the laborers wore respirators when they undressed the workers, but Catalytic eliminated the use of the safety devices after the radiation levels dropped.

Catalytic and GPU Nuclear Corp., the operator of TMI, explained to the workers why the respirators were not needed and that the work area was safe, as defined by federal law, said GPU Nuclear spokesman Gordon Tomb.

But Schwartz contends the workers did not have enough information to conclude whether the area was safe. In today's hearing, he planned to argue the company did not take enough samples, such as smears from walls, clothing and workers' nasal passages, to determine how much radiation could be inhaled.

Met-Ed can't get TMI records

HARRISBURG (AP) — The former operator of the Three Mile Island nuclear plant cannot have access to the records of a grand jury which indicted it on criminal charges, a federal judge has ruled.

U.S. Judge Sylvia Rambo said Tuesday such disclosure would keep future witnesses of operations at nuclear plants from testifying "without fear of ridicule or reprisal."

Grand jury records are traditionally kept secret.

The information contained in the

jury transcript was used to indict Metropolitan Edison on 11 criminal charges alleging the company falsified tests at Three Mile Island Unit 2 before the accident there in 1979, the worst in U.S. commercial nuclear history.

The utility pleaded guilty in February to one count and no contest to six others.

Ms. Rambo also criticized the Nuclear Regulatory Commission for not formally requesting the records for itself.

The NRC told the court through

the U.S. attorney's office that it opposed release of the jury transcript to Metropolitan Edison Co., but that it wanted the material for itself.

The utility had asked disclosure of the grand jury transcript to both itself and the NRC.

The judge said she would "summarily reject any second-hand request" and told the NRC to ask formally for the records "if and when it has a sincere interest in pursuing this issue."

Jersey Central Power & Light Co.

Firm ordered to pay more of TMI costs

NEWARK, N.J. (AP) — The state Board of Public Utilities yesterday approved a plan obligating Jersey Central Power & Light Co. to assume more of the costs of the 1979 accident at Three Mile Island and, in a surprise move, ordered \$20 rebates to each of the company's 720,000 customers.

The agreement is designed to shift from customers to the utility,

part of the financial burden resulting from the accident that crippled the TMI Unit 2 nuclear power reactor, of which JCP&L is part owner.

William F. Hyland, attorney for the utility, said JCP&L had not been advised that the board would order a rebate as part of the settlement and now must study that order.

"There's a legal right on our

part to disavow the settlement," he said.

Board President Barbara A. Curran said the BPU hopes the company does not take such action, adding that she believes the overall settlement was not changed substantially by the rebates.

Curran said customers will get equal rebates, ordered to be mailed between June 1 and Aug. 31, because businesses "would get a better deal" than homeowners if the sum were based on use of power per customer.

The BPU, JCP&L and the Department of the Public Advocate reached agreement April 16 on a series of steps the utility would take to absorb costs stemming from the TMI accident.

The agreement included a modification of the company's write-off for its abandoned Forked River nuclear power plant.

recovery of its investment in the damaged TMI Unit 2 plant for at least five years, saving customers another \$56 million.

JCP&L also agreed to create conservation programs such as giving loans to customers seeking to install energy efficient heating and solar systems.

"After five years of a lot of problems, and I feel I'm in the 15th round of a long fight, I can say I believe the darkest days are over," said board member Edward H. Hynes.

Curran said the total amount of JCP&L's costs relating to the accident at the plant could be as high as \$280 million.

In making its decision on the penalty, the BPU was guided by a 1983 New Jersey law prohibiting it from taking action that would place the company in financial jeopardy.

'Our people's deep concern is that these problems be resolved peacefully, by the people of the region themselves.'

Garret FitzGerald
Irish Prime Minister

'Keep pressure on,' Specter tells TMI foes

By BRUCE CUTLER/Staff Writer

Opponents of the restart of Three Mile Island Unit 1 must "keep the pressure on," U.S. Sen. Arlen Specter said at an "open house" session at Strawberry Square yesterday.

In a dialogue with Brian Hunt of the May 18th Mobilization, an anti-TMI group, Specter said the fight against the federal Nuclear Regulatory Commission lies in court action if the panel allows the restart of Unit 1 in a vote tentatively scheduled for June 27.

Specter, a Philadelphia Republican, emphasized that the judiciary is the proper branch of government to curb the NRC "in a democracy like ours with rules and procedures" that must be followed.

Specter did not discount the referendum of Dauphin County citizens who voted more than 2-1 against restart, but he noted that the NRC is not compelled to abide by the local vote.

Five of the 16 questions the senator fielded concerned TMI.

NRC says June vote on restart still possible

By JILL LAWRENCE
Associated Press writer

WASHINGTON — The Nuclear Regulatory Commission Friday approved an order designed to allow it to disregard unresolved management questions if commissioners want to decide this month on the fate of the undamaged Three Mile Island reactor.

"The purpose of the order is not to rush you into any decision but perhaps save you the possible option of making a decision in June," NRC General Counsel Herzel Plaine told the five commissioners. "It does not necessarily bind you to any course of action."

The order asks the NRC staff, nuclear critics and General Public Utilities Corp., the plant owner, to comment within two weeks on whether a restart decision

should be made while management issues remain under review.

The order came in response to new reports on criminal and NRC investigations into management integrity and competence at the troubled plant.

An atomic licensing appeal board also recently ruled that the NRC will need to hold further hearings on operator training before making a judgment on TMI management.

The NRC shut down the unit 1 reactor after the March 1979 accident at the adjacent unit 2.

The commission has been under pressure from GPU to make a restart decision as soon as possible. Anti-nuclear groups and some local residents also have pressured the NRC to keep the plant shut, saying questions about TMI management highlight safety concerns.

The order Friday was adopted 3-1, with Commissioner Victor Gilinsky abstaining. The NRC has said it wants to make a restart decision before Gilinsky's term ends June 30.

"This order really does tend to ... focus the commission in one direction," said Commissioner James Asselstine, the lone dissenter. "I am skeptical that the commission will have the information it needs to make a decision by the end of the month."

Asselstine said the two-week time period for comment is "unrealistically short." He also said he will not be ready to vote on unit 1 until hearings concerning the safety of techniques to repair a Unit 1 steam generator tube.

"Therefore, I see no justification in my mind for this

very expedited approach," Asselstine said.

Chairman Nunzio Palladino said parties can request a longer comment period if they find two weeks inadequate. He said the order provides "the maximum amount of flexibility in our proceeding."

Ellyn Weiss, attorney for the Union of Concerned Scientists, said she would seriously consider refusing to submit comment on the order.

"I don't think they have read the appeal board decision. I don't think they understand the significance of it," she said of the commission.

She said the appeal board ruling raises questions of whether "the people who have their hands on the controls have the competence to run the plant," an issue she said was even more fundamental than management integrity.

A18—The Evening News, Harrisburg, Pa., Wednesday, April 18, 1984

Governor to N-industry: Get involved in TMI cleanup

By DAVID MORRIS
Staff Writer

Gov. Dick Thornburgh criticized the nuclear industry yesterday for failing to get involved in the \$1 billion cleanup of the damaged Three Mile Island nuclear reactor.

Thornburgh, who three years ago proposed a cooperative effort to fund the cleanup, said in a statement that the nuclear industry is the only partner that hasn't chipped in.

His comments came on the heels of a U.S. Department of Energy announcement that Japanese

nuclear power companies agreed to pay \$18 million to participate in research associated with the March 1979 accident and "the ongoing cleanup plans."

The governor called the Japanese commitment "an example of corporate foresight and vision which our own electric utility industry would be well advised to follow."

"It would be totally unacceptable if an American industry that has so much to gain from helping to clean up the worst accident in its history, chose instead to sit back

and let others learn all of the lessons and collect all of the expertise to be had from this operation," Thornburgh said. "The American industry remains the only major partner in our cost-sharing effort who has yet to deliver on its share ... I suggest that this situation be remedied before it becomes a serious embarrassment."

The Edison Electric Institute, a trade organization of utilities, pledged two years ago to contribute \$200 million from members, but no money can be released until at least half the amount is raised.

Less than \$80 million has been committed so far.

But John J. Kearney, the institute's senior vice president for energy and environment, said he remains "guardedly optimistic that the investor-owned electric utility industry will meet its goal ... while we would have hoped to reach our goal by now, the ability of utilities to make contributions to a facility not directly servicing their customers is dependent on the attitude of their regulatory commissions as well as current financial conditions."

Representatives of 17 Japanese utilities and engineering companies signed the five-year contract with the Department of Energy yesterday. Japanese scientists are expected to arrive at Three Mile Island, in Londonderry Twp., next month.

"Our success in gaining Japanese participation in the TMI-2 research and development effort is an example of our intent to continue to press toward major international collaboration efforts related to nuclear energy," said Shelby Brewer, assistant energy secretary for nuclear energy. "In this way, individ-

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York Daily Record

J. K. Spencer, Publisher □ Sam Fossick, Executive Editor □

Delay decision on restart at TMI

Three Mile Island got three good socks on the jaw last week. They should delay a decision on the restart of the undamaged nuclear reactor.

The most telling blow was one made by a federal appeals board. It said it didn't have enough evidence to decide whether the managers of TMI were competent.

The issue of management's competency has been argued since last May. That's when the Nuclear Regulatory Commission's staff said it couldn't vouch for the ability and integrity of management.

So the NRC ordered its Atomic Safety and Licensing Board to study the issue. The board said the managers are capable of operating TMI safely. Anti-nuclear groups appealed the ruling.

The day before the appeals board's ruling, NRC officials said they were planning to ask the U.S. Justice Department for a criminal investigation. The question is whether GPU officials improperly toned down an internal report dealing with the infamous accident at TMI on March 28, 1979.

The NRC officials said, too, the Justice Department was conducting another criminal investigation. This centers on the question of whether company officials lied to the NRC about an inquiry

involving cheating by reactor operators.

Three days before the appeals board issued its report, an NRC commissioner, James Asselstine, said the agency should delay its decision on restart.

The NRC was expected to vote June 27 on restart.

Asselstine said the NRC probably won't have enough information by then. He wants the NRC to wait for the conclusion of hearings on the safety of controversial repairs made to the undamaged reactor.

The reactor was shut down for repairs when its sister reactor was damaged and hasn't been allowed to restart.

Asselstine warned that a majority of the five-member commission may not wait for the end of the hearings.

How can the NRC vote next month for restart? The competency of the managers of TMI is still up in the air even within the government. The question of safety has not been settled, either.

Gov. Thornburgh's 1979 demands are still valid: No restart until all official investigations are completed, design flaws that contributed to the accident are corrected, operator training is upgraded and the money to pay for cleaning up the damaged reactor is in place.

The Paxton Herald, June 6, 1984

Statement Of Hbg. Councilwoman Jane Perkins:

Councilwoman Jane Perkins made a separate statement last week, addressing many of the problems created by the inadequate Emergency Plan prepared by the NRC for TMI. Here is Ms Perkins letter:

In December of 1981 Mayor-elect Reed, Councilman-elect Gilchrist, Representative Wambach and I each presented testimony in opposition to evacuation plan changes which eliminated most of Harrisburg from official TMI Evacuation Plans as presented by Pa. Emergency Management Agency (PEMA) and Nuclear Regulatory Commission (NRC).

In March 1982 County officials explained to me that as a member of Harrisburg City Council I have legal responsibility for approval of Emergency plans for citizens in Harrisburg. They asked me to sign the plan which we opposed just months before.

Since the TMI accident and throughout 1982, 1983 and 1984 Council has passed resolutions, testified at hearings and generally communicated to decision-makers that we are opposed to Restart at TMI.

With a restart decision imminent, Council determined to take official action on this issue of public health and safety. On March 6, 1984 Council took official action and rejected the proposed evacuation plan for our City as approved by the NRC.

Since we are committed to protecting our citizens and would likely approve a workable plan which is adequate to our needs and protects all of our citizens, Council established its AD HOC Committee on TMI evacuation, which I chair.

The task of our Committee is to explore alternative, adequate, workable evacuation plans which meet the needs of our entire Community, to plan a strategy for forcing NRC acceptance of such a plan if one is found, and to legally oppose restart at TMI until such time as our alternative evacuation work produces the results we seek.

We are meeting here today, to show just one obvious deficiency in the current plan. The patients in Harrisburg Hospital, 10 miles from TMI would not be transported, cared for, provided for, evacuated, or protected under the "official" evacuation plan should an accident occur at TMI which requires evacuation.

This is short-sighted on the part of the NRC, cruel and unfair to our citizens, and unacceptable to the elected officials of this City. We are committed to fighting the system until we get changes.

In addition to this hospital, there are nursing homes for our aged, schools where our young people gather, additional hospitals, and other institutions and individuals whose interests must be served by someone.

Our letter today to Harold Denton will begin an official process within the NRC which we hope will correct these oversights by a Federal agency in Washington, D.C. whose interests appear to be more inclined to protect the corporate good than to protect human beings.

If citizens and public officials in Suffolk County, New York can win against the NRC in their evacuation battles, so can we. This is the start of a process which we feel gives us a fighting chance.

The problems turned up in a November 1983 exercise. The Federal Emergency Management Agency identifies them as "category A," meaning that offsite emergency preparedness is not sufficient to protect the public health and safety.

FEMA said Dauphin County officials did not promptly notify the state emergency agency and localities and other counties at risk in the simulated incident. Also, five Lancaster County towns within 10 miles of the plant did not receive prompt notification of the simulated accident and the county waited 25 minutes before starting to relay a governor's evacuation order.

A fourth deficiency involved understaffing and very limited response activities in Dauphin County. But Dircks said the failure of Dauphin County officials to fully participate in the drill was not related to a specific restart condition.

He said the communications deficiencies are not new and do not warrant reopening the Unit 1 licensing hearings.

"Except for the staff's certification that emergency planning restart conditions have been satisfied, the emergency planning portion of the TMI-1 restart proceeding has ended," Dircks said in the memo. "Further hearings on emergency planning in the context of the restart proceeding are unnecessary."

Emergency planning and the response to the crippling 1979 accident at TMI's Unit 2 reactor were among the concerns that prompted the commission to suspend operating authority at the adjacent Unit 1.

Planning to hold up TMI restart

By JILL LAWRENCE
Associated Press Writer

Emergency planning deficiencies at Three Mile Island will block an immediate decision by the Nuclear Regulatory Commission to reopen the undamaged Unit 1 reactor there, the NRC staff said Wednesday.

William Dircks, the staff's executive director for operations, said communications problems that arose during an emergency drill in Lancaster and Dauphin Counties are directly related to a restart condition set down by the licensing board that heard testimony on relicensing.

"Such deficiencies preclude an ultimate authorization of restart... until the staff is able to certify that those communications deficiencies have been corrected," Dircks said in a memo to NRC members.

Ed Jordan, head of the NRC's emergency planning program, said a tabletop drill to test the deficiencies is scheduled in Dauphin County "by September 30." He said Lancaster County problems may not be retested until an Oct. 17 drill at the Peach Bottom nuclear plant.

Unless the time frame is shortened, the commission apparently will have to wait several months before voting on allowing Unit 1 to restart.

"The existing situation is that the staff must certify the adequacy of the... emergency planning. That's the way it is set up," said NRC spokesman Joe Fouchard.

4A York Daily Record • Friday, June 22, 1984

Study links TMI to high cancer rate

By SUSAN COLLINS
Daily Record staff writer

A study linking the radiation released from the 1979 accident at Three Mile Island to a high rate of cancer deaths and abnormal plant growths was released Thursday by critics of the nuclear power plant.

Marjorie and Norman Aamodt, intervenors in the TMI case before the Nuclear Regulatory Commission said a survey of 331 residents found a cancer death rate seven times higher than normal in two areas northwest of the plant.

The Aamodts petitioned the NRC to examine the residents' complaints before deciding whether to allow the restart of the plant's undamaged unit 1 reactor.

"We're not saying we have all the answers," Mrs. Aamodt said. "We're saying we've produced a study that's provocative. There's simply so much here that we're asking that it be investigated."

Mrs. Aamodt said she and her husband were introducing the study because they have not seen "a single word in the restart proceedings about these experiences."

Aamodt said the study casts a new light on the integrity of TMI management, an issue that is being examined in the restart proceedings, because "it demonstrates lives have been lost."

The operator of TMI is seeking authorization to restart the undamaged unit 1 reactor, which has remained shut down by NRC order since an accident crippled the unit 2 reactor five years ago.

The survey's results were at odds with studies conducted by the state Health Department, which did not find an unusual number of deaths from cancer and concluded the risk from the radiation released was minimal.

The Aamodts argued that the health department's study could have missed the abnormalities their survey found because they would be lost in the state's large sample.

The state studied the number of cancer deaths in a 10-mile radius of the plant. The high cancer rates found by the Aamodts were in areas lying in the direction the wind was blowing during the accident.

The areas they studied were selected because they heard reports of people receiving sunburns and a metallic taste in their mouths during the early days of the accident. Although they would not identify the areas by municipality, the Aamodts said they were on the west shore of the Susquehanna River, three and a half to seven miles from TMI.

A group of women interviewed the residents of 110 homes, which constituted most of the homes in the areas studied.

In the two areas northwest of the plant, the women found 13 people had died of cancer since the accident. According to state health statistics, the Aamodts said there should have been about two cancer deaths.

The study also catalogued complaints from residents who reported nausea, sunburns, tearing eyes and a metallic taste in their mouths and included a report on plants that grew exceptionally large, had multiple buds or other unusual features.

Dr. George Tokuhata, the director of the health department's studies on TMI, said the health department has been cataloguing cancer deaths in the state and will have a report examining the affect of the TMI accident on the surrounding area in a few months.

He added he thinks some of the claims in the Aamodts' study sounded doubtful. Anyone whose skin was burnt by radiation would now be seriously ill if not dead, he said.

And he said official reports of the amount of radiation released indicate residents would receive, at the most, the same amount of exposure they normally receive in a year.

But the Aamodts differ with the official reports. They charged TMI's management may have deliberately destroyed records of radiation counts after the accident.

Doug Bedell, a spokesman for TMI, said reports of radiation readings taken with handheld monitors in the area were thrown away after the accident, but that a log listing those readings is still intact.

He added that the readings from the handheld monitors were not used to calculate the radiation dose residents might have received. The federal task force determining the dose residents received used information provided by permanent radiation monitors located around the plant, he said.

TMI management hotly debated in secret

By SUSAN FITZGERALD
and JIM DETJEN
Knight-Ridder Newspapers

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Ever since the Nuclear Regulatory Commission began deliberations on whether to allow the undamaged unit 1 reactor at Three Mile Island to restart, two major arguments have developed.

One side claims the NRC has not moved quickly enough in reaching a decision. The other side, however, contends that questions of management integrity involving TMI's own-

THE NRC: AN INSIDER'S LOOK

Last of a series

er deserve thorough investigation before a decision on restart is made.

Among members of the NRC, it was no different.

In the months following the 1979 accident at the adjacent unit 2 reactor, the NRC held 28 closed-door sessions to discuss whether unit 1 should be restarted.

would serve no purpose for the commission to ask questions dealing with the company's handling of the unit 2 accident.

"If it started to go into whether or not information was withheld during the accident, I would say I think that is going into an area that is going to not enlighten us on the management capabilities of the organization but rather to rehash something that has been gone over a great deal," Palladino said.

Gilinsky objected. "How they coped with the past is as important

Please see NRC on 4A

Transcripts of those meetings show the battle lines have been clearly drawn: On one side is Nunzio Palladino, chairman of the commission since 1981; on the other is Victor Gilinsky, whose term expires at the end of this month.

Palladino often complained that the commission was not moving quickly enough toward reaching a decision on restart.

"We are making it so difficult for these people (General Public Utilities Corp., TMI's owner) to get it operating," Palladino said at a Dec. 6, 1982, secret meeting.

Gilinsky, on the other hand, con-

tinually turned discussion to the significance of the many allegations of impropriety involving TMI management.

"This is, you know, not a good outfit, to put it in the mildest terms," Gilinsky said Jan. 24, of GPU's top management.

"One way or another the people at the top have got to take responsibility," he said.

Those statements and others of closed-door commission meetings — from Oct. 1, 1981, to Jan. 26, 1984 — were revealed in 1,700 pages of secret transcripts released last week under two Freedom of Infor-

mation Act requests by the Philadelphia Inquirer.

In a closed-door session on Oct. 1, 1981, Palladino and Gilinsky debated how to structure a meeting on Oct. 14 focusing on management competence.

Gilinsky wanted to question the top management of GPU — William Kuhns, chairman of the board, and Herman Dieckamp, company president. Palladino argued that it was not necessary for the commission to talk to the top management, that the NRC could instead talk to GPU's attorneys.

Palladino said he thought it

NRC

Continued from 1A

as what they are planning for the future," he said. "... I cannot imagine that a banker would not want to talk with the top managers if he were going to give them a big loan."

In the transcripts, Gilinsky repeatedly called for the ouster of Kuhns and Dieckamp.

At a closed-door session on Nov. 8, 1983, Gilinsky chastised the commission for refusing to take a critical look at GPU's top executives.

"Everyone is comfortable with fingering small-fries, guys with blue collars, but when you start getting up a little higher, you say, 'Hey, wait a minute,'" he said.

The transcripts also raise questions about how the commission has gone about determining the conditions under which plant operator GPU Nuclear Corp. could be allowed to restart unit 1.

At a Jan. 26, 1984, meeting, after some commissioners referred to the restart plan they were considering as the "GPU proposal," Gilinsky commented: "It doesn't look so good to be calling this the GPU proposal. But in fact, it is."

The next day the commission voted 3-2 to approve a plan that would allow unit 1 to be restarted prior to the completion of both civil and criminal investigations involving GPU officials. It also would allow Kuhns and Dieckamp to remain in their present positions.

□ □ □

Two of the strongest pushes to allow unit 1 to be restarted came before the completion of major investigations, the transcripts show.

In late 1982 the commission seriously considered lifting the shutdown order even though an NRC hearing on whether TMI reactor operators had cheated on NRC

licensing examinations was not completed.

Beginning in the fall of 1983, the NRC again pushed toward restart even though a criminal trial involving Metropolitan Edison Co., the plant's former operator, was pending.

In November 1982, Hugh Thompson of the NRC's Division of Human Factors stated publicly that NRC investigators had found that cheating by TMI control-room operators on company and NRC exams was the "worst case" of cheating the agency had ever found.

Because of the scandal, the agency had set up a special hearing to investigate the episode.

As early as Nov. 6, 1981, Irwin Rothschild, an NRC attorney, told the commissioners behind closed doors that NRC investigators probing the incident had found "enough there where it could be criminal conduct."

Palladino pushed strongly for a vote on restart in December 1982, before those issues were resolved.

"Well, are we going to get it done this year?" Palladino asked at a Dec. 6, 1982, closed-door meeting at which the commissioners reviewed a restart plan. "... We have got an order to get out."

The commission never voted on the plan that year.

In July 1983 the NRC fined GPU \$140,000 for the cheating incidents. And late last year, NRC investigators asked the Justice Department to begin a criminal investigation into whether GPU officials lied to federal regulators during the course of the cheating investigation.

In the fall of 1983, the commission again considered ways to restart the plant even though Met-Ed had just been indicted.

The 11-count indictment handed up by a federal grand jury in Harrisburg on Nov. 7, 1983, charged the company with routinely falsifying and destroying safety records showing whether excessive water was leaking from unit 2's cooling system in the months leading up to the March 1979 accident.

Nuclear watchdog bears watching

MY VIEW one reader's opinion

EDWARD J. WALSH

The Patriot, Harrisburg, Pa., Wednesday, June 13, 1984



Edward J. Walsh is associate professor of sociology at Penn State University. He has written several articles on citizen mobilization in the wake of the Three Mile Island incident.

CITIZENS opposing the restart of TMI-1 are legally bound to argue their case before the Nuclear Regulatory Commission (NRC), a federal agency symbiotically linked with the nuclear industry. Its background as well as its performance to date in the TMI case, however, make it safe to bet the store that the NRC's final verdict will be affirmative on restart.

Regulatory agencies usually become captive to the industries they are appointed to monitor, and the NRC is no exception to this rule. The agency is programmed to give the survival and growth of the industry priority over public health and safety. Congress terminated the Atomic Energy Commission (AEC) in the mid-1970s because of its failure to regulate the nuclear industry, but the newly created NRC emerged with many of the same personnel as well as the burden of hundreds of precedent-setting AEC decisions (see Daniel Ford's *Cult of the Atom*, 1982, for extensive details). The AEC, for example, encouraged utilities to scale up reactor size without adequate testing, cluster them, and use heavily populated areas for siting. The two massive TMI units adjacent to urban areas of Central Pennsylvania are AEC mistakes inherited by the NRC. Such historical considerations, however, are not the only nuclear industry manacles on the regulatory agency.

GENERAL Public Utilities (GPU) has filed a \$4 billion lawsuit against the NRC, claiming that widespread regulatory failure was a major contributing cause of the accident. The federal agency is, according to independent investigations by the Kemeny and Rogovin Commissions, quite vulnerable to such charges. GPU might be willing to drop this suit, however, just as it did with a similar one against Babcock and Wilcox (B&W), the reactor manufacturer in return for the NRC's permission to restart unit 1. The reason for the B&W settlement was, according to the New York Times (1/25/83), that "further disclosures could damage the future of the nuclear power industry in which both parties had a large stake." The same logic applies, all the more strongly, to the GPU vs. NRC litigation.

The billions of dollars of sunken costs in Unit 1 is

the strongest (only?) argument for restarting it, but that line of logic is no more persuasive than insisting that a family eat a rancid turkey which it had the misfortune to purchase. There are, on the other hand, numerous reasons why the NRC should prevent GPU from restarting Unit 1, including its poor original siting near urban populations, the radioactive rubble from Unit 2 just yards away, and disturbing evidence undermining GPU's corporate credibility.

In addition to its lead role in causing the accident the utility has also been charged with encouraging operator cheating on license examinations and taking public health risks in the Unit 2 cleanup. The most damaging evidence against GPU, however, is its recent "guilty" plea to criminal charges involving leal falsification of TMI-2 records prior to the accident.

The prosecuting attorney for the U.S. Department of Justice, in announcing the plea bargain arrangement whereby four charges were dropped in return for GPU's willingness to plead "guilty" or "no contest" to seven of the 11, said "the NRC's inquiry into the case has been a charade."

CONFRONTED with GPU's corporate irresponsibility and a captive regulatory agency, citizen groups are working to persuade the public and the courts to overrule any NRC decision permitting restart. Some citizens are helping design litigation strategies to challenge the federal agency's ruling in civil court. Others have focused on lobbying efforts with state and federal representatives. Still others have abandoned hope in the legal system as well as in established political processes and turned to planning for massive civil disobedience.

The largest majority of citizen opponents, however, are waiting on the sidelines hoping that the evidence will neutralize NRC pro-nuclear biases and result in a negative restart decision. (Readers wanting more details on these issues may contact the Public Information Resource Center, 1037 MacLay, Harrisburg 17103, phone: 717-233-4241.)

York Daily Record • Monday, July 16, 1984

Against restart at TMI

Many of your readers have pride in their homes and their country. One has only to drive the streets of York and the surrounding small towns to see swept sidewalks, clean washed windows, and neat and tidy lawns.

Are they just as proud of their environment?

As humans we are limited to the specific habitats in the ecosphere where it is tolerable to live. We learned five years ago that it is difficult to live through a commercial nuclear accident.

I am scared that there may be another accident if GPU Nuclear is permitted to restart Unit 1 at Three Mile Island nuclear electrical generating plant. I do not think that my nervous system can adapt to another accident.

I do not want to see this lovely and tidy community to become another ghost town.

I believe that no one in York wants to see our good life and our good community destroyed. I believe that other concerned individuals do not want Three Mile Island to be the cause of the ending of life in York County.

My sincerest hopes is that Unit 1 will never restart, and will never have an opportunity to destroy this ecosphere.

Linda Amos
York

Industry frees \$81 million to TMI cleanup

By SUSAN COLLINS
Daily Record staff writer

Long-awaited money promised by the electric utility industry for the cleanup of the damaged Three Mile Island reactor became available Monday when industry officials decided to waive restrictions on the funding.

The board of directors of the Edison Electric Institute agreed to turn over to TMI officials the money collected so far, although it has not reached the \$100 million threshold initially required.

TMI spokesman Doug Bedell said the decision was announced in a statement issued from the institute's board meeting in Boston.

The \$81 million pledged by the investor-owned electric utilities will be paid in \$25 million annual installments for six years, beginning in January 1985.

To insure the annual payments will be made, nine Pennsylvania and New Jersey utilities agreed to make

up for any shortfall with research and development grants, Bedell said.

He said he hopes the industry's contribution will persuade the state Public Utility Commission to approve a request by TMI's owners to divert more ratepayer funds for cleanup.

Metropolitan Edison Co. and Pennsylvania Electric Co. have asked the PUC to make an accounting change that would switch \$17 million a year to the cleanup budget from the fund to pay off the debt on the damaged unit 2 reactor.

The PUC turned down a similar request last fall because the industry had not contributed any funds.

If the commission approves the request, it would bring the ratepayers' contributions up to the \$50 million a year recommended under Gov. Dick Thornburgh's \$1 million funding plan for cleanup of the damaged reactor.

"That's pretty darn significant," Bedell said. "If we get up to the \$50 million level from (the ratepayers), we'll be very close to the \$100 million level which was our target for next year."

Nuclear and electric utility contributions are a key portion of Thornburgh's cleanup proposal.

EEL originally pledged to raise \$150 million from its members. It says state utility commissions have slowed that goal by directing companies not to make contributions.

Nuclear Regulatory Commission officials have estimated there will be a \$200 million funding shortfall in cleanup funding after 1984, with the most difficult and dangerous decontamination tasks still to come.

One official said last month there is a \$100 million cleanup budget for 1985 but only \$59 million has been committed so far.

GPU, the Department of Energy, the states of Pennsylvania and New Jersey, and several Japanese utilities already have given financial support to the \$1 billion effort, expected to last until 1989.

Utilities ante up for TMI

PRESSURE from Governor Thornburgh seems to have finally shaken loose some of the funds that had been promised for the cleanup of the damaged reactor at Three Mile Island three years ago by the utility industry. Meeting in Boston this week, the Edison Electric Institute voted to waive the \$100 million commitment from utilities it had set as the minimum needed to trigger the release of funds for the cleanup. The receipt of new commitments had stalled around the \$80 million level of what originally had been intended to be a \$192-million contribution from utilities as part of Thornburgh's cost-sharing plan for the cleanup of the Unit 2 reactor.

The EEI now says the first of six \$25 million annual payments toward cleanup will be made by the first of the year. But nearly half of the payment — \$11.5 million — is likely to be provided by utilities in Pennsylvania and New Jersey if there is not a significant number of additional utility commitments to the cleanup, which almost certainly

will be the case. The additional funds from Pennsylvania and New Jersey utilities would come out of funds provided to the Electric Power and Research Institute.

THIS long-awaited movement by EEI should go a substantial way toward providing the funds needed to accomplish cleanup. But while the EEI action clears one hurdle, several more may well arise which could prevent the payment of some of the funds. Those utilities outside of Pennsylvania and New Jersey which have promised to provide funds for cleanup may face opposition to their commitment from their customers and their state utility regulatory commissions. Such opposition is largely responsible for the failure of EEI to receive the amount of utility commitments it had promised.

In any case, this is the first good news to be associated with TMI in quite some time. But it is too soon to be sure how far it will go in meeting what may be the biggest cleanup job in the history of man.

SA York Daily Record • Friday, June 15, 1984

TMI opponents want to sue NRC for radiation release

By LEE LINDER
Associated Press writer

PHILADELPHIA — People living near Three Mile Island asked a federal appeals court Thursday to allow a lawsuit against the five member of the Nuclear Regulatory Commission alleging that they authorized an illegal release of "fatal and injurious quantities of radiation."

NRC should have held a formal hearing on venting any radioactive materials, and that the failure to do so was a constitutional violation.

"This case presents the question whether the commissioners are immune from suit when they knowingly authorize the release of fatal quantities of radiation into the environment without first providing the required notice and hearing to those people whose rights to life and liber-

Chief Judge J. Collins Seitz of the 3rd U.S. Circuit Court, speaking also for Judge Arlin Adams and retired Supreme Court Justice Potter Stewart, took the request under advisement.

The case came to the 3rd Circuit on appeal from a decision by Judge Sylvia Rambo of U.S. Middle District Court in Harrisburg, who held that the commissioners were im-

muned from lawsuits when they acted within the law.

"There is no question that the commissioners' action violated the Atomic Energy Act."

W. Phillip Jones, representing the commissioners, said his clients cannot be sued for acting within the law, and insisted that even though there was no formal hearing on the issue, there had been many informal

hearings that clearly provided all residents with constitutional due process.

It stems from the venting of krypton gas from the stricken power plant in 1980, about 14 months after the unit 2 reactor was disabled by a serious accident.

Attorney Robert Hager of Washington, representing "The People of Three Mile Island" acting through Three Mile Island Alert, claimed the

hearings that clearly provided all residents with constitutional due process.

"The commissioners acted in a judicial manner," Jones said, urging the three appellate judges to uphold Judge Rambo's decision.

The group did ask the 3rd Circuit Court for an injunction to stop the July 1980 venting, but that was denied.

the FORUM

People said no to TMI restart

EDITOR:

I AM WRITING in response to letters by James Bogar and Richard Koenig in The Patriot June 1.

Koenig wonders where people from Middletown were. I'm from Middletown and I was at the Capitol steps where I spoke against restart. A person representing Middletown's mayor also spoke. I represent approximately 4,000 people and the mayor represents 10,000 plus. People from Middletown didn't have to show up because their elected officials represented the majority.

Mr. Bogar also wonders where all the people were. To Bogar's dismay most people against restart were at work or at home with their children. Bogar must face reality in that the vast majority against restart are hard-working middle-class citizens. Let's also remember Senator John Shumaker was at the Speak-Out with a strong statement against restart. Remember Senator Shumaker represents over 200,000 people. Just think of all the people who didn't have

to show up because Shumaker represented his constituents in a proper manner. Bogar must admit common sense dictates that if the majority of people in Dauphin County were to restart the pro TMI forces certainly would have put a candidate to run against Shumaker.

Met-Ed shut down Unit II. GPU keeps Unit I shut down because of their attitude toward safety. GPU has made it very clear that they want to restart Unit I before all the lessons learned from the Unit II accident are applied. The original values and objectives of our democracy should be applied in the decision. Safety and democratic principles and not money should be the main factor.

Bogar tries unsuccessfully to make everyone who is against restart look anti-American. The basis of our democracy is freedom of speech and freedom of thought. Maybe Bogar would like to live in that big country in Eastern Europe. That might be more his style. I thought the people who got arrested did it for a cause in which they believed. It was motivating to me to see grandmothers demonstrate so strongly in what they believed. They believe in America. It's these type of loyal Americans that I admire.

There are three types of people for restart. They are the employees, the investors, and the uninformed. This is why you hear sour grapes from the pro TMI faction. They have no substantive facts to present so they

resort to gutter diplomacy.

I feel we should all value our democracy. Our country was founded on truth and must be nurtured on truth. We must be careful of methods used by people like Bogar to try to confuse you and think you're anti-American if you don't think like him. You have a right to express your opinion.

Since the referendum vote there has been even a stronger trend against restart. The pro-TMI forces have been unable to make a case to the public.

—Andrew Burger,
Middletown

Increased leakage detected in TMI Unit 1

Three Mile Island Unit 1 technicians late last week detected a small increase in the amount of leakage in the steam generators, a Three Mile Island spokeswoman said yesterday.

Lisa Robinson said routine monitoring of the plant system at the undamaged reactor uncovered leakage in one heat-exchange tube. Robinson said the tube will be taken out of service and the leak will be repaired by a standard plugging process.

First indications of increased leakage in the steam generators were detected by routine sampling of water on the secondary side of the generators — water on the outside of the tubes.

Robinson also said that a small quantity of boron, a chemical found in the radioactive, primary-side water of the tubes, was detected in the secondary-side water.

Tests on all 31,000 steam generator tubes were conducted during the weekend and Monday. Plant officials said small amounts of leakage are acceptable and known to exist.

The steam generators were operated at close to normal operating pressure during hot-functional testing last month. Repairs were done, Robinson said, to remedy cracks that occurred in the upper ends of the 60-foot long heat-exchanger.

Five of 51 arrested at TMI cleared of gate-block counts

Five people who were among 51 arrested for blocking the gates of Three Mile Island during a May 18 demonstration were found not guilty yesterday by District Justice William Heckman.

Those cleared of the summary offense, obstructing highways and other public places, are: Richard Lee Gibson, 38, of York RD 7; Teresa M. Eshleman, 33, of Manheim; Cynthia Y. Pettingill, 27, of 215 Verbeke St.; Barbara Anne Nace, 30, 2639 Booser Ave.; and Betty Tompkins, 66, of Lancaster.

Heckman said the five cited Section 503 of the Pennsylvania Crime Code in entering their pleas.

He said the law provides that such an obstruction may be ruled justifiable if the persons involved perceive their actions to cause lesser harm than the operation of the object they obstruct.

In this case, he said, the five defendants argued that their actions at the plant gates were less harmful than the operation of the plant. Heckman found in their favor.

He said 36 of the 51 entered guilty pleas and 10 others were found guilty in summary trials. Heckman noted that those 10 did not cite the appropriate section of the code. "They said they just wanted the plant shut down," he said.

Letter From A Young Boy...Who Has Cancer...He Appeals TO YOU

I would not like to see TMI started up again because I have cancer, which I think is a direct result from the accident five years ago.

I am thirteen years old now and I have what they call a very "aggressive form" of bone cancer called Ewings Sarcoma. I was eight years old when the accident at TMI happened and I remember we were all told that the cancer rate in our area would rise. But I never thought that it would happen to me.

Now I am in the hospital far away from home, I receive radiation treatments that have been so bad that I cannot eat. My throat is burned. I also receive chemotherapy treatments and I have no hair.

I want to be outside playing with my friends this summer but I can't because I'm really sick, and I have lost 25 pounds. I am too weak to play.

I live within what is called the five mile radius of TMI, and I am scared. I'm scared for myself, and my family and for all my friends who might get cancer too.

I have had so many tests and treatments, and so many pin holes put in me from drawing blood that my whole body is a total disaster.

I want to get better so I can continue my life, and that is why I tolerate all these terrible treatments. Besides, I have to be brave, because my Mom is so scared.

Please help me and all the other people by not starting up TMI.

—Christopher Miller

The letter at left was written to The Paxton Herald by a 13-year-old boy, who is suffering from a painful and debilitating bone cancer.

The young boy is asking for help from the people of this area. He is asking for help not only for himself, but for his Mother, his friends, and the people around him.

The Paxton Herald prints this letter in a frankly emotional appeal to all of our readers, to the people who are against the restart of Three Mile Island, and also for the benefit of the persons involved with Met Ed and the United States Nuclear Regulatory Commission. Perhaps if common sense does not reach their minds and their hearts, this appeal from young Christopher Miller will hit a responsive cord!

We thank Chris for his bravery in revealing his situation to the public, and for his courage.

The Paxton Herald would like young Christopher Miller to know that he is not alone. The people of this area, both young and old, are "cheering" for him, and praying for his recovery.

Annette A. Antoun

York Daily Record • Friday, June 15, 1984

Governor: Wait on TMI

HARRISBURG (AP) — Gov. Dick Thornburgh said Thursday that a Nuclear Regulatory Commission decision on the restart of Three Mile Island's Unit 1 nuclear reactor is not appropriate now.

Thornburgh, in a strongly worded letter to NRC Chairman Nunzio J. Palladino, said "it is inconceivable" that the commission would vote before full funding for the Unit 2 cleanup is in place.

"I believe the Unit 2 cleanup impasse has become, in itself, a potential threat to the safe operation of Unit 1,"

Thornburgh wrote. He said he has instructed state lawyers to "formally introduce that impasse as a new safety issue in your restart proceedings."

But TMI spokesman Doug Bedell said the commission "has adequate information to make a decision on Unit 1 and should proceed to make that decision."

Thornburgh's letter, which reiterated his stand on restart, was released just days after the NRC decided to delay a Unit 1 restart vote that had been tentatively set for the end of June.

Woman files suit: Says TMI caused her son's death

HARRISBURG (AP) — A Lancaster County woman has filed a federal court suit here charging that her son died of overexposure to radiation while working on the cleanup of the Three Mile Island nuclear plant.

The suit, believed to be the first arising from the death of a TMI employee, contends that James W. Rogers was trapped inside the nuclear plant during the cleanup in October 1979. He died in 1982.

Hyland Rogers, of Marietta RD 1, seeks an award of \$10,000 plus punitive damages, according to the suit, filed in U.S. Middle District Court here.

The action charges negligence and liability against TMI's owners and operators and the plant's designers and builders.

Fellow employees were unable to remove Rogers from the plant when he reached his safe exposure limit, possibly because of malfunctioning equipment, the suit charges.

It said Rogers remained in the contaminated area for a considerable length of time.

In addition, it said he was immediately admitted to a hospital and within three months was diagnosed as having acute myelogenous leukemia.

Rogers died in May 1982. At the time, Rogers' family blamed his work at TMI for his death.

GPU Nuclear Corp., the plant's operator, had denied that Rogers' work brought about his death. Even if he would have been exposed to radiation, the company said at the time, it would have taken longer than three months for cancer to occur.

Rogers, a former Metropolitan Edison Co. employee, had worked for GPU Nuclear Corp. on the cleanup of TMI unit 2. The reactor was damaged in March 1979 in the worst accident ever to hit a commercial nuclear power plant in the United States.

At least three other death claims are pending in U.S. Middle

The suit said Rogers' internal organs were contaminated by the radiation overexposure and he experienced 'extraordinary trauma, pain, suffering and mental anguish.'

District Court here, but they involve people who lived near the plant at the time of the accident.

The suit said fellow crew members had difficulty removing Rogers from the contaminated unit, possibly because a harness he was using became entangled or because of an ineffective pulley system.

He was taken to the hospital without decontamination, the suit contends, and was in and out of the hospital until January 1980 when the blood disease was diagnosed.

The suit said Rogers' internal organs were contaminated by the radiation overexposure and he experienced "extraordinary trauma, pain, suffering and mental anguish."

Named as defendants were the plant's owner, General Public Utilities Corp. and its operating utilities: Metropolitan Edison Co., Jersey Central Power & Light Co., and Pennsylvania Electric Co.

Also named were its designers and builders: Babcock & Wilcox Co.; J. Ray McDermott & Co.; Dresser Industrial Valve and Instrument Division of Dresser Industries Inc.; and Catalytic Inc.

Against restart at TMI

We are passengers on a spaceship, Terra, hurtling through space on a fixed course at about 66,000 miles per hour.

This is a marvelous spaceship. It houses over 100 nations, and is capable of supplying the needs of many billion humans. It has a fantastic life-support system that uses solar energy to recycle chemicals needed to provide all living creatures with oxygen, water and food.

I am concerned that the good and lavish life we have come to enjoy in our county will soon be threatened and possibly destroyed. Met-Ed, GPU Nuclear is anticipating the restart of Unit 1 at Three Mile Island nuclear generating plant in our Susquehanna River.

I fear that our life on this spaceship will be doomed if the unscrupulous owners and staff of TMI are permitted to restart Unit 1.

It is our responsibility to maintain the safety of

the only place we have to live. Let us not be the victims of another accident. Failure at TMI may mean the failure of our spaceship to survive.

Linda Amos
York

THOUGHT FOR TODAY

They shall not hurt nor destroy in all my holy mountain: for the earth shall be full of the knowledge of the Lord, as the waters cover the sea.

— Isaiah 11:9

York Daily Record • Thursday, July 5, 1984

TMI restart appears to hinge on

4 issues

By MICK ROOD/Washington Bureau
WASHINGTON — The Nuclear Regulatory Commission is expected to address four basic issues before it decides whether to lift the suspension of GPU Nuclear Corp.'s license to operate Three Mile Island Unit 1.

Two were contemplated in an Aug. 9, 1979, order setting out requirements to be met — hardware/training improvements and emergency planning.

A third, what the order called "managerial capability," has broadened considerably and now is described as management competence and integrity.

A fourth issue, repair of the steam generator tubes at Unit 1, was not anticipated in the 1979 order. But at least one commissioner, James Asselstine, has contended it must be dealt with before restart because Congress, in the interim, passed a law requiring hearings be held on any license amendment defined as "a significant hazard."

ALL RESTART issues have taken so long to resolve — five years as opposed to the original estimate of one or two years — that the times have passed by the NRC. Delayed investigation results, findings on allegations made since the TMI Unit 2 accident and appeals running counter to positive licensing board recommendations to the NRC have overtaken the commission decision-making process.

TMI Unit 1 was shut down for refueling when what has been labeled the worst accident in the history of commercial nuclear power crippled its sister reactor, TMI Unit 2, in March 1979. Both reactors are located in Londonderry Twp., near Middletown, Pa. Although unaffected by the accident, TMI-1 has not yet been allowed to restart.

Former General Counsel Leonard Bickwit repeatedly advised the commission until last year it was "obligated" to lift the license suspension whenever it believed the 1979 order requirements were met.

A 3-2 majority of the commission has appeared poised on several occasions in the last three years to allow restart, but, as Chairman Nunzio Palladino has said, "things kept coming up."

THOSE "THINGS" have included the 1979-81 operator cheating incidents, new information from the 1982 General Public Utilities Corp. lawsuit against TMI designer Babcock & Wilcox, the federal conviction this year of Metropolitan Edison Co. (GPU Nuclear Corp.'s predecessor and a GPU subsidiary that owns part of TMI) for falsifying water leak rate

Time extended for TMI comments

WASHINGTON — Parties to the Three Mile Island Unit 1 case will have another extension of time to comment on a proposed restart order, the Nuclear Regulatory Commission said yesterday.

Groups participating in the case, including the NRC technical staff, will have until July 26 to comment on the June 1 order.

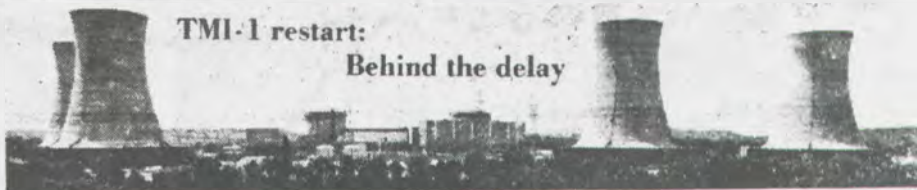
No final restart vote on the Londonderry Twp., Pa., nuclear reactor's fate is now expected until at least August.

The commission, in an attempt to take the final start-up vote last month, originally had given the parties only two weeks (until June 15) to comment. This second extension of time will give the parties almost two additional months to comment.

The order being scrutinized asks whether the NRC should vote on the Unit 1 restart without waiting for completion of hearings ordered in May by the NRC Atomic Safety and Licensing Appeals Board. The appeals board ruled further hearings were required because of several unclear issues, chief among them the Unit 1 operator training program as revamped by GPU Nuclear Corp.

A preliminary hearing on the subject was held June 28, but GPU Nuclear has asked the NRC to stay the appeals board-ordered hearings and proceed to a restart vote.

The extension of comment time on the order was requested by the NRC staff, which wants to first see results (expected July 16) of one, possibly more, remaining investigations of TMI Unit 1 management or related matters.



records, two other pending grand jury investigations and lingering doubts going back to utility officials' performance on the day of the TMI-2 accident.

The events relate to another bit of advice Bickwit gave the commission five years ago when it set up the restart order: "The plant cannot operate if you determine that it would be inimicable to the public health and safety ... regardless of the hearings held," he said.

Former Commissioner Victor Gilinsky, who retired June 30, believed a majority of his colleagues wanted to vote for restart for the past three years. It was Gilinsky who convinced the commission to vote on the restart, rather than leave the decision to the NRC staff, as is traditionally done.

"IF IT were up to the staff, it [Unit 1] would have been turned on a long time ago," Gilinsky said. "I guess it has been pretty awkward to defend the inde-

fensible in public."

Chairman Palladino drove the commission to consider at least three tentative restart vote dates, but now makes no predictions.

Here is a brief summary of the four issues before the commission:

— **HARDWARE/TRAINING** improvements. The items fulfill most of the requirements made in the 1979 shutdown order. They range from improved monitoring of operator training tests to a control room instrument panel that is easier to interpret.

The NRC staff recently recommended that TMI Unit 1 would be ready to operate safely by June 30, based on hardware and training. A licensing board recommended start-up on those issues in 1981 and 1982.

However, like everything else, the NRC appeals process passed up commission action. An Atomic Safety and Licensing Appeals Board ruled in May that

questions about the TMI training program had not been fully considered by the licensing board. A preliminary hearing by a new licensing board was held June 28 in Harrisburg, Pa.

— **MANAGEMENT COMPETENCE** and integrity. This, more than any other issue, has been buffeted by what some say were unnecessarily delayed investigations.

During a closed meeting in January, before Met-Ed pleaded guilty in February, to the leak-rate falsification charge, four commissioners said they would seriously consider such a conviction in their restart votes. In addition, General Counsel Herzel Plaine said he was developing a paper based on "a whole dossier of cases" under which the NRC could consider the overall character of a licensee.

Could the commission "go so far as to revoke a license" based on character? Palladino asked.

"I think so," Plaine said. Two pending grand jury investigations, one of them concerning the operating test cheating scandal, could also have a bearing.

— **EMERGENCY PLANNING.** More than two years ago, an NRC licensing board ruled TMI area emergency planning was sufficient for restart.

But only 10 days ago, the NRC staff said that because the Federal Emergency Management Agency found communications deficiencies in Dauphin and Lancaster county exercises last year, NRC staff certification would be required prior to a restart. The process could take several months.

— **STEAM GENERATOR** repairs. When GPU Nuclear reported corrosion in hundreds of the 31,000 tubes that remove heat from the reactor of the two Unit 1 generators, NRC reactor regulation chief Harold Denton called it the worst such case in the country.

The NRC staff allowed GPU Nuclear to embark on a \$45 million repair program without first seeking a Unit 1 license amendment. The repairs are complete, although GPU found one significant leak in one tube. On June 29, GPU said the generators were "acceptable for operation."

But since Congress required two years ago that the NRC hold hearings on any license amendment deemed a potential significant hazard, Commissioner Asselstine has insisted the issue be addressed.

On a 2-2-1 tie vote, the NRC was unable to decide upon the hazard hearings Jan. 10.

Removal of radioactive fuel scheduled in cleanup at TMI

Associated Press

Workers will begin removing radioactive fuel from the damaged Three Mile Island nuclear plant in July 1985, the plant's operator announced yesterday.

Removal of the fuel will be a "significant milestone" in the \$1 billion cleanup project and will "further reduce the remaining potential risk to the public," GPU Nuclear Corp. President Philip Clark said in a letter to the Nuclear

Regulatory Commission.

TMI's Unit 2 suffered the worst accident in U.S. commercial nuclear history in March 1979.

The new cleanup schedule lists the end of this year as the target for identifying the locations of "significant quantities of fuel," Clark said.

Removal of the fuel will continue through 1987, GPU said.

York Daily Record • Friday, July 6, 1984

New NRC member sworn in

WASHINGTON (AP) — Lando W. Zech Jr., a retired vice admiral who commanded the Navy's first nuclear submarine, took a seat on the Nuclear Regulatory Commission Thursday through a recess appointment by President Reagan.

Zech, 61, was sworn in as the fifth member of the commission just one week after his predecessor complained that the White House is trying to ease regulations on the troubled atomic power industry by appointing nuclear advocates to key posts.

Victor Gilinsky, the commission's resident skeptic during the past decade, complained two days before his term expired last Saturday that "the deregulation process is going on through presidential appointments."

STAFF THIS ISSUE:
(Editors)
Lisa Carroll
Joe Belcastro
(TMIA Office Staff)
Kay Pickering

York Daily Record

Thursday, July 5, 1984

More entries at TMI

Entries into the Unit 2 containment building at Three Mile Island Nuclear Station were held Monday and Tuesday and are planned again today and Friday. Venting of the containment building is effectively continuous, a spokesman for GPU Nuclear said. TMI-2 technicians anticipate a daily release from the venting of about one curie of krypton 85. There will be no health hazard to TMI workers or the public because of the venting, the spokesman said.

York Daily Record • Saturday, July 7, 1984

THORNS: "GPU Nuclear Corporation announced today an accelerated schedule for the cleanup of Three Mile Island Unit 2" That's what the news release from GPU Nuclear said. Accelerated! According to the "accelerated" schedule, GPU will begin removing the radioactive fuel from the damaged reactor next July — more than six years after the infamous accident of March 28, 1979. The removal of all the radioactive material won't be completed until the third quarter of 1987 — eight years after the accident. That's acceleration!

Pre-accident refusal to shut TMI claimed

WASHINGTON (AP) — A Three Mile Island supervisor concerned about high reactor temperatures apparently tried to shut down the plant for valve repairs before the March 1979 nuclear accident, federal investigators said yesterday.

The Nuclear Regulatory Commission's Office of Investigations said it had developed "unconfirmed information" that the request was made and denied, and said further investigation of the matter may be warranted.

High temperatures and valve malfunctions at Three Mile Island also came up in transcripts of two closed meetings released yesterday by the commission.

Unit 1 decisions due soon — Page A2

The sessions centered on whether officials of General Public Utilities Corp., the plant owner, had improperly influenced changes in the drafts of an in-house accident report called the Keaten report.

One such change involved the Oct. 29, 1979, deletion of conclusions that Three Mile Island was operating in violation of valve emergency procedures for two months before the accident.

Several days earlier the commission had cited the plant operator on such violations, saying relief valves were left open as temperatures reached 180 and 200 degrees

even though they are supposed to be closed at 130 degrees Fahrenheit.

The plant operator eventually responded with a denial, leading investigators to believe the response was coordinated with changes in the accident report.

"The issue here then ... is the question of a material false statement in response to the [notice of violation], based on whatever it was they knew on viewing an initial draft of the Keaten report ...," Commissioner Fred Bernthal said in the transcript of a meeting on May 23 this year.

Part of the commission's inves-

tigation into the accident report has been referred to the Justice Department and scores of pages were deleted from the transcript. Investigators have not specified which part was referred.

Examining the alleged repair request, commission investigators said that a shift supervisor asked the Londonderry Twp., Pa., plant's load dispatcher for permission to shut Unit 2 to repair leakage shortly before the accident, and that his request was denied.

The investigators said the supervisor denied formally requesting a shutdown but told them he was concerned about the leakage level and may have orally suggested a shutdown.

York Daily Record • Wednesday, July 18, 1984

Lifting TMI-2 vessel head gets NRC nod

By MICHAEL ARGENTO
Daily Record staff writer

The Nuclear Regulatory Commission has approved removal of the head of the reactor vessel at Three Mile Island damaged unit 2 plant, it was announced Tuesday.

The head must be removed before radioactive fuel can be taken out of the reactor, damaged in March 1979 in the nation's worst accident at a commercial nuclear plant.

Plant operator GPU Nuclear Corp. submitted its plan to remove the head March 9. The NRC

said the plan can be carried out "with minimal risk to the health and safety of plant workers or members of the public living around the plant."

Removal of the head is a "significant step" in the reactor clean-up, according to Karl Abraham of the NRC.

GPU Nuclear spokesman Gordon Tomb said a tentative schedule called for removing the head sometime next week.

The company is allowing 48 hours for the operation, though it could take much less time, he said.

"This will give us the first ready access to the internal components of the reactor," Tomb said. Prior to this, access had been limited to instruments inserted through small holes in the reactor head.

Tomb said a shield would be installed as the head is removed to protect workers. An increase in radiation levels inside the reactor building can be expected, he said. But once the shielding is in place, the levels should return to normal.

Workers will not be exposed to levels of radiation in excess of government standards, according to an NRC report.

The report said there will be no danger to workers during the operation.

Removing the head involves using a "polar crane" that was the center of controversy last year. An investigation by the NRC showed there weren't any safety violations in the way GPU Nuclear tested the crane, Tomb said.

Head removal was scheduled for last June but pushed back by the controversy over the crane.

The current schedule calls for removal of radioactive fuel in July 1985, Tomb said.

The NRC report said the plan

to remove the head indicates the reactor coolant system will draw away heat generated by the radioactive material. It said the potential for a sustained chain reaction in the fuel is "very small."

The NRC also said the potential for the release of radioactivity to the environment is expected to be "in excess of the very small amounts currently being released."

But the report adds that the expected radiation levels are within those outlined in environmental impact studies conducted by the NRC.

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Vol. 4 No. 15

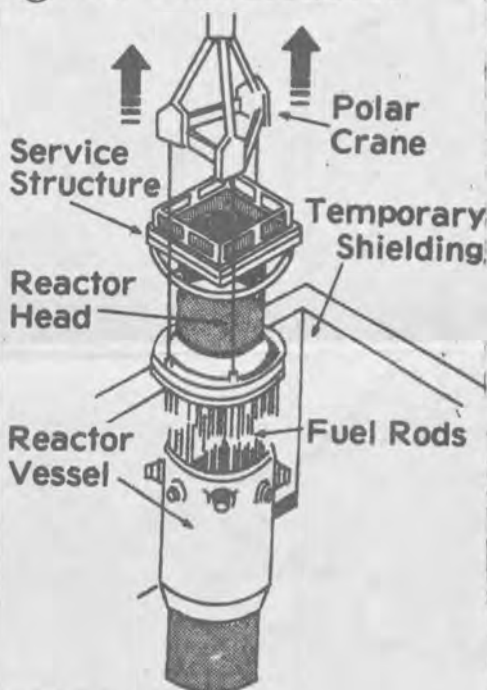
Aug/Sept 1984

INTELLIGENCER JOURNAL, Lancaster, Pa., Wednesday, July 25, 1984

Workers Lift Top Off TMI Reactor

Uncapping the TMI Reactor

Three cables attached to a remote-control polar crane — operated by workers behind a protective lead shield — succeeded in lifting the head of the damaged radioactive reactor at Three Mile Island last night.



After more than 12 hours of delay, the 156-ton top of the crippled nuclear reactor at Three Mile Island was removed at 9:58 p.m. Tuesday and lifted 3 feet, officials said.

It was a major milestone in the cleanup of the plant, damaged in a March 1979 accident.

Earlier in the day, a worker was contaminated slightly when he became fatigued and removed his mask after climbing 100 feet within the sealed containment building to reach a camera so he could fix its zoom lens.

After the steel top was lifted, workers began to attach a plastic "diaper" underneath the suspended cap to prevent radioactive debris from falling.

"The reactor vessel is, basically uncapped right now. Our major step has been accomplished," Greg Eldam, an analyst for the plant's operator, GPU Nuclear Corp., told the Associated Press.

The head, attached by three cables to a crane, was to be raised two more times and moved horizontally to a stand on the perimeter of the reactor building.

After the head was lifted, monitors recorded a radiation increase of at least 30 to 35 times the previous level. But Beverly Good, a TMI radiological program manager, said the levels were no higher than expected.

Monitors outside the reactor building on the island showed no increase, she said.

Mayor Arthur E. Morris said late Tuesday that GPU Nuclear informed him in a 9:30 p.m. phone call that removal of the head would proceed into this morning. Morris is chairman of the Nuclear Regulatory Commission's citizens advisory panel on TMI cleanup.

"I heard ... from GPU that the balancing had been completed and another shift was moving in," Morris said late Tuesday. "They expected to be in a position of raising the head up and moving it across the containment building to the storage area. It had not begun as of the time they had talked to me."

"It is my understanding that the actual movement of the head and the replacement of the head by an indexing fixture, which will be placed over the top of the reactor vessel, will take probably the balance of the night and into tomorrow morning," Morris said.

About 6:30 p.m. Tuesday, Bernard Snyder, the NRC's TMI

program director, had called Morris, telling him the head had been lifted a fraction and put back down.

"The key thing I had heard is they were concerned ... as they tried to lift it that some areas might bind and not move since it had been in place for a while."

But the lid had not binded, and several hours later workers were in a position to move it.

Once the head is fully removed, a large steel plenum, which is a cylindrical metal piece atop the reactor, will be the only obstacle to reaching the core. A 6-foot tall cylinder filled with water will be installed on top of the plenum for the time being to act as a radiation shield.

The removal of the reactor vessel to provide access to the radioactive debris inside comes nearly five and a half years after the nation's worst commercial nuclear accident occurred at the site. If not decontaminated, the plant would constitute a potentially hazardous nuclear waste site in a populated area.

The lifting of the reactor head begins the heart of the cleanup effort — removing the shattered nuclear fuel and returning the site to normal. General Public Utilities, the plant's owner, hoped the operation would symbolize that the utility had left its big problems behind.

But Three Mile Island Alert, the largest local group opposing further operation of a reactor at Three Mile Island, said at least 200 residents of the area had left their homes out of fear that an accident might occur during the operation and release radiation at the site, 12 miles from downtown Harrisburg.

Francine Taylor of Lancaster, member of the anti-nuclear Susquehanna Valley Alliance, had evacuated with her children for New Jersey, said her husband, Philip, who remained home.

The lifting of the head is routine for nuclear reactors but the radioactivity atop the uncapped TMI reactor is several hundred times higher than a normal nuclear plant.

GPU officials said they had taken precautions against a wide variety of potential mishaps so that the chances of a radiation release were extremely remote.

The Patriot, Harrisburg, Pa., Thursday, August 30, 1984.

Physicist disputes TMI health report

By MARY O. BRADLEY/Staff Writer

A nuclear physicist says data he reviewed does not support the "official record" that no health effects will result from the Three Mile Island accident.

But, Dr. Jan Beyea said, he found no evidence that "large numbers" of residents will be affected adversely by radiation from the accident.

He said further studies are needed to answer questions about the amount of radiation released and its effect on residents.

Beyea's study, released yesterday, was based on a comparison of 100 dose assessment reports published by various groups and individuals after the 1979 accident.

Beyea said he found gaps in base data about the amount of radiation released during the accident and "methodology flaws" in the reports. It has generally been accepted that gaps in radiation monitoring occurred during the accident.

The study, which took two years, cost \$100,000. It was paid for by the TMI Public Health Fund.

Blue-ribbon panels which investigated the accident concluded that the radiation dose to off-site general population was 70 millirems, which would cause no health effects.

Residents receive about 100 millirems of radiation annually from natural background sources.

Cont. p. 2

TMI Worker Dies Of Leukemia...Suit Filed On Behalf Of Children

A young man who was working on the clean-up crew at TMI died in 1982 as the result of, what the State charges, was the result of radiation exposure received at Three Mile Island. James W. Rogers, of Lancaster County, was trapped inside the contaminated area of TMI, and three months later was diagnosed as having acute Myelogenous Leukemia. (Myelogenous Leukemia is the type of Leukemia which is common as the result of exposure to radiation). Other death claims are pending in the Middle District Court, filed by persons who claim death caused by radiation received while living near Nuclear Plant in Middletown at the time of the TMI accident.

The suit charges "over-exposure" caused by the negligence of the defendants (listed below) and the suit says that this negligence resulted in "contamination of his organs, tissues, genes, and bones that... caused his untimely demise."

The defendants are: Metropolitan Edison Co., Jersey Central Power & Light Co., Babcock & Wilcox Co., J.C. McDermott & Co., General Public Utilities Corp., Dresser Industrial Valve & Instrument Division of Dresser Industries, Inc., Catalytic, Inc., and Pennsylvania Electric Co.

The Evening News, Harrisburg, Pa., Tuesday, July 10, 1984

Engineer says his firing was 'retaliatory'

By PETE BROWN
Staff Writer

A former Three Mile Island engineer filed suit in U.S. District Court yesterday alleging he was fired for criticizing the cleanup at the accident-damaged Unit 2 reactor.

Lawrence P. King, former site operations chief at the reactor, said his March 23, 1983, firing was in "direct retaliation" for raising questions about the project on administrative and safety grounds.

Named as defendants in the suit are the utility's owner, General Public Utilities Nuclear Corp.; Bechtel Corp., a partner in the cleanup, and 10 Bechtel or GPU officials.

King and his wife, now of Huddleston, Va., are seeking unspecified compensatory and punitive damages.

King had alleged safety shortcuts were being taken in the TMI-2 cleanup. He also complained about lack of a proper work schedule and confusion about who was in charge.

King was dismissed on a conflict of interest charge. The utility said he was hiring away GPU employees for his own consulting firm.

King, along with TMI engineers Richard D. Parks and Edwin Gischel and secretarial employee Joyce Wenger, had made allegations of safety violations and harassment.

Physicist from 1

Beyea said he and the six scientists and engineers who assisted him did few independent calculations in the study released yesterday.

"The scientific record [reviewed by Beyea and his panel] does not support the official record that no health effects" would result, Beyea told a news conference in the Holiday Inn-Center City. Beyea is a nuclear physicist and a senior staff scientist at the National Audubon Society.

But, he added, "no evidence" was found in the scientific record that a "large number of people" had been affected by radiation.

Beyea said the "early assessment" of no fatal cancers "killed" a complete study of the available data. Beyea said he "found an enormous amount of data" that was never analyzed.

He recommended additional studies on dose assessment, including gathering new data from whatever sources are available.

The TMI Public Health Fund was created from \$5 million of a \$25 million settlement of a class action lawsuit stemming from the accident.

A purpose of the fund was to address public health issues of research and education to resolve outstanding issues about the accident.

Because of earned interest the amount of the fund as of May was \$6.6 million.

Between November 1981 and May 1984, the fund spent \$451,992 on projects and consultants' fees.

All expenditures must be approved by U.S. District Court Judge Sylvia H. Rambo, the fund's supervisor.

Many of the allegations centered on the polar crane needed to lift out the damaged reactor head. King had charged that safety was being compromised to stay on schedule.

A GPU consultant, after a seven-month investigation, said in November that "the great majority of the allegations are unfounded." He upheld King's dismissal.

King was hired in May 1980 to work on the cleanup after the March 1979 nuclear accident.

The suit alleges, among other things, breach of contract, conspiracy to secure King's wrongful discharge, conspiracy to injure his professional reputation and infliction of emotional distress.

The Evening News, Harrisburg, Pa., Thursday, September 6, 1984

Lone TMI defendant seeks grand jury, NRC files

By CHUCK MUIR
Staff Writer

Defense counsel for James R. Floyd, the only person charged with criminal acts as an employee at the Three Mile Island nuclear power station, is asserting that Floyd may have been singled out for prosecution.

William J. Fulton levels the charge in seeking federal court approval to open the record of grand jury and Nuclear Regulatory Commission probes into criminal misconduct at TMI.

Fulton, in papers filed in U.S. Middle District Court, contends that Floyd's indictment may result from the "vindictiveness" of prosecutors and a federal grand jury's "bias against" his client.

Floyd, a former supervisor of operations at TMI's Unit 2 reactor, was indicted in June, charged with cheating in 1979 on tests in order to requalify as a senior plant operator.

Fulton's quest for private and secret government documents is

intended to support his motion to dismiss the indictment. His brief supporting the motion, and the government's brief opposing it are sealed by court order.

Fulton seeks access to a transcript of Floyd's testimony before the grand jury that indicted Metropolitan Edison Co., former TMI operator, on charges of doctoring reactor coolant-leak tests in 1979.

A review of that record may show a connection to the later decision to prosecute Floyd on other offenses, Fulton maintains.

He also wants to review the results of a Nuclear Regulatory Commission probe of alleged operator test cheating. The findings were turned over to the U.S. attorney's office to evaluate for possible prosecution.

The grand jury record "is likely to reveal evidence" of a bias against Floyd and support the argument that his indictment was "invidiously motivated by prosecutorial vindictiveness," Fulton claims.

The NRC report may contain material, including statements by Floyd and NRC investigators, that would clear Floyd or at least "excuse, explain, mitigate or otherwise diminish" his alleged wrongdoing, he argues.

The report may support Floyd's contention that "others similarly situated have not been prosecuted," he said.

The U.S. attorney's office maintains that the grand jury record is unrelated to the charges against Floyd and, in any case, can't be divulged except by court order. Access to the NRC report, it asserts, is barred by Federal Rules of Criminal Procedure.

Floyd was not interrogated about operator test cheating by the grand jury probing reactor test rigging at the Londonderry Twp. power station, and his testimony therefore is not subject to discovery by defense counsel, the government argues.

Anti-TMI protesters convicted

By MICHAEL ARGENTO
Daily Record staff writer

HARRISBURG — They lost. But in a way, they won.

The nine people who blocked the entrance to Three Mile Island in May 1983 were convicted Thursday night in Dauphin County Common Pleas Court of obstructing a public roadway.

The misdemeanor offense could have carried a year in prison and a \$2,500 fine. Instead, they were fined \$10 each.

"I don't think it was the intent of the jury to punish you, and I don't intend to punish you," Judge John C. Dowling told the nine defendants.

"You wanted to make a point and you made that point. It was not a lost case. It was your intention to bring this terrible situation to our attention. You did that," the judge said.

Dowling said later it was speculation whether the small fine could invite other protesters to block the entrance to TMI.

"This was an unusual case," he said. "There was no violence and the people were cooperative and courteous throughout. I also considered that they were all from this area and were genuinely concerned."

The defendants filed into the

courtroom at about 7 p.m., after the seven-woman, five-man jury had deliberated for more than 7½ hours.

When the verdict was announced, there was an almost inaudible gasp.

"I don't know how I felt. I didn't expect it," said Judith Richard, a defendant from Springettsbury Township.

Dowling then told the defendants he decided to fine them \$10 because that was the amount of poll tax that writer-philosopher Henry David Thoreau withheld in the 1840s to protest American involvement in the Spanish wars.

Thoreau is the author of the pamphlet *Civil Disobedience*.

"I consider it an honor to be considered in the same category as Henry David Thoreau," said Eugene Stilp, a Harrisburg resident.

The defendants agreed with Dowling that the conviction was a victory in a way.

"As Judge Dowling said, we won simply by having the opportunity to present our case to a jury of our peers," said Stephen

Brooks, a former York resident now living in Harrisburg.

"Anytime you try to protect the public from harm, anytime you try to save people's lives, it's an effort well spent," Ms. Richard said.

By convicting them, the jury

rejected the defendants' argument that they were justified in blocking the plant's entrance.

During the four-day trial, the nine people admitted they had blocked the north entrance to TMI for about an hour on the morning of May 18, 1983. They contended that their actions were legally justified because they were trying to stop "imminent harm" from the restart of the plant's undamaged unit 1 reactor.

It marked the first time the justification defense had been used in a civil disobedience case in Pennsylvania, since the state Supreme Court approved its use earlier this year.

The defendants testified they thought the Nuclear Regulatory Commission would approve restart in June or July of 1983. The NRC has yet to approve the restart of unit 1, which has been closed since the March 1979 accident at unit 2.

The trial had been a forum for the defendants' views of the nation's nuclear industry, the NRC, TMI and its owner, General Public Utilities Corp.

"We were trying an issue. We weren't trying these people," Dowling said. "The issue was how far can people go and what can people do to thwart the restart of TMI."

The Evening News, Harrisburg, Pa., Wednesday, July 18, 1984

Unit 1 tube leaks fixed, licensing board assured

By BRUCE CUTLER
Staff Writer

Nuclear engineers assured a federal panel yesterday that repairs have been successful in correcting leaky tubes in Three Mile Island's Unit 1 generating plant.

In testimony before the Nuclear Regulatory Commission's Atomic Safety and Licensing Board, witnesses said extensive testing prove the repairs work.

David G. Slear, manager of engineering projects at TMI Unit 1, said tests have shown "no detectable defects or growth of cracks" in repairs to some of the plant's 31,000 tubes.

Douglas E. Lee, an engineer with Babcock & Wilcox, which designed the work, said required testing had provided the basis for supporting a board ruling to recommend approval of the repairs.

But Louise Bradford, representing Three Mile Island Alert Inc., which forced the public hearings, continued her second day of questioning safety aspects of the repair program.

Administrative Judge Sheldon J. Wolfe ended the day's session in the Olmsted Building auditorium at Pennsylvania State University's Capitol Campus in Lower Swatara Twp. with an appeal to finish the hearing by tomorrow.

At issue is whether the hearing board will recommend that the Nuclear Regulatory Commission grant an amended license to General Public Utility Nuclear Corp., which operates the two power generating plants at TMI. GPU asked for an amended license after it repaired "stress, corrosion and cracking" in some of the 31,000 tubes at Unit 1.

NRC approval of GPU's repairs could hasten the firm's plans to restart Unit 1, the sister plant to TMI Unit 2, which was damaged March 28, 1979, in the worst accident in the history of commercial nuclear power.

The day's session ended GPU's testimony supporting its application. Wolfe suggested the NRC staff, which supports the utility's request, could finish its presentation by tomorrow.

In explaining why extensive testing was done during the repair process, Slear said the power plant had "turbulence all over — this is a very dynamic process in producing power."

Since GPU made the repairs, which are estimated to cost \$25 million, it has to gain the NRC's approval through an amended license for start-up.

The Patriot, Harrisburg, Pa., Saturday, Aug. 4, 1984

Local TMI group sees Reagan letter as start

Associated Press

President Reagan, in a letter to a local group, says he is committed to a speedy resolution of the problems at the Three Mile Island nuclear plant.

The president responded to the Concerned Mothers and Women on TMI, which had written to him several times in the past few years. His response, dated July 14, was the first time he wrote back, said one of the members, Linda Braasch of Middletown.

In 1980, while a candidate, Reagan also answered the group in a letter, she said.

In a May 28 letter to Reagan, the group reiterated its stand that the TMI Unit 2 plant, damaged in March 1979 during the nation's worst commercial nuclear power plant accident, had to be cleaned up before any thought should be given to restarting the adjacent Unit 1 plant.

General Public Utilities Corp., which owns the Londonderry Twp. plant, has been pressing the federal Nuclear Regulatory Commission to allow Unit 1 restart. The NRC ordered Unit 1 closed after the Unit 2 accident until safety reviews were completed.

"I share your concerns that the cleanup proceed as quickly as possible," Reagan said in his letter. "I

Cont. p.4

Local governments' emergency services

TMI case is settled; \$225,000 fund set up

By CHUCK MUIR
Staff Writer

A federal court lawsuit against the owners of the Three Mile Island nuclear power station to recoup the cost of providing emergency services during the 1979 TMI Unit 2 accident has been settled.

The agreement creates a reimbursement fund of about \$225,000 for local governing bodies within a 25-mile radius of the Londonderry Twp. facility, according to one of the attorneys involved in drafting it.

The document has been given preliminary approval by Judge Sylvia H. Rambo, setting the stage for distribution of a settlement notice and claim forms to those affected.

Rambo has scheduled a hearing for Nov. 15 to determine whether the document shall stand as written by counsel for the defendants and for the two Dauphin County communities that brought the action.

Local Group fr. 3

believe that the health and safety of the citizens of your community should be the highest priority in dealing with the problems at TMI."

From the beginning, the president said, his administration has taken a leadership role in developing a cost-sharing formula and ensuring adequate safety precautions at the plant.

He said the Department of Energy has spent \$71 million on TMI research and will spend \$35 million this year.

"Progress, though slow, is being made," he said. "I can assure you that my administration remains committed to a speedy resolution of the problems at Three Mile Island and is prepared to resolve any issues which threaten to hamper continued progress."

Braasch, to whom Reagan's letter was addressed, said his response "was a beginning," for which the group is "thankful."

"We're hopeful we can continue communicating and have our definitions of progress mean the same thing," she said.

She said the group has the impression the president is pushing for a restart of Unit 1 and they want him to understand that they find that unacceptable.

Rambo also has set Sept. 28 as the deadline for objections to the terms, and there may be some opposition from municipalities and school districts outside the 25-mile radius.

Lower Swatara and Susquehanna townships had originally filed suit on behalf of a class of local governments, including school districts, within a 100-mile radius of the plant.

Rambo gave attorneys for the plaintiffs until Aug. 15 to get claim forms and notices distributed and until Aug. 31 to file petitions for fees and expenses. What portion of the fund shall be earmarked for legal costs also will be subject to comment.

A similar suit initiated by the Commonwealth of Pennsylvania to recover its TMI related emergency outlays, mostly for manpower, was settled in mid-February with payment of \$250,000.

Defendants in both suits were

General Public Utilities Corp. and its subsidiary companies, and other firms involved in the design, heard to develop a complete record because of the "unique issues" of liability in a nuclear incident.

The defendants had argued that government was required in all accidents to bear the cost of emergency and police services.

The local governments suit was settled to avoid the uncertainty and expense of defending against a suit, one of the attorneys for GPU said.

construction and maintenance of the plant.

Both suits were dismissed in August 1982 by Rambo, but her ruling, as it pertained to emergency service costs, was overturned a year ago by the U.S. Third Circuit Court of Appeals.

The Circuit Court, while not ruling on the validity of the arguments presented by the state and townships, said the cases should be

York Daily Record • Thursday, July 19, 1984

TMI drill triggers confusion among residents, NRC

By MICHAEL ARGENTO
Daily Record staff writer

It was just a test.

But Tuesday's test of the emergency communications system for the Three Mile Island nuclear plant created confusion for some people who listened in on police radios. It was also confusing for the Nuclear Regulatory Commission.

"I had people running into my office telling me that something was going on at TMI," said Kay Pickering, a member of the Harrisburg-based anti-nuclear group TMI Alert.

"Some people left work and went to get their kids. It created havoc," she said.

When Ms. Pickering called the NRC office on the island to find out what was happening, the confusion increased. The NRC knew nothing about it.

"We weren't notified initially," said Philip Grant, an NRC acting deputy director stationed at the plant. "We should be apprised of all drills ... at least a couple days in advance."

The test on Tuesday was conducted by the nuclear plant, surrounding counties and the Pennsylvania Emergency Management Agency, said Doug Bedell, a spokesman for plant operator GPU Nuclear Corp. He said it was routine.

York County was among those participating in the drill. Audrey Kessler, with the county Emergency Management Agency, said county officials were aware of the

A chronology of cleanup

Here is what has been done, and what is expected to be done, in the cleanup at Three Mile Island's unit 2 reactor, damaged in an accident on March 28, 1979.

□ August 1979 — First low-level waste shipped from the plant.

□ October 1979 — Processing of contaminated water begins.

□ November 1979 — First television and radiation inspections inside the reactor building.

□ July 1980 — Venting of radioactive Krypton from the reactor building begins.

□ Sept. 23, 1981 — New water processing begins.

□ May 21, 1982 — First waste from water processing is shipped from the island.

□ July-August 1982 — First TV camera inspection of the inside of the reactor vessel.

□ August 30, 1983 — Last solid waste from the processing of water spilled during the accident is shipped from the island.

□ August-October 1983 — Further tests inside the reactor vessel produce clear picture of damage to the reactor core.

□ Feb. 19, 1984 — Polar crane tested to qualify to lift reactor head.

□ July 27, 1984 — Reactor head is lifted off.

□ July 1985 — Begin removing fuel from reactor vessel.

□ Third quarter of 1987 — Last of the fuel to be removed from the reactor.

County decides against TMI emission rules

By MARY WARNER
Staff Writer

Dauphin County commissioners yesterday approved a task force report that says the county should not regulate the air emissions from Three Mile Island nuclear plant.

The commissioners acted on a Clean Air Task Force majority report without holding the public hearing requested by some county residents. The requests were made during last week's commissioners' meeting and again Wednesday in a newspaper advertisement containing 30 names.

In a resolution adopted 2-0, with minority Commissioner Lawrence J. Hochendoner voting present, the commissioners said county regulation of nuclear air pollution would cost too much, duplicate federal and state activities and probably lead to a court challenge.

The resolution, offered by Chairman John E. Minnich, also called for pursuit of funding "to finance a county employee's participation in monitoring programs and research studies regarding radiation emission within Dauphin County."

Minnich said that portion of the resolution was a response to a

task force recommendation that the county have an employee trained in nuclear technology, to keep the commissioners and the public informed about the plant.

Hochendoner spearheaded the drive that began last fall for an ordinance that would regulate air emissions from TMI, in Londonderry Twp. He said before yesterday's vote he was "disappointed" to see the commission act on the issue without a public hearing.

But he said Minnich's resolution represents "something more than we have," and that he would not oppose it. "Half a loaf is better than no loaf," Hochendoner said.

The Clean Air Task Force was appointed in December to study the feasibility of a county radioactive air emissions ordinance, which would have been the nation's first.

Last month, the group voted 4-3 against recommending such an ordinance. Two weeks ago, the commissioners received a majority report — which they approved yesterday — and a minority report that included a draft of a proposed ordinance.

Minnich's resolution noted that the task force meetings were open

and were reported in the press. He also said "at no time does the record show" that citizens asked for a hearing in front of the task force.

But Hochendoner said such a request was made and the task force "decided not to permit public comment in order to get on with their task."

Eugene Stilp of Harrisburg, who appeared before the commissioners last week to request a hearing on behalf of TMI Alert, said yesterday after the vote that "the Clean Air Task Force never took public testimony — never. And there should be a public hearing."

Minnich said after the meeting that there are at least three potential funding sources "to pay for personnel and necessary equipment to do something involving TMI." Among the sources, he said, is the \$5 million Three Mile Island Public Health Fund that was created in a settlement of litigation that followed the 1979 accident.

York Daily Record • Saturday, July 14, 1984

NRC: Supervisor tried to shut down TMI-2

By JILL LAWRENCE
Associated Press writer

WASHINGTON — A supervisor concerned about high reactor temperatures at Three Mile Island apparently tried to shut down the nuclear power plant for repairs before the famous 1979 accident, investigators told the Nuclear Regulatory Commission Friday.

"Problems with leakage may warrant some additional field-work," Ben Hayes, investigations director for the NRC, told the panel.

The investigators said the shift supervisor was concerned about high temperatures at the reactor and wanted the cooling system valves repaired.

They said he denied formally requesting a shutdown but told them he was concerned about the leakage level and may have orally suggested a shutdown.

They said "unconfirmed information" indicated he made his request to the load dispatcher and it was denied.

The NRC investigatory staff has said routine high temperatures and valve problems were a significant factor in the March 28, 1979, accident, because operators paid little attention when temperatures began to rise that day.

The report on the shutdown request, a result of 1979 comments by former TMI operator Harold Hartman, came the same day the NRC released transcripts of closed meetings on March 23 and May 23 of this year.

The transcripts centered on management behavior at the plant, a pivotal issue to whether unit 1 will be allowed to reopen, and on the significance of the high temperatures and valve malfunctions.

The focus was Hayes' investigation of the so-called Keaten report to learn whether officials of General Public Utilities Corp., the plant owner, had improperly influenced changes in drafts of their in-house accident report.

NRC investigators released

their findings on Keaten last month, saying they had referred one unspecified issue to the Justice Department. Scores of pages were deleted from the transcripts, presumably related to the criminal review.

Hayes said the Keaten report probe — the largest in the history of his office — had cleared several officials of wrongdoing, including GPU Chairman William Kuhns.

Conspicuously absent from the list were GPU Chairman Herman Dieckamp and Robert Arnold, former president of GPU Service Corp. and GPU Nuclear, the subsidiary formed in 1981 to run TMI and the Oyster Creek plant in New Jersey.

Later Hayes said he was not suggesting that Dieckamp had "committed an act of wrongdoing" in connection with the Keaten report.

The transcripts released Friday were requested under the Freedom of Information Act by the *Philadelphia Inquirer* and the Union of Concerned Scientists.

Former TMI-2 supervisor indicted for cheating on test

By DAN BIERSE
Associated Press writer

HARRISBURG — A federal grand jury has indicted a former supervisor at Three Mile Island on charges of making false statements concerning his requalification test.

The four-count indictment named James Floyd, operations supervisor at TMI's unit 2 reactor when it was crippled during the nation's worst commercial nuclear accident in March 1979, U.S. Attorney David Dart Queen said at a press conference Monday.

Floyd, who managed all reactor operators assigned to unit 2, is charged with lying about his Nuclear Regulatory Commission operator requalification examinations submitted in July 1979, Queen said.

Assistant U.S. Attorney James West, who has been assigned the

case, said the indictment is the first time a person has been charged with cheating on reactor operator licensing exams under federal law.

The indictment alleges that Floyd "engaged in a pattern of criminal conduct" by "having another senior reactor operator take and provide the answers to questions contained on (the tests) which (Floyd) would then submit to the training department and represent as his own."

Floyd, 47, of Elizabethtown, was operations supervisor for unit 2 from the plant's start up through August 1979 and remained employed by Metropolitan Edison Co. — the reactor's former operator — until April 1983, according to the U.S. attorney's office.

The Floyd indictment was handed up by the federal grand jury here Friday.

It came nearly four months after Met-Ed pleaded guilty to one criminal charge and no contest to six others stemming from allegations the company falsified test results while operating unit 2 before the 1979 accident.

In addition, NRC investigators in Washington said Friday that the former top official at TMI made inaccurate statements to the commission in connection with the causes of the 1979 accident.

Met-Ed spokesman Bruce McLean said the company has not received a copy of the Floyd indictment and had no comment.

Queen said the charges were based upon NRC regulations that require anyone licensed to work the controls of nuclear reactors to be retested every two years.

TMI Drill Triggers fr. 5

drill.

Grant admonished TMI for not informing the NRC of the drill. He said a TMI official apologized and agreed to inform the federal agency of all future tests.

Grant believes there was no potential for confusion because all transmissions made during the test indicated the plant was conducting a drill.

But some people, like Ms. Pickering, might not have heard the warnings.

"Some people thought it was an unusual event," she said. "People pay close attention when they hear something about the plant."

GPU Nuclear regrets there was confusion, said Bedell, who said he wasn't aware of the drill until it was over.

THREE MILE ISLAND ALERT
315 Peffer Street
Harrisburg, PA 17102

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U.S. POSTAGE

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Harrisburg, PA
Permit No. 807

LOOK INSIDE FOR SURVEY FORM

PLEASE COMPLETE & RETURN TO TMIA

York Daily Record • Friday, July 6, 1984

TMI plans to remove damaged fuel next July

By York Daily Record staff writer

GPU Nuclear Corp. plans to begin removing the damaged fuel from the Three Mile Island reactor next July, according to a cleanup schedule announced Thursday.

The schedule revolves around the following target dates:

□ In December 1984, the company plans to identify locations of fuel that must be removed from the reactor core.

□ In July, 1985 fuel removal is scheduled to begin.

□ Fuel should be removed from the reactor core region in the third quarter of 1986, from the entire reactor vessel in the second quarter of 1987 and from the remaining reactor plant systems in the third quarter of 1987.

GPU Nuclear President Philip R. Clark said the program will result in the removal of most of the remaining radioactivity on site.

The Nuclear Regulatory Com-

mission must still decide at what point the cleanup project will be finished, he said.

If the cleanup is ended after fuel removal and the stabilization of remaining radioactivity, then there will have to be provisions for long-term storage of the radioactivity, he said.

The cleanup schedule is based on incomplete data on the plant's condition, he added.

The removal of the reactor fuel will make criticality — the initiation of a nuclear chain reaction — impossible.

He added he expects the company will be able to meet the \$1 billion cost estimate.



Three Mile Island Alert

Island Updates

News Watch on the
Harrisburg Area

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York Daily Record

Tuesday, September 18, 1984

TMI held key facts, says group

By JILL LAWRENCE
Associated Press writer

WASHINGTON — New evidence indicates the owners and operators of Three Mile Island knew the 1979 accident was far worse than they let on at the time, a Harrisburg-area anti-nuclear group said Monday.

Joanne Doroshow, attorney for Three Mile Island Alert, said the evidence appears in documents filed in a Nuclear Regulatory Commission proceeding now in progress.

She said the new documents contradict utility statements that said no information was withheld from federal regulators or government officials during the accident, considered the worst in the history of U.S. commercial nuclear power.

Ms. Doroshow said 19 people replying to a questionnaire recently circulated by plant owner General Public Utilities Corp. said they were aware of a hydrogen explosion at TMI's unit 2 reactor on March 28, 1979.

The replies from operators, technicians and maintenance people, some working at the adjacent unit 1 reactor, indicate "it actually was common knowledge around the plant on March 28 that there had been an explosion," Ms. Doroshow said.

In addition, she said, handwritten notes taken March 28, 1979, at GPU corporate headquarters in Parsippany, N.J., say temperatures in the radioactive core had reached 2,500 degrees — more than four times normal.

Experts say a temperature of 2,500 degrees should have signaled that the zirconium tubes containing fuel pellets were disintegrating and oxidizing, and that hydrogen was being produced.

During the TMI accident, a combination of human and mechanical error caused the core to overheat and come within 60 minutes of a meltdown.

"We are not in a position to comment at this time," TMI spokesman Doug Bedell said about the allegations. "We will be responding to Three Mile Island Alert in the appropriate forum."

The NRC's Atomic Safety and Licensing Board is examining the accuracy of a May 9, 1979, mailgram sent by GPU President Herman Dieckamp to House Interior Committee Chairman Morris Udall, D-Ariz.

The Evening News

Harrisburg, Pa., Tuesday, September 25, 1984—

In the mailgram, Dieckamp said no evidence existed that anyone at the plant interpreted a surge in pressure in terms of reactor core damage or that anyone withheld information about the accident.

Ms. Doroshow and an accident investigator who refused to be named said the notes and questionnaires filed in connection with the licensing board probe show the mailgram may have been a material false statement.

The handwritten notes do not show which GPU officials in Parsippany were aware of the high temperature readings.

But the investigator said the notes are the first indication that information about the temperatures was communicated to off-site personnel.

"This reinforces what I have believed for five years — that they knew a lot more about what was going on than they said at the time," the investigator said. "The question now is has GPU leveled in the post-accident environment? Is GPU telling the truth about withholding information during the accident?"

The licensing board is examining those questions and others in the context of unit 1 restart hearings.

GPU is trying to win permission to reopen the undamaged reactor, which has been closed since the unit 2 accident.

Other questions involve falsification of cooling system leak rate tests at unit 1 and unit 2 and deficiencies in the overall operator training program.

MIDDLETOWN (AP) — Air samples taken during the recent headlift at the damaged Three Mile Island nuclear plant showed a slight increase in the level of radioactive krypton in three areas near the plant, but the results differed from those taken by the federal government, the plant's operator said yesterday.

Levels of krypton 85 went slightly above normal background radiation levels at three sampling stations operated by the plant's operator, GPU Nuclear Corp. spokes-

man Doug Bedell said.

The readings covered a week's period and equaled a dose of .007 millirem to the skin and .00008 millirem to the whole body. Normal background radiation from all sources over a week's time equals about 2 millirem to the body, the company said.

Normal background readings equal about 30 to 40 picocuries per centimeter of air while GPU's monitoring stations recorded 261 picocuries at Falmouth, which is about 1½ miles south of the plant;

165 picocuries in Middletown; and 105 picocuries at the TMI Visitors' Center.

However, monitoring stations operated by the federal Environmental Protection Agency at the visitors' center, Middletown and York Haven, which is west of the plant, did not show any increase above background levels.

The readings were taken in late July at the same time the top of the reactor was removed for the first time since the March 1979 accident, worst ever at a U.S. commercial nuclear power plant.

GPU Nuclear said it is questioning the validity of its readings, since monitoring both within and outside the plant did not detect any abnormal level of krypton 85 or any krypton releases during the headlift.

The company is rechecking the samples and has given one to EPA to analyze.

"We're uncomfortable with it and would like to know where it came from," Bedell said of the three unusual readings.

Once before, a discrepancy occurred at a single monitoring station, but never has there been discrepancies in three stations, he said.

York Daily Record • Thursday, November 8, 1984

TMI meltdown closer than estimated

By the Associated Press

The core of Three Mile Island's Unit 2 reactor came much closer to a meltdown during the March 1979 accident than previously estimated, and the high temperatures led to the liquification of surface uranium, according to a study released this week.

Previous studies had estimated the core reached a temperature of

3,500 degrees. But the new study, undertaken by EG&G, Idaho Inc. for the U.S. Department of Energy, indicates the temperature reached at least 4,800, or just 280 degrees short of a meltdown.

The study involved examination of seven particles of debris taken from the TMI-2 core last fall, according to the plant operator, GPU Nuclear Corp.

Appeals court halts TMI's \$4 billion suit against NRC

PHILADELPHIA (AP) — The 3rd U.S. Circuit Court of Appeals Friday threw out a \$4 billion lawsuit accusing the Nuclear Regulatory Commission of negligence in the 1979 accident at Three Mile Island.

The court determined that the NRC's actions prior to the accident regarding faulty equipment complied with U.S. laws that protect the government from liability.

The suit was filed in December 1980 by TMI's owners — General Public Utilities Corp., Jersey Central Power and Light, Metropoli-

tan Edison Co. and the Pennsylvania Electric Co.

It contended the NRC had failed to adequately alert plant operators to a faulty valve that caused an incident at the Davis-Besse nuclear power plant near Toledo, Ohio, in September 1977.

Eighteen months after the Ohio incident, an identical valve stuck open at TMI, allowing crucial cooling water to drain from the unit 2 reactor just one month after the plant went on line.

The March 28, 1979, accident was the most serious in the history

of U.S. commercial nuclear power.

Both plants were designed by Babcock & Wilcox Co., which later settled a faulty-design suit filed by GPU with a \$37 million agreement.

The suit by TMI's owners accused the NRC of negligence in granting TMI a license while knowing the reactor valve was faulty.

In dismissing the arguments, the Circuit Court noted that the

NRC in January 1978 released a valve warning classified as a Licensee Event Report, which orders no action by plant operators.

The appeals judges said they made no determination on whether the NRC provided adequate warnings about the valve or had been negligent in granting TMI's license.

Instead, the judges said, they decided the commissioners had fulfilled the NRC's rules, thus preventing the government from holding any liability for the results.

"When an agency determines the amount of information needed to fulfill its regulatory mission, it is exercising the essence of a discretionary function," the court said.

A spokesman for TMI, Gordon Tomb, said plant officials would withhold comment until seeing a copy of the ruling.

The \$4 billion claim for recovery of losses from the accident was based on the assumption that the undamaged TMI unit 1 would return to service in January 1982.

Hearings concerning falsified leak test data, management integrity and falsified operator exams at the plant have delayed NRC's decision on a restart.

Tomb said officials had no current estimate of the monetary loss from the accident. The cleanup at unit 2 continues.

York Daily Record

Wednesday, November 7, 1984

NRC delays decision on TMI system

By MATT YANCEY
Associated Press writer

WASHINGTON — The Nuclear Regulatory Commission Tuesday put off deciding whether to force the complete upgrading of an emergency system in the undamaged reactor at the Three Mile Island atomic plant before allowing it to restart, possibly sometime next year.

The five-member commission was asked by the Union of Concerned Scientists to review a decision by government regulators allowing the plant's owner, General Public Utilities Inc., to finish the work two years after the plant has resumed operation.

The undamaged Unit 1 reactor at Middletown, has been shut down since before its sister Unit 2 reactor overheated because of a loss of cooling water in March 1979 in the nation's worst nuclear power accident.

As a result of the accident, the commission in 1980 ordered TMI and other nuclear plants to upgrade their emergency feedwater systems — an auxiliary series of valves and pipes to provide an additional supply of water for keeping a reactor safely covered with water if the primary cooling system fails.

GPU and the other utilities were told to add enough pipes and valves to the systems to assure that they would function in an earthquake or flood and not be knocked out by some other failure during an accident.

However, they were given until 1985 to complete all the long-term changes. The undamaged TMI reactor specifically was given until its following refueling outage, which, because the plant has been shut down the past 5½ years, will not occur until after it has resumed operating for at least 18 months.

GPU said in letters to the agency that it had completed all of the temporary fixes required by the commission — both to the emergency feedwater system and several other systems. In addition, NRC officials said Tuesday, three of the 15 longer-term changes to the feedwater system have been completed.

But they said the company's records are in such poor shape that it took five different audits to find the documentation for substantiating the changes.

"The condition of the files we found at TMI were less satisfactory than any other plant we have audited," said Vince Noonon, chief of the agency's environmental qualification branch. "There's no question that the plant has been the most difficult in the environmental qualification area."

Because of those findings, NRC officials bowed to demands by the Union of Concerned Scientists, a group of nuclear power critics, to audit several other systems at TMI.

TMI-2 entries set

Entries into the unit 2 containment building at Three Mile Island are planned for Monday, Tuesday, Thursday and Friday, plant operator GPU Nuclear Corp. said Friday.

Venting of the containment building is continuous and the release of krypton 85 will be approximately one curie per day.

York Daily Record
Saturday, September 29, 1984

TMI ruling could result in chaos

HARRISBURG (AP) — A decision by a U.S. appeals court has placed in doubt the future of personal injury damage suits arising from the 1979 accident at the Three Mile Island nuclear plant, according to a news report published on Friday.

On Wednesday, the 3rd Circuit Court in Philadelphia, ruling on an appeal of a U.S. Middle Dis-

trict Court decision in one of the TMI cases, said the federal court here did not have jurisdiction. An unnamed district court official was quoted by *The Patriot* of Harrisburg as saying the ruling could be chaotic and costly if it forces the suits from federal court to various local jurisdictions.

The federal court in Harrisburg now has before it more than 50

suits involving hundreds of plaintiffs and the same defendants — the owners and operators of TMI, site of the worst commercial nuclear accident in the country's history.

The appellate court ruling came on an appeal of a federal judge's dismissal of a class-action suit seeking damages on grounds that the accident led to higher electric bills.

York Daily Record
Saturday, October 27, 1984

Electric-utilities group gets pep talk on nuclear power

By MARY O. BRADLEY
Staff Writer

Nuclear power must not be abandoned as a source of energy, the president of General Public Utilities Corp. said yesterday.

"Today's conventional wisdom says that nuclear power is afloat but dead in the water in the United States," Herman M. Dieckamp told 500 delegates at the opening session of the 77th annual meeting of the Pennsylvania Electric Association.

The meeting in the Hershey Convention Center reconvenes at

9:15 a.m. today. The association represents the 12 independent, investor-owned electric companies serving Pennsylvania.

"With several major utilities heavily burdened with canceled or stalled nuclear construction programs, some even facing possible bankruptcy, the outlook [for nuclear power] appears bleak," Dieckamp said.

But, Dieckamp said, "I'm convinced that there will be a renaissance opportunity for nuclear power." GPU is the parent company of the three operating utilities

that own the Three Mile Island nuclear plant in Londonderry Twp.

As of June nuclear power accounted for 13 percent of the electricity generated in Pennsylvania, Dieckamp said. The Pennsylvania Electric Association predicts that by 1993 that figure will rise to 36 percent.

"As a state and as a nation we dare not be so shortsighted as to abandon an alternative source of electrical energy whose pluses and minuses may well turn out to be more desirable in a future assessment of our energy supply security

or of the allowable environmental burden of power generation.

Dieckamp said "public acceptance" is vital to the future of nuclear power. "Utilities must demonstrate that nuclear plants can be operated safely. This is our highest nuclear priority."

"When nuclear plants under construction are completed and the ability to operate them safely is further demonstrated and the need for diverse and indigenous sources of energy is more apparent, then full-fledged public acceptance will soon follow."

Association Chairman Ralph W. Conrad said the fiscal viability of the electric industry is improving. The economic recession bottomed out in 1982 and sales of electricity increased in 1983, said Conrad, a senior vice president at Pennsylvania Electric Co. of Johnstown.

Conrad said total electric sales in 1984 may set a record. "There is room for optimism in our industry... reason for confidence," Conrad said.

Dieckamp said a safely operated and economically competitive nuclear power capability is one of four challenges facing the electric industry in the 1980s. The others are: to provide maximum generating efficiency in an environmentally acceptable manner; to ensure customer satisfaction at every level of operation, and to prepare to meet the future demands of customers.

Dieckamp said electric utilities must "demonstrate a high regard for the environment."

York Daily Record • Tuesday, November 6, 1984

LOCAL BRIEFS

TMI plenum removal readied

Initial preparations to remove a 55-ton metal cylinder from the damaged unit 2 reactor at Three Mile Island are under way, plant operator GPU Nuclear Corp. said Monday.

Removal of the cylinder is the next significant step in the \$1 billion cleanup of the damaged reactor.

The preparations for removing the plenum, which houses the reactor's control rod-guide tubes, consist of inspecting it for damage and clearing debris from its underside, according to GPU Nuclear. The work will be done during the next two weeks.

The plenum is scheduled to be lifted from the unit 2 reactor vessel with a polar crane next spring and stored underwater in the reactor building fuel canal.

The plenum, located atop the reactor fuel core, is approximately 12½ feet high and 11½ feet in diameter with an upper flange nearly 14 feet in diameter. It was made accessible by the removal of the reactor head in July and must be lifted off before the damaged fuel can be removed.

Defueling of the reactor is expected to begin next summer.

Cost of the cleanup has been estimated at \$967 million. Funding will be from GPU, the insurance companies, industry, government and Pennsylvania and New Jersey, he said.

But, several persons attending the meeting attacked the officials' credibility and charged GPU with mismanaging current activities at the power plant.

The charges met with sharp rejoinders from several of the TMI officials.

Ralph J. DeSantis, a public affairs representative for TMI, told the residents that GPU's goal in holding the meetings was to update citizens on what was happening at the plant.

"We're not here to convert, only to inform," said DeSantis, adding personal attacks on officials' integrity were unwarranted.

STAFF THIS ISSUE:
(Editors)
Lisa Carroll
Joe Belcastro
(TMIA Office Staff)

Kay Pickering

Probe on TMI rapped

By MICK ROOD

Washington Bureau

WASHINGTON — A federal employee who assisted in a key investigation related to Three Mile Island has given testimony questioning the probe's findings.

The criticisms by David H. Gamble are the first public indication that there were internal differences of opinion among Nuclear Regulatory Commission staff members assigned to the probe.

The investigation concluded that Metropolitan Edison Co. officials did not knowingly mislead federal and Pennsylvania officials about the severity of the 1979 accident at the Londonderry Twp. nuclear plant.

Gamble said NRC investigators were permitted to ask only certain kinds of questions and were restricted heavily on follow-up questions to witnesses.

—The Patriot, Harrisburg, Pa., Saturday, Nov. 3, 1984

Gamble also accused two fellow NRC investigators of drafting portions of their report before conducting interviews, indicating "that they may have predetermined the conclusions."

These practices, Gamble said, "precluded a full development of the facts."

The investigation focused on Met-Ed officials' statements on the day of the Unit 2 reactor accident, March 28, and the first three days thereafter.

Utility officials frequently have cited the probe's findings as evidence there was no wrongdoing and as proof the issue should be closed.

Gamble made his allegations in advance testimony prepared for NRC licensing board hearings scheduled for Harrisburg starting Nov. 14.

An NRC appeals board last May ordered the hearings. The board determined that "information flow" and operator training issues at TMI Unit 1 were unresolved.

GPU Nuclear Corp., the reorganized operating utility succeeding Met-Ed, has sought permission to operate Unit 1 for the first time in five years, but the NRC isn't expected to make a decision on that until next year.

Gamble was called as a witness by Three Mile Island Alert Inc.

Newberry residents discuss TMI

By JO GRIFFITHS
Staff Writer

The 1979 accident at Three Mile Island may be history to some, but not to many of the residents of Newberry Twp.

Township residents have been some of the most actively involved in the local anti-nuclear movement since the March 1979 nuclear accident, and their interest was apparent at a special meeting held by TMI officials at the Newberry Elementary School last night.

About 50 residents attended the meeting, one of the many General Public Utilities officials have scheduled in the area over the past few months to inform the public of what's happening at the plant and answer questions about its operation.

Questions about rising cancer rates and radiation exposure were met with reassurances from Henry D. Hukill Jr., vice president and director of Unit 1, and Gary Baker, manager of Environmental Controls at TMI.

Hukill and Baker said they knew of no studies which showed climbing cancer rates in the central Pennsylvania area because of the accident, and that those done by the state Department of Health and the National Cancer Institute did not show significant increases.

Hukill also told the residents the chances of another accident similar to the one five years ago were "infinitesimally" small.

His statements were backed up by Frank Standerfer, vice president and director of Unit 2.

Standerfer said he was "absolutely confident" that nuclear power was as safe as any other source of energy, and that there was no danger to area residents concerning the cleanup of Unit 2.

Removal of the damaged core is scheduled to begin in July of next year with total cleanup of the Unit 2 reactor scheduled for completion around mid-1987, he said.

Standerfer also told the residents that he felt there would be few problems with financing cleanup operations.

Nuclear coverage lags

ACCORDING to GPU Nuclear, owner of the Three Mile Island nuclear power station, nearly \$1 billion has been lined up to provide enough funding to complete the job of cleaning up Unit 2, damaged in the accident more than five years ago. If this is the case, and we see no reason to believe otherwise, this is good, if belated, news.

When the most serious accident in the history of American commercial nuclear power occurred at TMI in March 1979, there should have been a plan in place designed to meet the financial demands of the accident. It should not have taken more than five years to get to the point where it could be said with reasonable certainty that the necessary task of decontaminating Unit 2 will not be hampered by a lack of funding.

But if that can now be said for Unit 2, can it also be said for Unit 1, should it be permitted to restart, or any other operating nuclear plant in the country in the event of an accident? In short, is the public protected any better today from the financial ramifications of a nuclear accident than it was five years ago? The answer is yes, the public is better protected but hardly protected enough.

THERE was slightly more than \$300 million of insurance coverage on the Unit 2 facility at the time of the accident. Since then, the Nuclear Regulatory Commission has raised the minimum required coverage to where most facilities are protected against damages in the neighborhood of \$1 billion, about what it will cost to clean up Unit 2. That is a substantial improvement but the cost of cleaning up a TMI-class accident or worse probably has increased as well in the intervening years.

In any case, the cost of cleanup is only part — and by no means the largest part — of the cost of the accident. It does not include the cost of purchasing replacement power to offset the loss of a major generating plant, which is expected to be in excess of \$1 billion. And it does not cover the loss of the investment in the facility, which, should it be replaced, probably would cost at least \$1 billion. So at a conservative minimum, the TMI accident cost \$3 billion, most of which will be borne by ratepayers. At the newer, more expensive nuclear facilities, the potential cost of an accident easily could exceed \$5 billion.

THE QUESTION which these astronomical, but by no means imaginary, sums raise is whether it is responsible policy to permit nuclear power plants to operate when the potential cost of an accident far exceeds the insurance coverage on the plants? By the same token, is it responsible policy when a repetition of the long delay in funding for the TMI cleanup remains a likely prospect in any future accident at a nuclear plant?

TMI fund reported at \$1 billion

By PETER KELLEY
Staff Writer

Nearly \$1 billion of funding is complete for the cleanup of the damaged Unit 2 reactor at Three Mile Island, the second-ranking official of the plant operator said last night in Harrisburg.

According to a schedule outlined by Ed Kentner, executive vice president of GPU Nuclear Corp., customers of General Public Utilities Corp. will pay one-fourth of the cost — \$201 million on top of \$45 million they already have paid.

The company's owners are to pay \$82 million and advance additional money, up to \$86 million at a time, to help the project's cash flow.

Neighboring utilities in Pennsylvania and New Jersey have guaranteed a total of \$153 million in research and development funds promised by the Edison Electric Institute of Washington, D.C., it was announced.

Gov. Dick Thornburgh had called on the U.S. Nuclear Regulatory Commission not to approve restart of TMI's undamaged Unit 1 reactor until the utilities' share was secure.

Kentner told the Citizens Advisory Panel for the Decontamination of TMI Unit 2 that all radioactive fuel should be removed from Unit 2 by late 1987 and the cleanup finished by June 1988.

"We are not holding back on the [cleanup] task because of funding limitations and we do not expect to have to do that," he said during the panel's monthly meeting at Holiday Inn Center City.

The schedule he gave the panel shows the largest share of the cleanup funding, \$305 million, coming from insurance. State budgets are to provide \$41 million — \$5 million a year from Pennsylvania and slightly less than \$2 million a year from New Jersey.

The U.S. Department of Energy is budgeted for \$83 million; the plant's designer, Babcock and Wilcox, for \$21 million in settlement of a lawsuit; and Japanese utilities looking for technical data, another \$18 million.

Clearly, some of the lessons of TMI have either not sunk in or are being avoided. In the absence of more responsible leadership from the NRC on this issue, Pennsylvania, either through the Legislature or the Public Utility Commission, needs to correct this reckless and foolhardy policy of insuring nuclear plants at levels far below their value. No bank would mortgage a house unless it was insured at least up to the level of the bank's investment. Ratepayers, who inevitably bear the cost of utility mismanagement, should be afforded the same measure of protection against the staggering cost of nuclear accidents?

In a separate issue before the panel, top Nuclear Regulatory Commission staff members from Washington appeared to defend for the first time in public their evaluation of management integrity at GPU Nuclear.

Their report, issued in July, said the issue should not bar restart of the Unit 1 reactor.

However, it backed up previous findings by the NRC's Office of Investigations that GPU Nuclear management did harass Richard Parks, one of three "whistle blowers" who complained of safety violations at Unit 2.

The panel voted to table the issue of whether the harassment charges were adequately investigated until the NRC's Office of Inspection and Enforcement decides what the company's penalties will be.

William T. Russell, an NRC deputy director, said he expects the penalties to be announced within 30 to 60 days.

Arguing that the panel should take the harassment issue further, Kay Pickering of Harrisburg presented a petition she said was signed by more than 450 residents,

claiming that GPU Nuclear officials should be denied an operating license for Unit 1.

Company officials also were questioned at the meeting on why they vented air from the containment building at Unit 2 during the lifting of the reactor head in August without telling the public in advance.

Panel member Joel Roth said he doubts whether the funding package for the cleanup is as secure as GPU claims.

"I'm at the point where it's got to happen for me to believe it," he said.

On-site TMI drill set for tomorrow

The annual emergency drill at the Three Mile Island Nuclear Station will be held at 10 a.m. tomorrow at the plant.

A spokesman said the drill will be held entirely within the plant, with no sirens sounded and no significant participation by off-site emergency agencies.

The spokesman said the drill will include a "full-scale, simulated emergency." The purpose of the exercise is to familiarize personnel with problem-solving procedures.

-The Patriot, Harrisburg, Pa.
Tuesday, October 2, 1984

TMI simulates earthquake, radiation release at nuke plant

By MICHAEL ARGENTO
Daily Record staff writer

This is only a drill.

An earthquake led to the release of radiation at Three Mile Island Wednesday, prompting the state to evacuate the area within 10 miles of the plant.

But it was only a drill.

Spokesmen at Three Mile Island were careful to say that Wednesday as GPU Nuclear

Corp. held its annual emergency drill meant to test the companies response to an accident at the plant.

Sirens sounded at the plant at about 8:30 a.m., signaling the beginning of an accident. Before it was over, massive amounts of radiation were spewed into the atmosphere and the governor ordered an evacuation.

When the drill ended at about 2:30 p.m., the reactor was under

control and it was time to evaluate how the drill went.

"From our point of view, it went quite well without any major glitches," GPU Nuclear spokesman Doug Bedell said. "It demonstrated the value of our attention to drills and emergency planning in general."

NRC staff members who observed the drill will brief GPU Nuclear officials on the drill in the next couple of days, Bedell said.

A written report will follow.

The drill, unlike last year's, involved only GPU employees. Approximately 400 plant and support employees participated.

During last year's drill, the NRC criticised Lancaster and Dauphin counties' emergency management agencies were received criticism for problems in communications.

Bedell said the NRC and Lancaster and Dauphin counties are

working to correct the problems of last year.

Wednesday's drill involved the simulation of an emergency. The accident was touched off by an earthquake, a simulated one, of course. That created a simulated leak in the unit 1 reactor coolant system, spilling gallons of simulated radioactive water in the reactor building.

As the drill went on, engineers

created problems for those trying to control the accident. When control room operators tried to close valves, they stuck. When they tried to open other valves, they wouldn't open.

By 11:20 a.m., massive amounts of simulated radiation had been released from the plant, prompting officials to declare a general emergency and call for an evacuation.

TMI radiation cut by paint removal

The Patriot, Harrisburg, Pa.
Friday, October 5, 1984

Associated Press

Radiation levels inside the building that houses the crippled Three Mile Island nuclear reactor were reduced 38 percent by scraping away contaminated paint, the plant's operator said yesterday.

The paint was removed in August and September from the Londonderry Twp. building's second floor where workers involved in the plant's \$1 billion cleanup spend most of their time, according to GPU Nuclear Corp. officials.

TMI worker shows radiation

MIDDLETOWN, Pa. (AP) — Officials at the Three Mile Island Unit 2 nuclear plant said Friday they are looking into what caused an unusually high reading on a plant worker's personal radiation exposure monitor.

TMI spokesman Doug Bedell said a dosimeter from an unidentified worker was found to have a reading of 29 rem of low-energy beta radiation for the month of August.

If the reading is accurate, the exposure comes close to the allowable radiation limit for one year for an atomic worker.

Bedell said no other workers present in the fuel handling and containment buildings at the same time as the affected worker had such high readings on their dosimeters. The affected worker was in radiation areas five times during August.

Also the plant does not have any known source of low-energy beta radiation, which usually comes from such materials as those used in academic research, Bedell said.

"The whole thing is something of a puzzle," he said. "It's never happened before. We've never had a reading like this."

York Daily Record • Tuesday, October 16, 1984

We did a good job, GPU says following TMI emergency drill

By MICHAEL ARGENTO
Daily Record staff writer

GPU Nuclear Corp. Monday gave itself good grades for its performance during an emergency drill held at Three Mile Island Oct. 3.

The company's assessment shows the drill ran smoothly and that those who participated performed in a professional manner.

"The exercise went well," said Henry D. Hukill, vice president and director of TMI's unit 1 reactor. "It clearly demonstrated our ability to respond to an emergency situation."

George Giangli, corporate manager of emergency preparedness for GPU Nuclear, agreed.

"The exercise clearly tested the emergency response skills of those who participated," he said. "All those involved in the drill demonstrated their ability to respond in a timely, proper and professional manner to the simulated emergency situation."

The Nuclear Regulatory Commission requires all nuclear power plants to conduct annual drills to test their capability to respond to emergency conditions in a manner that protects the public's health and safety.

NRC inspectors and consultants observed and graded the drill. They are expected to submit their written report on the drill to GPU Nuclear in the next couple weeks.

Nemen M. Terc, the NRC's emergency preparedness coordinator in King of Prussia, said a few minor items could have used improvement. But overall, he said, GPU Nuclear performed well.

"I think it again showed that the TMI staff is able to respond in an efficient manner to an emergency scenario," he said. "The inference from this is very high that GPU Nuclear could respond with efficiency in a real emergency."

Terc said all GPU Nuclear employees who participated in the drill performed in a professional manner.

"It was difficult to tell it was a drill. It appeared to be a real event due to the professional behavior demonstrated by the licensee. I was very pleased," he said.

Some 300 Three Mile Island employees participated in the drill. A scenario for a simulated emergency at unit 1, developed by GPU Nuclear's Emergency Preparedness Department, was unknown to participants in the drill. They had to respond as the exercise unfolded.

Unlike last year's drill, county and municipal emergency preparedness agencies around TMI did not participate. Full-scale, off-site participation is required every two years.

TMI begins cleanup of most radioactive area outside reactor

By MICHAEL ARGENTO
Daily Record staff writer

Technicians at the damaged unit 2 reactor at Three Mile Island are decontaminating two tanks that contain the greatest concentration of radioactivity at the plant apart from the reactor vessel itself.

GPU Nuclear Corp. said Tuesday workers began work cleaning the two tanks used to purify water

contaminated during the March 1979 accident last weekend.

"It's an important step," GPU Nuclear spokesman Doug Bedell said. "It's not the most important step so far. I couldn't attach any cosmic significance to it. The important thing is to have them attended to."

Bedell said this step is secondary to the main event of the cleanup — removing the damaged radioactive fuel from the reactor

vessel. That is scheduled to take place next July.

The tanks are 90-cubic-foot vessels, approximately seven feet in height and four feet in diameter and are located on the ground floor of the unit 2 auxiliary building, next door to the reactor building. Each tank is housed in a protective concrete cubicle away from workers.

When the reactor was operating, the tanks, called demineral-

izers, worked as part of the plant's systems to makeup and to remove impurities from the water of the reactor coolant system.

The demineralizers captured significant quantities of radioactivity during the accident. They contain approximately 11,000 curies of radioactive cesium and less than nine pounds of nuclear fuel particles.

Preparations for decontaminat-

ing the tanks have been underway for nearly two years.

Removing the radioactivity from the demineralizers involves pumping a mixture of water and sodium hydroxide into the tanks. The sodium hydroxide interacts with radioactive cesium and removes it.

The solution is then pumped through the plant's Submerged Demineralizer System, which has

been used at unit 2 since 1981 for removing radioactivity from water.

The process is expected to remove more than 90 percent of the radioactivity from the demineralizers.

The process will take several weeks to complete. The staff of the Nuclear Regulatory Commission has approved it.

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York Daily Record • Saturday, November 3, 1984

Hearings begin Nov. 14 aimed at

By CAROL ANN CAMPBELL
Daily Record staff writer

A new round of hearings on the proposed restart of Three Mile Island's undamaged unit 1 reactor will focus on whether plant management can safely operate the reactor.

The hearings by the Atomic Safety and Licensing Board will

begin Nov. 14 and could go on for more than a month, said Joseph R. Gray, an attorney for the Nuclear Regulatory Commission.

He said the hearings stem from an appeal by a Pennsylvania family, Three Mile Island Alert and the Union of Concerned Scientists.

The groups objected to an earlier, favorable NRC ruling that

would have allowed plant operator GPU Nuclear Corp. to move ahead on restart.

After hearing arguments, an NRC appeals board ordered more hearings to examine alleged inadequacies in the plant's operator training program and allegations that cooling system leak tests were falsified.

The November hearings, and

future hearings on the other issues, could take months, Gray said.

Meanwhile, he said the five NRC commissioners are separately considering the restart issue.

The commissioners may choose to make a decision without hearings or while the hearings progress. Or, the commissioners may choose to postpone a deci-

sion on restart until the latest round of hearings are complete, Gray said.

Portions of the hearing will focus on the accuracy of information provided by the company to Congress after the accident.

The NRC has held hearings on restart in 1980 and in 1981.

The latest hearings will begin at

1:30 p.m. at the Senate Majority Caucus Room 156, Main Capitol Building, Harrisburg.

They continue during the week of Nov. 19 at The Library, Richard's Hall, University Center, 2986 N. Second St., Harrisburg.

The public may attend the hearings, but there will be no general discussion, the NRC said.

ability
to run
TMI-1
safely



Three Mile Island Alert

Island Updates

News Watch on the
Harrisburg Area

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Harrisburg, Pa., November 11, 1984

Face-off by TMI, foes set

By MICK ROOD
Washington Bureau

"It is kind of the old American way to find something went wrong, find out who did it, and get them." — William G. Kuhns, GPU board chairman, October 1981.

WASHINGTON — Did utility managers at Three Mile Island intentionally withhold clear-cut evidence of a potential core-melt during the first two days of the TMI-Unit 2 accident period more than five years ago?

Anti-nuclear activists will try to write the last chapter in this prolonged "whodunit" mystery this week in Harrisburg, Pa.

GPU Nuclear Corp. officials will respond that while unfortunate errors were made, confusion reigned on March 28-29, 1979. Signs of a more serious accident were not recognized and reported until March 30.

THE NUCLEAR Regulatory Commission, whose officials have identified with the company's version more often than not since the accident, wants to know who's right.

So an NRC Atomic Safety and Licensing Board on Wednesday afternoon in Harrisburg will begin a series of hearings on a torrent of circumstantial evidence and conjecture — some of it new. The first hearing will deal with management integrity issues. The arguments are being raised by Three Mile Island Alert Inc., a citizens' group that has fought from the beginning against the restart of TMI's Unit 1 because of the way the Unit 2 accident was handled.

TMIA has legal help from the Government Accountability Project, a non-profit group based here that often aids in anti-nuclear causes. TMIA attorney Joanne Doroshov and GAP counsel Lynne Bernabei claim the evidence "confirms that a major cover-up by GPU and the NRC of reporting failures appears to have occurred."

HERE ARE some major pieces of evidence TMIA and GAP will introduce:

✓ A GPU Service Corp. official's notes, which TMIA claims were taken down on the day after the accident, refer to "explosion in containment."

✓ Another GPUSC engineer's notes referring to in-core thermocouple temperature readings of 2,500 degrees on a page clearly marked "5 p.m., 5-28-79."

✓ A candid March 29 high-level memorandum to Herman Dieckamp, president of General Public Utilities Inc., in which Bernard H. Cherry, GPU vice president for corporate planning, criticized press statements proposed on March 28 that "understated" the seriousness of the accident. Cherry said he did not have a "full understanding of the situation and the condition of the plant" until he spoke with Dieckamp on the afternoon of the 28th.

✓ A federal criminal investigator's deposition that the NRC's own probe of accident communications was slanted and reached the unjustified conclusion that utility officials did not intentionally withhold information.

THE SO-CALLED "information flow," or lack of it on the day of the accident, has been investigated by former President Jimmy Carter's TMI commission, two extensive NRC inquiries, two congressional committees and an NRC licensing board. None, save the House Interior subcommittee staff of U.S. Rep. Morris Udall, D-Ariz., was convinced utility officials intentionally withheld critical reactor data.

"We found no direct evidence of willful withholding of critical information... None of those [Metropolitan Edison Co. and GPU officials] deposed or interviewed could provide any direct evidence of a cover-up," NRC special investigator Mitchell Rogovin concluded in an inquiry narrowly focused on information flow in 1980. "One could draw inferences" of concealment, but that was all, Rogovin said.

However, there was enough doubt left last May for an NRC appeals board to order a new licensing board inquiry. The board will decide whether officials of Metropolitan Edison (a GPU subsidiary), some of whom still work for GPU Nuclear:

✓ Recognized evidence of a pressure spike (hydrogen explosion) and 2,500-degree Fahrenheit in-core temperatures on the day of the Unit 2 accident, conditions making extensive core damage probable.

✓ Intentionally failed to report the spike and temperatures to the state and NRC until two days later.

THE NRC, WHICH will rule next year on this management integrity issue's influence on the restart of Unit 1, thoroughly discussed information flow only once — at an Oct. 14, 1981, meeting.

It was then that GPU board Chairman Kuhns made his remark about the fervor to go after utility employees or their superiors who erred in not passing all reactor conditions on to the state and NRC.

The Evening News

HARRISBURG, PA., TUESDAY, NOVEMBER 20, 1984

Witness restricted in TMI testimony

The Associated Press

A key witness in hearings on restarting Three Mile Island's Unit 1 reactor won't be permitted to launch a broadside against a Nuclear Regulatory Commission report he's already criticized.

David Gamble, a former criminal investigator for the NRC, was set to testify today before the Atomic Safety and Licensing Board.

His testimony, made public Nov. 1 in Washington, criticized a 1981 NRC investigation into how TMI released information during the March 1979 accident at Unit 2.

Gamble said the investigation "was not searching enough in its areas of inquiry, was conducted in a manner to preclude a full development of the facts, and reached conclusions that were not supported by the facts."

But Licensing Board Chairman Ivan Smith said at the close of yesterday's session that Gamble would have to restrict his testimony to the issues before the board.

Those issues are: What Herman Dieckamp, president of General Public Utilities Corp., owner of TMI, knew about the severity of the accident immediately after it happened, and information about TMI training programs and leak rates at Units 1 and 2 and Unit 2 was crippled March 28, 1979, in the worst accident ever at a U.S. commercial nuclear power plant. The core overheated and was severely damaged.

Smith said the board was not going to make any decision about whether the NRC information flow report was "good or bad... It's not a sacred document on which we will make a judgement."

He said Gamble should be prepared to relate his criticism to the case at hand rather than taking a broad swipe at the NRC report.

Attorney Joanne Doroshov, on the team representing the anti-nuclear group Three Mile Island Alert, which is challenging restart, said the safety board has narrowly defined the issue.

She said Gamble's testimony would show that the report, in which the NRC and GPU have put

much stock, is "not credible or reliable."

A federal grand jury in Washington reportedly is looking into whether NRC employees mishandled TMI probes.

In testimony yesterday, Dieckamp said he did not know in the first days after the March 1979 accident just how seriously the Unit 2 reactor had been damaged.

Attorney Lynne Bernabei of Washington, lead counsel for Three Mile Island Alert, questioned Dieckamp about meetings he attended and information he had just after the accident.

He said he was briefed by other company officials, who told him "a fair amount" but he added that he didn't delve into basic details about the reactor.

A key issue in the hearings is a Mailgram Dieckamp sent to Rep. Morris Udall, D-Arizona, in May 1979 saying there was no evidence that TMI staff had recognized a sudden jump in pressure within the containment building as a sign of serious damage.

"I have not seen anything... to indicate the staff recognized the pressure spike and recognized it in their strategy for dealing with the plant," Dieckamp said.

Later evidence indicated the jump in pressure was caused by a hydrogen explosion within the containment building.

Dieckamp said he was aware of radiation alarms going off within the reactor containment building, but said they didn't necessarily mean there was radiation escaping from the plant.

In answer to questions during yesterday's hearing, Dieckamp said he couldn't recall plant officials telling him about excessively high temperatures and potential "significant core damage."

He also said he didn't remember being briefed by a plant engineer on March 30 about the accident sequence and the condition of the plant, although Dieckamp said he did remember talking to the engineer.

Dieckamp added that he started keeping extensive notes March 30.

"We haven't fired anybody, or hung anybody in the town square of Middletown," Kuhns said. TMI is in Londonderry Twp., near Middletown, Pa. "There were pressures to do that following the accident. I am not immune from those reactions myself."

Incredulous, former Commissioner Victor Gilinsky then said it appeared the company believed that mistakes were made, but that no "wrongdoing" occurred.

"THE UTTER fascination that some have with trying to establish that our people lied on the day of the accident, we just don't find supported in any of the more thorough investigations, and the reinvestigations on that very point," Kuhns said.

At the NRC meeting three years ago, a minority of Gilinsky and former Commissioner Peter Bradford were unsatisfied with company officials' answers.

CON'T

P. 2

TMI - CON'T from p. 1

On Friday, the NRC licensing board setting up ground rules for the hearing Wednesday in Harrisburg, rejected TMI's requests to allow Bradford's deposition as evidence and allow Gilinsky to be a witness.

In his deposition, Bradford said that if the overheated core and hydrogen explosion information had been passed on to the NRC on accident day, he would have recommended an evacuation.

GPU PRESIDENT Dieckamp will be at the center of arguments at the licensing board hearing. He said in a deposition prepared for the hearing, as he has in the past: "At no time on March 28 and March 29 did anyone mention to me core temperatures in excess of 2,000 degrees, pressure spike, zirconium-water reaction, hydrogen, or core damage beyond failed fuel."

Opposing attorneys Doroshow and Bernabei wonder how Dieckamp could not have known or been told these conditions. They wonder who Dieckamp saw and what he heard between midafternoon and early evening on the day of the accident. Dieckamp's memory is vague, but he has said he remembers simply driving back from TMI to GPU headquarters in Parsippany, N.J., with two Pennsylvania Electric Co. officials who had been in Harrisburg on non-TMI business.

Despite a number of contacts with Met-Ed officials, Dieckamp said he was not fully aware of the pressure spike until sometime on March 30, after a GPU task force recognized it.

NUCLEAR CONSULTANT William W. Lowe, who has worked for GPU and served on the accident task force, has sided with Dieckamp: Lowe is credited with first recognizing that the spike, or hydrogen explosion, had occurred late on March 29.

Why did he recognize it after computer graphs were shown him by a site engineer when others had seemingly failed to do so the day before?

In a statement for the hearing, Lowe said unforeseen "puzzles all day" stumped site engineers suffering from stress and that his chemical engineering background helped him recognize "instantly" the hydrogen ignition in the Unit 2 containment.

Lowe also said it was "inconceivable" the pressure spike "would have been concealed by an exercise of duplicity or dishonesty."

Topics at the hearing will include Dieckamp's Mailgram to Udall on May 9, 1979, in which he told the congressman "there is no evidence that anyone interpreted the pressure spike ... in terms of reactor core damage at the time of the spike nor that anyone withheld any information."

Two Unit 2 control room operators have sworn they knew of the pressure spike. But Dieckamp and other company officials said at least one of them reached that definitive conclusion long after the accident and that, in any case, there was conflicting evidence from others.

Defects found in TMI tubes

By MICHAEL ARGENTO
Daily Record staff writer

Tests have revealed "possible defects" in several hundred tubes in the steam generators at the undamaged unit 1 reactor at Three Mile island, plant operator GPU Nuclear Corp. said Wednesday.

However, two other sets of tests, required by the Nuclear Regulatory Commission, found no leakage in any of the unit's 31,000 steam tubes, GPU Nuclear said.

A preliminary test suggests that about an additional 1.5 percent of the tubes in the generators require further examination and possible plugging, the company said.

Engineers are evaluating the test results to determine the cause of the possible defects, the company said. Previous tests were conducted in August 1982. The NRC requires such tests be done on steam generators approximately every two years.

When the plant is operating, the tubes use heat from the reactor's core to convert water into steam that drives the plant's generators. A leak in the tubes could allow radioactive water to escape to a secondary cooling system that goes outside the sealed reactor building.

Cracks were discovered in most of the steam tubes in 1981. GPU then plugged 1,200 of the tubes and repaired the remaining 29,800 tubes.

Even if more tubes are taken out of service due to the recent test results, the steam generators are expected to be capable of operating at 100 percent, GPU Nuclear said.

The reactor has not been in service since March 1979. GPU Nuclear is seeking the NRC's approval to restart Unit 1. The NRC's Atomic Safety and Licensing Board has recommended that unit 1 be permitted to operate with the repaired tubes.

GPU Nuclear Corp. has notified officials of the NRC of the initial findings of the testing programs.

In federal probe of Three Mile Island, investigators have become a target

By Susan FitzGerald
and Jim Detjen
Inquirer Staff Writers

For nearly six years now, federal investigators probing the Three Mile Island accident have focused much of their attention on General Public Utilities Corp., the owner of the nuclear station.

But in recent days the attention has shifted from the corporation being investigated — to the investigators themselves.

In dramatic, written testimony submitted to a Nuclear Regulatory Commission licensing board last week, a former NRC investigator sharply attacked the integrity of an NRC investigation that had concluded that TMI managers did not cover up the severity of the March 1979 accident.

David Gamble, who was a member of the investigating team, said in the new testimony that the NRC's findings, released in 1981, "were not supported by the facts."

At the same time, federal sources say that a federal grand jury in Washington has begun hearing evidence on whether NRC employees might have thwarted investigation of the events surrounding the TMI accident.

Gamble refused to comment last week on whether the contents of his written testimony were related to the grand jury's inquiry.

In his testimony, prepared for an NRC Atomic Safety and Licensing Board hearing in Harrisburg, Gamble said:

• Portions of the NRC report on the possible withholding of information were written in draft form before any interviews were conducted and before investigators engaged in "any significant investigation of the facts."

• Norman Moseley, who helped coordinate the NRC investigation for the agency's Office of Inspection and Enforcement in 1980 and 1981, instructed the investigating team not to ask questions about whether TMI officials failed to report information to Pennsylvania authorities. Gamble also said that Moseley had given orders to investigators that interviews be limited to a pre-approved list of questions.

According to sources, a federal grand jury has begun hearing evidence on whether NRC employees might have thwarted investigation of the events surrounding the TMI accident.

• There was insufficient documentation to support an NRC finding that conflicts in testimony from plant personnel were "not the result of lying." Gamble said the NRC could just as reasonably have concluded that lying was the reason for the conflicts.

• The NRC staff discussed the need to portray favorably the conduct of the agency's on-site personnel during the accident so that the agency's commissioners would not ask questions about "possible fault of NRC employees."

NRC staff attorney Jack Goldberg said during the licensing board's hearing last week that Moseley, who is scheduled to appear as a witness, had said he was reconsidering whether to testify because of the federal grand jury's inquiry.

Moseley, who no longer works for the NRC, said in an interview last week that he had not been called to testify before the grand jury. Moseley declined to comment on Gamble's allegations.

Though the NRC has acknowledged that a grand jury is looking into "alleged wrongdoing of certain NRC employees relating to their actions within the regulatory process," spokesmen for the NRC and the Justice Department refused to comment last week on whether the grand jury was investigating matters related to those before the NRC hearing board.

Lisa Robinson, a spokeswoman for GPU Nuclear Corp., the GPU subsidiary that operates TMI, refused to comment on Gamble's allegations. Gamble, who now works as a criminal investigator for the Defense Department, is expected to testify in person before the NRC licensing board next week.

The licensing board's hearing is

part of an NRC review of whether the management of GPU Nuclear has the necessary competence and integrity to safely operate TMI's undamaged Unit 1 reactor. GPU has been seeking the NRC's approval for more than five years to restart Unit 1, which was shut down for refueling at the time of the accident.

The NRC is not expected to vote on the restart issue until the spring, at the earliest.

Central to the board's inquiry is the question of whether Herman Dieckamp, president of GPU, lied to Congress and the NRC about his knowledge of the TMI accident. In a May 9, 1979, Mailgram to U.S. Rep. Morris Udall (D., Ariz.), Dieckamp denied a published report that said TMI personnel knew the reactor core was seriously damaged on March 28 — two days before that fact was re-

ported to the NRC. Dieckamp told Udall there was "no evidence ... that anyone withheld any information."

In recent testimony to the licensing board, Dieckamp said he did not know until March 30, 1979, that the reactor core had suffered significant damage. TMI Alert, a Harrisburg citizens' group that has been allowed to intervene in the hearings, is maintaining that Dieckamp and plant personnel knew as early as the first day of the accident that it was much more severe than what TMI management was publicly reporting.

As part of the Unit 1 restart proceedings, the NRC has also scheduled hearings on whether training for TMI reactor operators is adequate and whether plant workers falsified key safety records at both Units 1 and 2 in the months leading up to the accident.

The TMI accident — considered the worst in the history of the nation's commercial nuclear power industry — occurred when a series of mechanical problems and human errors caused the Unit 2 reactor to overheat dangerously. Radioactive gas leaked from the plant into the air and the surrounding region.

Sunday, Nov. 25, 1984 The Philadelphia Inquirer

NRC Says TMI Avoided Rules

By Eugene Kravbill
Intelligencer Journal Staff

The Nuclear Regulatory Commission staff has reversed itself and now believes the operators of Three Mile Island "willfully" circumvented federal requirements during an important stage of Unit

2 cleanup operations, an NRC official said Thursday.

Bernard Snyder of the NRC told a TMI advisory panel meeting in Lancaster that the official change of mind on the issue came after the NRC's Office of Investigation "went back into their records" and came up with "a more definitive set of conclusions" than originally reached a year ago.

"We have changed our view and it is currently under review for possible further enforcement action," Snyder said.

The issue, now before the NRC Office of Enforcement, focuses on whether GPU Nuclear Corp. willfully violated requirements regarding refurbishment of the polar crane used to lift the head off the damaged reactor.

The NRC staff initially believed the violations were not intentional and simply arose from confusion between GPU and Bechtel Corp., which was under contract to do cleanup work. The issue arose when Richard Parks, a Bechtel employee, went public with allegations of shortcuts in the cleanup process.

Thomas Cochran, a member of the advisory panel, brought along copies of NRC correspondence to a congressional committee that he said indicates the reason for the circumvention "was expediency and not some confusion between GPU and Bechtel."

"Should senior management condoning circumvention or even cover-up of this matter be permitted to have line responsibility for this cleanup and for TMI operations?" Cochran asked.

Several GPU officials were present at the meeting, held in city council chambers, but made no move when the panel offered them a chance to respond to the allegations.

Snyder said he does not know who was responsible for the alleged shortcuts and he noted that the NRC's Office of Enforcement must now decide what, if any, penalty to levy.

Kay Pickering of Three Mile Island Alert, a citizens group, gave the panel a 305-signature petition asking the NRC to revoke GPU's license to operate TMI.

She said TMI-Alert has no immediate recommendations to make regarding exactly who should shoulder responsibility for the cleanup if GPU loses its license.

"We're saying we've come to the point in time when we can no longer work with that existing organization," she declared.

The panel, set up to advise the NRC, goes to Washington next Thursday to meet with the NRC to discuss the cleanup operations. The panel is chaired by Lancaster Mayor Arthur E. Morris.

In another cleanup issue involving the polar crane, Snyder disagreed with GPU officials over

the addition of a hand release mechanism on a brake on the crane.

Robert Rogan, director of TMI licensing and nuclear safety, acknowledged that the addition did amount to "a modification" of the cleanup system and should have received NRC approval. But the company said the failure to seek approval was an innocent oversight and posed no significant safety hazards.

The brake malfunctioned last summer and delayed the cleanup effort.

Snyder said that while the brake problem did not raise any radiation dangers, it did pose "an industrial hazard" because the crane could have dropped the reactor head and endangered workers in the building.

He said the company's failure to seek NRC approval "is very disturbing to us," especially since the commission specifically asked GPU about a year ago to provide information on equipment that had not received proper approvals.

Snyder said the NRC has not yet decided what it will do about the issue.

In another matter, Dr. George Tokuhata of the state Health Department discussed numerous health studies conducted in the TMI area. The only studies that have shown evidence of health problems linked to the nuclear plant are in the psychological area, he said, and even psychological problems were limited mostly to the period immediately following the accident, he said.

He said the health department plans to conduct some five-year follow-up studies this year. Several citizens later charged that the department has no money for the studies and will not be able to conduct them, but Dr. Tokuhata said privately that the department "is committed" to the studies and is trying to come up with the \$200,000 necessary to go through with them.

—LANCASTER, PA., NEW ERA—
—SATURDAY, NOVEMBER 10, 1984

Ex-NRC Members

2 Barred From TMI Hearings

BETHESDA, Md. (AP) — Lawyers for an anti-nuclear group say they'll appeal a licensing board's decision barring two former members of the Nuclear Regulatory Commission from testifying at hearings on Three Mile Island.

The licensing board on Friday rejected Three Mile Island Alert's request to have former commissioners Peter Bradford and Victor Gilinsky appear at hearings regarding whether an undamaged TMI plant may start generating power again.

The three-week hearings, beginning Nov. 14 in Harrisburg, continued proceedings the licensing board began in 1980. They will focus on whether General Public Utilities Corp. should be permitted to reopen Unit 1, the reactor that was not damaged in the 1979 accident at TMI Unit 2.

Management integrity is the key issue and the first hearings are concerned with information flow during the 1979 TMI accident—specifically, who in GPU knew what, when they knew it, and whom they told.

Licensing Board Chairman Ivan Smith said neither Bradford nor Gilinsky had expertise on the specific matters at hand and said TMI was trying to present Bradford because of his status.

Smith and the other two members of the licensing board did approve David Gamble as a TMI witness.

Gamble, now at the Defense Department, is a former NRC staff aide who took part in an earlier investigation of information flow during the accident. His prepared testimony says the NRC staff probe was sloppy, incomplete, deliberately narrow and directed by someone with a conflict of interest.

TMI attorney Joanne Doroshow and Lynne Bernabei, a lawyer with the Government Accountability Project, said they will ask an appeal board to approve Gilinsky and Bradford as witnesses.

A major point of controversy is a mailgram that GPU President Herman Dieckamp sent Rep. Morris Udall, chairman of the House Interior Committee, on May 9, 1979.

In other matters:

• Panel member Anne Trunk criticized Mayor Morris sharply for alleged harassment for her failure to attend some meetings in the past. Morris said he believes members who cannot attend regularly should consider resigning.

• GPU officials said they have concluded that discrepancies between GPU and federal readings of Krypton in the TMI area last summer were simply the result of an analysis problem in the laboratory used by GPU. The GPU readings were higher than those taken by the federal Environmental Protection Agency.

• The panel welcomed a new member, Joseph DiNunno, a semi-retired environmental engineering consultant. Cochran said he wants to enter DiNunno's resume into the record because he believes the new member has a bias in favor of the nuclear industry.

Reimbursement suit tied to TMI approved

Local governments near the Three Mile Island nuclear power station will be reimbursed for some emergency expenses during the 1979 TMI accident under an approved class-action settlement.

Cornerstone of the settlement, approved by federal Judge Sylvia H. Rambo, is the creation of a \$225,000 fund to offset costs incurred as a result of the accident.

The 18 governing bodies that submitted claims may settle for less than full repayment, however, since their demands are nearly double the fund. Expenses alleged total \$519,327.

In her order accepting settlement terms, Rambo dismissed the suit initiated by two Dauphin County townships, Susquehanna and Lower Swatara, against those who own, operate, designed or built TMI.

The fund covers such expenses as overtime to emergency personnel or salaries paid employees even though their services were lost, such as teachers at schools that were closed.

Reimbursement is limited to municipalities and school districts within a 25-mile radius of nuclear plant in Londonderry Twp. There were 32 governing bodies in that geographic area that excluded themselves from the agreement because they did not have claims.

Rambo also approved payment from the fund of \$56,250 in fees to Arnold Levin of Philadelphia and Lee C. Swartz of Harrisburg, attorneys for the townships, and of \$1,961 in expenses.

Motions for acceptance of the settlement and the fees requested were unopposed.

The 671 hours expended by the two attorneys were "reasonable and necessary," Rambo said, adding it was a "breath of fresh air" to have attorneys request less than

Dieckamp told Udall that no one at GPU interpreted a surge in pressure during the accident as a sign of damage to the radioactive reactor core. It has since been determined that the core was severely damaged in the accident.

TMI contends that at least several people knew how serious the pressure spike was and changed their strategy in dealing with the runaway reactor without notifying the NRC.

The group also contends GPU failed to notify the NRC and other authorities about extreme high temperatures in the reactor.

In addition to refusing to let Bradford appear, the licensing board disallowed an Oct. 23 deposition in which Bradford was interviewed by Ms. Bernabei and attorneys for GPU and the NRC staff.

Ms. Bernabei said Gilinsky and Dieckamp had a conversation May 7 about the pressure spike during the accident — two days before Dieckamp sent his mailgram to Udall and a copy to Gilinsky. She said Gilinsky would testify about his conversation, but Chairman Ivan Smith accused her of "sitting on information" because she refused to specify what he would say.

they could have under procedures for setting proper fees.

Claims from governmental bodies in Dauphin County are: Susquehanna Twp., \$142; Highspire borough, \$921; Lower Swatara Twp., \$9,635; Derry Twp., \$12,464; Middletown Area School District, \$146,927; and Harrisburg Parking Authority, \$2,550.

Reimbursement has been sought by these York County governing bodies: Manchester Twp., \$285; Northern York County School District, \$22,209; York City School District, \$113,131; Fairview Twp., \$1,623; and Northeastern School District, \$61,582.

Cumberland County municipalities and districts with claims are: Carlisle borough, \$750; Wormleysburg borough, \$7,966; Shiremanstown borough, \$509; East Pennsboro School District, \$29,034; and county government, \$17,034.

There were two claims from Lancaster County. The Elizabethtown Area School District seeks \$13,416, and the City of Lancaster has asked for \$82,383.

Swartz and Levin will decide the validity of claims and the payment schedule, subject to court review.

INTELLIGENCER JOURNAL, Lancaster, Pa.
Monday, December 31, 1984

N.J. Gives \$3.7 Million To TMI Fund

NEWARK, N.J. (AP) — New Jersey has contributed \$3.7 million to the \$1 billion cleanup of the Three Mile Island nuclear plant in compliance with an agreement that also requires payments from Pennsylvania, the federal government, the utilities and the nuclear industry, officials said.

The check, issued Friday, went to General Public Utilities, the owner of Three Mile Island and the parent company of the Jersey Central Power & Light Co.

In addition to the \$3.7 million coming from the state budget, the 750,000 customers of JCP&L are paying surcharges of 50 cents a month toward the company's \$91.2 million share of the cleanup.

Three Mile Island was the site of the nation's worst nuclear accident in 1979.

Under the cleanup plan, Pennsylvania is expected to pay \$41 million in installments during the next six years.

Company spokesman George Metzgar said the federal government is to pay \$190 million to the cleanup.

The GPU companies which include JCP&L, Metropolitan Edison and Pennsylvania Electric Co. must pay \$245 million.

The nuclear industry, including utilities and companies working with nuclear energy, are to be assessed at \$190 million. The insurance companies covering the plant are to pay \$300 million.

● On any nuclear or industrial plant, there are always a number of open issues. For TMI-1, the several issues still open can be addressed using regular procedures, as is done for other plants and should not be tied to restart.

● It is now five and a half years since the plant was shut. Fairness and public confidence in regulation require that a decision be reached without further delay.

● Restart of TMI-1 will result in savings of \$80 million a year by the GPU ratepayers in Pennsylvania and New Jersey. Now that protection of public health and safety is adequately assured, these ratepayers, including homeowners as well as business and industry, should no longer be denied this substantial saving.

If you agree, now that the safety of the public is assured, that a decision should be made on restart of TMI-1, we urge you to make your views known to the Nuclear Regulatory Commission and your elected officials.

NOT PAID FOR BY PENELEC CUSTOMERS.

Wednesday, Nov. 28, 1984 The Philadelphia Inquirer

Sending a clear message to NRC on TMI Unit 1

In their November electric bills, Metropolitan Edison Co. customers received a special request pertaining to the utility's idle Three Mile Island Unit 1 reactor. If Unit 1, shut down since the 1979 accident in Unit 2, were restarted, the bill insert noted, Met Ed customers could realize an annual 4.9 to 9.6 percent decrease in their electric rates, or a total savings of \$47.5 million.

For 5½ years, the Nuclear Regulatory Commission has been considering whether to allow the undamaged Unit 1 reactor to be returned to service. The commissioners in September indicated they would consider the restart question by early next year.

The Met Ed communication to customers takes note of the delays and the fact that there are "some open issues" about the reactor's safe operation. Resolution of those issues should not be required before the NRC decides on restarting Unit 1, the notice continues.

The underlying message of the bill insert is that the delay in deciding the fate of Unit 1 has not been based on serious and legitimate concerns about its safe operation, but by unwarranted and misguided opposition from the public and others.

"If you believe that the regulatory process which this country has set up for nuclear power should be allowed to operate without distortion by political rhetoric or emotion, then we urge you to express that belief," the notice concluded. Customers were urged to write to the NRC and to elected officials in Washington, whose names and addresses were attached to the notice.

To some extent, officials at Met Ed and its parent General Public Utilities Corp. have a legitimate complaint. The NRC has taken far too long to decide the Unit 1 matter. It has changed the rules and altered its requirements for restart, modifications that have cost the utility millions of dollars with no guarantee that those changes enhance the prospect for restart.

Yet for each of those mandated changes, the NRC has not addressed the fundamental questions of safety

and competence of management — the issues that go to the very heart of whether Unit 1 should be returned to service. The NRC so far has spent 5½ dabbles at the edges, but it has never waded into middle of the problem.

Met Ed maintains that if the NRC were freed of "political rhetoric or emotion," its regulatory process would work. That, unfortunately, is not the case, as TMI has proved nuclear regulators are incapable and unwilling to grapple and resolve the most fundamental problems confronting nuclear power in the United States.

In recent days, information has been made public that the NRC's investigation of TMI may have been seriously compromised by commission employees who tried to downplay the severity of the accident, who failed to aggressively investigate allegations that Met Ed officials concealed details of the accident and who were motivated by a desire to show their own efforts at TMI in the best light. That information has been presented to an NRC licensing board by a former NRC investigator and by witnesses before a federal grand jury in Washington.

What is evolving from those separate investigations is a starkly clear — and alarming — picture of a regulatory agency less inclined to protect the public than the very industry it is charged with overseeing. The regulatory paralysis that continues to grip the NRC on the TMI case proves that that mindset still prevails.

If a letter-writing campaign is to be launched, it should be directed at the NRC and elected officials in Washington. It should protest the long delays in reaching a final decision on Unit 1. It should decry the very possibility that Unit 1 be restarted with unresolved safety questions. And it should criticize the NRC for failing to do its job.

That's not "political rhetoric or emotion." That is a simple response to the way things have been done in the past at TMI and the NRC, and a clear signal that things must be changed.

Keep TMI Unit 1 Closed

To the Editor:

In the past few weeks the owner/operator of Three Mile Island bought advertising space in your paper to tell us what they think we, the public, should know...that they and the Nuclear Regulatory Commission (NRC) staff think "GPU Nuclear can and will operate Three Mile Island Unit 1 without undue risk to the health and safety of the public."

We think the public should

keep the following facts in mind, in evaluating those ads:

1. It is the five Nuclear Regulatory Commissioners, not their staff, who must determine whether GPU Nuclear will be allowed to operate Unit 1. The record is very far from complete. Appeals may well be made from NRC Atomic Safety and Licensing Board decisions, and plans are underway to appeal a restart decision by the federal courts.

2. Regarding the staff, however, it recently (Oct. 29) reversed itself in a conclusion about the TMI Unit 2 polar crane used in the cleanup of the 1979 accident. NRC staff now believes that the operators of TMI willfully circumvented federal requirements. The NRC Office of Enforcement is even now considering enforcement action against GPU.

3. A federal grand jury has begun hearing evidence as to whether the NRC staff, itself, may have thwarted investigation of events surrounding the TMI accident.

4. During the week of Nov. 19, one of the five NRC Commissioners, James Asseltine, in an interview on National Public Radio, said that the other commissioners are breaking laws, protecting the (nuclear) industry, rather than the public.

5. The U.S. Congress charges the NRC with a single legislative mandate...to protect the public health and safety in their responsibility to license and regulate nuclear plants.

6. The corporate owner/operator of TMI, GPU, is the first and only nuclear plant licensee in the 30 year history of U.S. commercial nuclear power to be indicted and convicted of criminal offenses.

7. Metropolitan Edison Company, the GPU subsidiary which operated TMI at the time of the accident has, indeed, been removed from operating the nuclear facility, and was replaced by GPU Nuclear. However, the top management of the parent company remains substantially the same.

We hope area residents will help us convince our elected officials at every level to act on our behalf. We and they must demand that the NRC commissioners keep TMI Unit 1 closed, at least until management competence and integrity issues have been resolved, and all technical modifications necessary for safer operation have been purchased, installed, and shown to be capable of operating.

Beverly M. Hess, president
TMI Public Interest Resource Center



Sunday Patriot-News, Harrisburg, Pa., December 30, 1984

Washington By MICK ROOD/Washington Bureau

Unit 2 cleanup got a boost from the nuclear utility industry, which announced late in 1984 through the Edison Electric Institute that after five years of proposals, it would start sending the first of six \$25 million annual checks to TMI owner General Public Utilities Corp..

EEI OFFICIALS CONFIRMED GPU was presented with an \$11 million check Friday. The check includes voluntary contributions from 33 utilities. The remaining \$14 million is coming individually from nine Pennsylvania and New Jersey utilities that agreed to make up the difference up to \$25 million.)

TMI supervisor guilty of cheating

Sunday Patriot-News

Harrisburg, Pa., November 18, 1984

Alabama's pro-nuke Bevill writes to Palladino

By MICK ROOD
Washington Bureau

WASHINGTON — A pro-nuclear House subcommittee chairman is knocking on NRC Chairman Nunzio Palladino's door again, seeking a decision on the restart of Three Mile Island Unit 1.

In an unpublicized letter a week ago, Rep. Tom Bevill, D-Ala., renewed complaints that the Nuclear Regulatory Commission has been "unwilling or unable to make timely decisions."

Bevill didn't say he wanted a pro-Unit 1 restart decision, but that's what he meant. It was the Alabamian who last spring castigated commissioners at an NRC appropriations hearing for "destroying" nuclear power by making slow decisions that drove up utility costs.

ABOUT THE TMI restart decision, Bevill said in the recent letter:

"The very length of the proceeding over the past 5½ years has resulted in an unprecedented volume of information which in itself may now seem to impede making a decision."

Most of the other House subcommittees with nuclear jurisdiction have tended to pepper the NRC with reservations about safety regulations. Things not only take a long time to get resolved, they say, but the answers come up "wrong" for public safety.

Bevill is chairman of the House Appropriations Energy and Water Resources Subcommittee, which initiates spending bills for the NRC. So Palladino usually listens.

WHETHER PALLADINO listens or not, the letter highlights frustration on both sides of the nuclear power debate in general, and TMI Unit 1 restart in particular.

Nuclear power advocates are frustrated by the NRC's cumbersome decision-making process. Nuclear power opponents don't mind the delays, but believe that in the end, decisions will favor licensing a plant regardless of circumstance.

Bevill urged a prompt TMI Unit 1 decision, but based on a September order by the commission, observers don't expect the NRC to be able to decide until February whether it is ready to vote on restarting Unit 1 at the Londonderry Twp., Dauphin County, Pa., power plant.

HARRISBURG (AP) — A former Three Mile Island supervisor charged with cheating on two licensing exams was found guilty by a federal jury Friday.

James Floyd, 47, the former supervisor of operations at the unit 2 reactor, was found guilty on two counts of making false statements on tests required by the Nuclear Regulatory Commission.

During the trial, U.S. Attorney James West argued that Floyd asked someone else to answer questions on the tests, then reported the work as his own.

Floyd admitted in court that he cheated. But his attorney, William Fulton, said no crime was committed because the defendant never intended to deceive anyone into thinking the work was his.

Floyd was supervisor of opera-

tions at unit 2 from its startup through August 1979, a period that spanned the plant's crippling mishap in March 1979, the worst accident in U.S. commercial nuclear history.

The two tests were part of a larger requalification process Floyd was required to pass to obtain routine relicensing by the NRC.

After the verdict, U.S. District Judge Sylvia Rambo directed that Floyd remain free on his own recognizance. No sentencing date was set.

Floyd could receive up to five years in jail and a \$10,000 in fines on each count, West said.

According to testimony, Floyd entered the unit 1 control room on the night of June 30, 1979, and asked reactor operator Gregory

Hitz to answer the questions.

Hitz testified that he completed all the questions on one test and some on another, but did not know they were relicensing tests. The work was handed in the next day, when it was due.

According to testimony, Floyd had 16 months to do the tests.

West said Floyd's argument that he knew he would be caught "doesn't make sense" and leads to the "logical conclusion" that he tried to take credit for someone else's work.

Floyd testified that he cheated because the TMI accident and other matters consumed his time and made studying impossible. He said he merely wanted to complete the tests by the deadline and enter an intensive study program.

—The Patriot, Harrisburg, Pa., Friday, Dec. 14, 1984

TMI-cancer rate probe ruled out

By MICK ROOD
Washington Bureau

WASHINGTON — Allegations that the accident at Three Mile Island caused higher-than-normal cancer rates in the area will not be investigated by the Nuclear Regulatory Commission.

In a 2-1 vote yesterday, the NRC denied a request that the agency sponsor a probe of the allegations.

Norman and Marjorie Aamodt of Coatesville, who are officially recognized parties in the TMI-Unit 1 restart case, also had asked in June that the Unit 1 restart decision be delayed until a health-effects investigation was finished.

NRC Chairman Nunzio Palladino and Thomas Roberts voted against the Aamodts' request; Frederick Bernthal voted for it.

Had all commissioners been present, the vote would have been 3-2 against the request because Commissioner Lando W. Zech opposed the request and James Asselstine favored it.

In order not to needlessly thwart the will of the majority with a 2-2 vote, Asselstine, who was present, abstained because Zech was out of town.

In an order denying the request, the commission majority said "the Aamodts have not presented sufficient reliable information to show that previous, more comprehensive and scientific surveys of TMI-2 accident radiation releases are erroneous."

Commenting on an informal survey of residents the Aamodts presented to the commission, the NRC said it "is based entirely on recollections and opinions and has no scientific basis."

In support of its decision, the commission submitted a brief cri-

tique of evidence supplied by the Aamodts from Dr. Glyn G. Caldwell, an assistant director for epidemiology at the U.S. Centers for Disease Control in Atlanta, Ga.

Caldwell said the Aamodts' paper "does not present convincing evidence of cancer incidence, cancer mortality or adverse pregnancy outcome in TMI area residents following the accident."

Both Bernthal and Asselstine said they would have preferred that the NRC pay for an independent consultant to assist in the Pennsylvania Department of Health's ongoing study of epidemiological research in the TMI area.

"The commission must continue to exercise extraordinary diligence ... so that to the extent scientifically possible, all reasonable concerns regarding possible effects of the TMI-2 accident on citizens in the TMI area may be acted upon or laid to rest," Bernthal said in a separate opinion.

Although Asselstine joined in that sentiment, he said there wasn't "sufficient evidence" in any case to justify delaying a restart vote on this issue.

Sunday Patriot-News, Harrisburg, Pa., December 16, 1984

Canada's sale of electricity brightens U.S.

And until last year, Ontario Hydro electricity helped replace the power lost due to the 1979 accident at Pennsylvania's Three Mile Island nuclear plant.

THE POTENTIAL IS almost limitless. Hydro-Quebec, which is completing its massive 10,269-megawatt La Grande hydroelectric complex, has an additional 30,000 megawatts of untapped hydro potential, nearly double the current peak need for all six New England states.

NRC ex-investigator: Top official blocked search for TMI cover-up

By Jim Detjen
and Susan FitzGerald
Inquirer Staff Writers

HARRISBURG — A former Nuclear Regulatory Commission investigator testified yesterday that a top commission official repeatedly thwarted an NRC inquiry into whether crucial information was covered up during the first days of the March 1979 accident at Three Mile Island.

David Gamble, who participated in the probe, said he was told by James Cummings, head of the NRC's Office of Inspector and Auditor, not to interview two control-room workers about critical aspects of the Unit 2 accident.

Gamble also testified that in 1980, Cummings would not allow him to interview eight other TMI and NRC

employees to determine whether NRC inspectors had lied about their awareness of what happened on March 28, 1979, the first day of the accident. Gamble said that Cummings refused to let him use polygraph examinations to aid in the investigation.

Gamble presented his testimony to an NRC Atomic Safety and Licensing Board that is hearing evidence on whether Herman Dieckamp, president of General Public Utilities Corp. (GPU), the owner of TMI, lied to a congressman and the NRC about the accident.

TMI Alert, a Harrisburg-based citizens' group that is a party in the licensing board hearing, has maintained that Dieckamp and TMI plant personnel knew on March 28 that the

Unit 2 reactor core had suffered extensive damage, yet concealed that information from state and federal officials for nearly two days.

In his second day of testimony before the board, Gamble continued to challenge the integrity of the NRC's efforts to investigate the reporting of information by TMI and NRC personnel during the accident. In one report issued in January 1981, the NRC concluded that TMI officials did not improperly withhold information about the accident.

Federal sources say a federal grand jury in Washington is investigating whether NRC employees acted improperly in investigating events surrounding the TMI accident.

Gamble testified yesterday that
(See TMI on 2-B)

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TMI, from 1-B

Cummings told him not to interview Joseph Chwastyk and Brian Mehler, Unit 2 control room personnel, for an investigation centering on the events surrounding a hydrogen explosion inside the reactor building.

After Gamble made his remarks about Cummings, Ivan Smith, an administrative law judge heading the hearing, said he was concerned that a top NRC official "prohibited a complete inquiry."

"It is a matter that warrants a more thorough inquiry, that's pretty obvious," Smith said.

Cummings, who is currently on sabbatical from his job at the NRC, could not be reached for comment.

Gamble also testified that he asked his NRC superior, Roger Fortuna, to seek authorization for Gamble to conduct eight additional interviews to determine if NRC inspectors may have lied about their knowledge of the hydrogen explosion and the severity of the accident. Gamble said that Fortuna made the request in a memo to Cummings.

During yesterday's hearing, a copy of that November 6, 1980, memo was placed before the licensing board as evidence. One page of the memo had a slash drawn through it and was marked with a "NO" and the initials "JC."

Gamble said it was Cummings who drew the slash through the memo,

signaling his rejection of the request for more interviews.

"So, he canceled everything?" asked Smith.

"Yes, sir," Gamble replied.

Gamble testified that on another occasion, he asked Fortuna to write a letter asking for the U.S. Naval Investigative Service to assist in administering lie detector tests to determine if NRC and TMI employees may have committed perjury during previous federal investigations into the accident.

The December 1, 1980, letter, introduced as evidence in the hearing, had a slash drawn through it. A large "NO!" was written at the top.

"Who wrote 'no?'" the licensing board asked.

"It was Mr. Cummings," Gamble replied.

The licensing board hearing, which is expected to conclude next week, is part of an NRC review to determine whether the undamaged Unit 1 reactor at TMI should be allowed to begin producing electricity again.

Unit 1 was shut down for refueling and repairs at the time of the Unit 2 accident and has been closed ever since under an NRC order. GPU Nuclear Corp, the GPU subsidiary that operates the nuclear station, has been seeking the NRC's permission to restart Unit 1.

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